

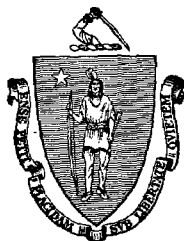
ACTS  
AND  
RESOLVES  
PASSED BY THE  
**General Court of Massachusetts**  
IN THE YEAR  
1962

TOGETHER WITH  
TABLES SHOWING CHANGES IN THE STATUTES, ETC.

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PUBLISHED BY  
**KEVIN H. WHITE**  
Secretary of the Commonwealth

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**ACTS AND RESOLVES**

**OF**


**MASSACHUSETTS**

**1962**

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 The General Court, which was chosen November 8, 1960, assembled on Wednesday, the third day of January, 1962, for its second annual session.

*His Excellency JOHN A. VOLPE and His Honor EDWARD F. McLAUGHLIN, JR.* continued to serve as Governor and Lieutenant Governor, respectively, for the political year of 1962.

# ACTS.

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**Chap. 1.** AN ACT PROVIDING LIFE TENURE FOR WILLIAM AMMANN, INCUMBENT OF THE OFFICE OF SUPERINTENDENT OF THE WATER DEPARTMENT OF PALMER FIRE DISTRICT NUMBER ONE OF PALMER.

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

SECTION 1. The tenure of office of William Ammann, incumbent of the office of superintendent of the water department of Palmer Fire District Number One of Palmer, 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 voters of said district at a district meeting.

*Approved January 22, 1962.*

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**Chap. 2.** AN ACT PROVIDING LIFE TENURE FOR JOSEPH E. BENOIT, INCUMBENT OF THE OFFICE OF HIGHWAY SUPERINTENDENT OF THE TOWN OF SOUTHBRIDGE.

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

SECTION 1. The tenure of office of Joseph E. Benoit, incumbent of the office of highway superintendent of the town of Southbridge, shall, upon the effective date of this act, be unlimited, but he may be removed therefrom for just cause after hearing 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-two, entitled 'An Act providing life tenure for Joseph E. Benoit, incumbent of the office of highway superintendent of the town of Southbridge', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

*Approved January 22, 1962.*

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**Chap. 3.** AN ACT PLACING THE OFFICE OF VETERANS' AGENT OF THE CITY OF SALEM UNDER THE CIVIL SERVICE LAWS AND RULES.

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

SECTION 1. The office of veterans' agent of the city of Salem shall, upon the effective date of this act, become subject to the civil service laws and rules. The incumbent of said office on said effective date shall be subjected by the division of civil service to a qualifying ex-

amination for said office. If he passes said examination, he shall be certified for said office and deemed to be permanently appointed thereto, without being required to serve any probationary period, and his tenure of office shall be unlimited, subject, however, to said laws.

SECTION 2. This act shall take effect upon its acceptance by the city council of the city of Salem, with the approval of its mayor.

*Approved January 22, 1962.*

**Chap. 4.** AN ACT VALIDATING THE ZONING BY-LAWS OF THE TOWN OF DUDLEY.

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

SECTION 1. The zoning by-laws of the town of Dudley adopted March fourth, nineteen hundred and sixty-one and described in article sixty-two of the warrant for the annual town meeting held in said town on March fourth, nineteen hundred and sixty-one are hereby confirmed and made valid notwithstanding the failure to comply with the provisions of law relative to zoning by-laws.

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

*Approved January 22, 1962.*

**Chap. 5.** AN ACT PROVIDING LIFE TENURE FOR CHARLES CHANDLER, INCUMBENT OF THE OFFICE OF HIGHWAY SUPERINTENDENT OF THE TOWN OF HOLBROOK.

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

SECTION 1. The tenure of office of Charles Chandler, incumbent of the office of highway superintendent of the town of Holbrook 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 town of Holbrook at its next annual town meeting in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and sixty-two, entitled 'An Act providing life tenure for Charles Chandler, incumbent of the office of highway superintendent of the town of Holbrook', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

*Approved January 22, 1962.*

**Chap. 6.** AN ACT PROVIDING LIFE TENURE FOR DONAT T. DAIGLE, INCUMBENT OF THE OFFICE OF BUILDING INSPECTOR OF THE TOWN OF DRACUT AND FOR DANIEL C. HANSON, INCUMBENT OF THE OFFICE OF TOWN ACCOUNTANT OF SAID TOWN.

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

SECTION 1. The tenure of office of Donat T. Daigle, incumbent of the office of building inspector of the town of Dracut and of Daniel C. Hanson, incumbent of the office of town accountant of said town shall,

upon the effective date of this act, be unlimited, but they 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 town of Dracut at its next annual town meeting in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting: — “Shall an act passed by the General Court in the year nineteen hundred and sixty-two, entitled ‘An Act providing life tenure for Donat T. Daigle, incumbent of the office of building inspector of the town of Dracut and for Daniel C. Hanson, incumbent of the office of town accountant of said town’, be accepted?” If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

*Approved January 22, 1962.*

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**Chap. 7.** AN ACT EXTENDING THE TIME WITHIN WHICH CERTAIN SOLDIERS AND SAILORS AND THEIR WIVES, WIDOWS, FATHERS AND MOTHERS MAY FILE APPLICATIONS 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 9 of the acts of 1961, 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-one may be made not later than October first, nineteen hundred and sixty-two, notwithstanding any provision of law to the contrary.

*Approved January 22, 1962.*

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**Chap. 8.** AN ACT PROVIDING LIFE TENURE FOR THE INCUMBENT OF THE OFFICE OF SUPERVISOR OF CUSTODIANS AND THE INCUMBENTS OF THE OFFICE OF CUSTODIANS OF THE PUBLIC SCHOOLS OF THE TOWN OF DRACUT.

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

SECTION 1. The tenure of office of the incumbent of the office of supervisor of custodians and the incumbents of the office of custodians of the public schools of the town of Dracut shall, upon the effective date of this act, be unlimited, but they 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 town of Dracut at its next annual town meeting in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting: — “Shall an act passed by the General Court in the year nineteen hundred and sixty-two, entitled ‘An Act providing life tenure for the incumbent of the office of supervisor of custodians and the incumbents of the office of custodians of the public schools of the town of Dracut’, be accepted?” If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

*Approved January 22, 1962.*

**Chap. 9.** AN ACT PROVIDING THAT ANY PERSON CHOSEN TO FILL A VACANCY IN THE SCHOOL COMMITTEE OF THE CITY OF ATTLEBORO SHALL SERVE THE UNEXPIRED TERM OF THE PERSON HE REPLACES.

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

SECTION 1. Section 44 of chapter 680 of the acts of 1914, as amended by chapter 252 of the Special Acts of 1915, is hereby repealed.

SECTION 2. Chapter 331 of the acts of 1927 is hereby amended by striking out section 5 and inserting in place thereof the following section: — *Section 5.* Whenever a vacancy shall occur in the membership of the school committee, the mayor shall call a joint meeting of the municipal council and the school committee. The president of the municipal council shall preside at such meeting and the vacancy shall be filled from the qualified voters of the city by a vote of a majority of all the members of the two bodies. The person so chosen shall serve the unexpired term of the person he replaces.

SECTION 3. This act shall be submitted to the voters of the city of Attleboro at the next municipal election to be held in 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-two, entitled ‘An Act providing that any person chosen to fill a vacancy in the school committee of the city of Attleboro shall serve the unexpired term of the person he replaces’, be accepted?” If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

*Approved January 22, 1962.*

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**Chap. 10.** AN ACT PROVIDING LIFE TENURE FOR CERTAIN EMPLOYEES OF THE HIGHWAY DEPARTMENT OF THE TOWN OF DRACUT.

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

SECTION 1. The tenure of the position of Thomas A. Dinley, incumbent of the position of grader operator and foreman, of Ralph Nolin, incumbent of the position of roller operator and foreman, of Robert Gunther, Edward Roark, John Tareco, Harold Dickinson, Paul Dillon, Michael Cassidy and Victor Nolin, incumbents of the position of mechanic and truck driver in the highway department of the town of Dracut shall, upon the effective date of this act, be unlimited. No such incumbent shall be removed from employment 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 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-two, entitled ‘An Act providing life tenure for certain employees of the highway department 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 January 22, 1962.*

**Chap. 11.** AN ACT INCREASING THE NUMBER OF DAYS IN WHICH PUBLIC ELEMENTARY SCHOOLS SHALL BE OPEN DURING THE SCHOOL YEAR.

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

The first sentence of section 1 of chapter 71 of the General Laws, as appearing in chapter 137 of the acts of 1953, is hereby amended by striking out, in line 2, the word "sixty" and inserting in place thereof the word: — eighty, — so as to read as follows: — Every town shall maintain, for at least one hundred and eighty days in each school year unless specifically exempted as to any one year by the department of education, in this chapter called the department, a sufficient number of schools for the instruction of all children who may legally attend a public school therein.

*Approved January 22, 1962.*

**Chap. 12.** AN ACT PROVIDING LIFE TENURE FOR POWELL A. FRASER, ALFRED F. HANDLEY, RAOUL J. LEFEBVRE AND ALFRED J. ARASKIEWICZ, INCUMBENTS OF THE POSITION OF PATROLMAN OF THE POLICE DEPARTMENT OF THE TOWN OF DRACUT.

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

SECTION 1. The tenure of the positions of Powell A. Fraser, Alfred F. Handley, Raoul J. Lefebvre and Alfred J. Araskiewicz, incumbents of the position of patrolman of the police department of the town of Dracut shall, upon the effective date of this act, be unlimited. No such incumbent shall be removed from his position 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 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-two, entitled 'An Act providing life tenure for Powell A. Fraser, Alfred F. Handley, Raoul J. Lefebvre and Alfred J. Araskiewicz, incumbents of the position of patrolman of the police department 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 January 22, 1962.*

**Chap. 13.** AN ACT PROVIDING LIFE TENURE FOR JOSEPH SIENKIEWICZ, INCUMBENT OF THE OFFICE OF TOWN ACCOUNTANT OF THE TOWN OF WEBSTER.

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

SECTION 1. The tenure of office of Joseph Sienkiewicz, incumbent of the office of town accountant of the town of Webster 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 town of Webster at its next annual town meeting in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting: — “Shall an act passed by the General Court in the year nineteen hundred and sixty-two, entitled ‘An Act providing life tenure for Joseph Sienkiewicz, incumbent of the office of town accountant of the town of Webster’, be accepted?” If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

*Approved January 22, 1962.*

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**Chap. 14.** AN ACT PROVIDING LIFE TENURE FOR PAUL P. JERRIS, INCUMBENT OF THE OFFICE OF TOWN ACCOUNTANT OF THE TOWN OF ATHOL.

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

SECTION 1. The tenure of office of Paul P. Jerris, incumbent of the office of town accountant of the town of Athol 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 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-two, entitled ‘An Act providing life tenure for Paul P. Jerris, incumbent of the office of town accountant of the town of Athol’, be accepted?” If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

*Approved January 22, 1962.*

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**Chap. 15.** AN ACT AUTHORIZING THE TOWN OF NANTUCKET TO BORROW MONEY FOR PARK AND RECREATIONAL PURPOSES.

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

SECTION 1. The town of Nantucket, for the purpose of establishing and improving the park and recreational facilities in said town, including, without limiting the generality of the foregoing, the acquisition of public lands for park or recreational purposes, and the construction and equipping of bathing houses, bulkheads, wharfs, piers, landings, boat ramps, waterfront facilities, tennis courts, athletic fields, parking facilities for automobiles and bicycles, roads, ways, bicycle paths, buildings, fences, structures, water supply systems, sewer systems, and such other facilities necessary or convenient for park or recreational purposes, may borrow from time to time, such sums of money as may be necessary, not exceeding in the aggregate one hundred and fifty thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Nantucket Park and Recreation Loan, Act of 1962. Each authorized issue shall constitute a separate loan and such loans shall be paid in not more than ten years from their dates. Indebtedness incurred under

this act shall be outside the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

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

*Approved January 25, 1962.*

**Chap. 16.** 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 two 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. Chapter four of the acts of nineteen hundred and sixty-one is hereby repealed.

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

*Approved January 25, 1962.*

**Chap. 17.** AN ACT PROVIDING LIFE TENURE FOR EDWARD H. MCGOWAN, INCUMBENT OF THE OFFICE OF CHIEF ENGINEER OF THE WILLIAMSTOWN FIRE DISTRICT.

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

SECTION 1. The tenure of office of Edward H. McGowan, incumbent of the office of chief engineer of the Williamstown fire district, 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 prudential committee of said district, 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 board of commissioners of the Williamstown fire district or, if such board is known as or its powers are now exercised by a prudential committee, by such committee, and, in either case, by a majority of the legal voters of said district present and voting at a special meeting of the Williamstown fire district.

*Approved January 25, 1962.*

**Chap. 18.** AN ACT RELATIVE TO THE DUTIES OF THE CHIEF OF THE ARCHIVES DIVISION IN THE DEPARTMENT OF THE STATE SECRETARY.

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

Chapter 9 of the General Laws is hereby amended by striking out section 2, as most recently amended by chapter 586 of the acts of 1958 and inserting in place thereof the following section:—*Section 2.* He may appoint a first deputy, a second deputy, and a third deputy and a



fourth deputy each of whom shall perform the duties of a division head, a director of the corporation division who shall be an attorney at law, a cashier for whose conduct he shall be responsible and from whom he may require a bond, and a chief of the archives division who shall be a qualified archivist and shall be known as the archivist of the commonwealth. The archivist of the commonwealth shall, under the direction of the secretary, have charge of the non-current records of the commonwealth, particularly with regard to their custody, preservation, management and, when authorized, their destruction, and shall supervise the operation of the archives museum. He may, under the direction of the secretary, prepare material for publication. The secretary may also appoint clerks, messengers and other assistants necessary for the prompt despatch of public business. He may also employ such clerical assistance as he may deem necessary to carry out the laws relative to primaries and elections, and such employment and the appointment of such deputies, director, cashier and chief of the archives division shall not be subject to chapter thirty-one.

*Approved January 25, 1962.*

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**Chap. 19.** AN ACT REQUIRING NON-RESIDENT STUDENTS AT SCHOOLS OR COLLEGES WITHIN THE COMMONWEALTH WHO OPERATE MOTOR VEHICLES REGISTERED OUTSIDE THE COMMONWEALTH TO FILE CERTAIN INFORMATION WITH THE LOCAL POLICE DEPARTMENT.

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

SECTION 1. Section 3 of chapter 90 of the General Laws is hereby amended by inserting after the second paragraph the following paragraph: —

Every non-resident enrolled as a student at a school or college in the commonwealth who operates a motor vehicle registered in another state or country for more than thirty days in the aggregate within the commonwealth during any period beginning on September first of any year and ending on August thirty-first of the following year shall, on or before such thirtieth day, file in duplicate with the police department of the city or town in which such school or college is located, on a form approved by the registrar of motor vehicles, a statement signed by him under the penalties of perjury providing the following information: — the registration number and make of the motor vehicle and the state or country of registration, the name and address of the owner, the legal residence of such non-resident and his residence while attending such school or college, and the name and address of the school or college which he is attending. The police department with whom any such statement is filed in duplicate shall send one copy thereof to the registrar of motor vehicles. Any such non-resident who fails to comply with the provisions of this paragraph shall be punished by a fine of not more than fifty dollars.

SECTION 2. This act shall take effect on September first, nineteen hundred and sixty-two.

*Approved January 25, 1962.*

**Chap. 20.** AN ACT PROVIDING LIFE TENURE FOR ROGER G. PEABODY, INCUMBENT OF THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF TOPSFIELD.

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

SECTION 1. The tenure of office of Roger G. Peabody, incumbent of the office of chief of police of the town of Topsfield, shall be unlimited, but he may be removed therefrom, lowered in rank or compensation, or suspended, 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 town of Topsfield for acceptance at the annual town meeting 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 for the election of town officers at said meeting: — "Shall an act passed by the General Court in the year nineteen hundred and sixty-two, entitled 'An Act providing life tenure for Roger G. Peabody, incumbent of the office of chief of police of the town of Topsfield', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

*Approved January 25, 1962.*

**Chap. 21.** AN ACT PROVIDING THAT CALL MEMBERS OF THE FIRE DEPARTMENT IN THE TOWN OF FRANKLIN APPOINTED HEREAFTER SHALL NOT BE SUBJECT TO THE CIVIL SERVICE LAWS AND RULES.

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

SECTION 1. The civil service laws and rules shall not apply to call members of the fire department in the town of Franklin appointed after the effective date of this act.

SECTION 2. This act shall take effect upon its acceptance by vote of said town at an annual town meeting or at a special town meeting called for the purpose.

*Approved January 25, 1962.*

**Chap. 22.** AN ACT PROVIDING LIFE TENURE FOR NICHOLAS LAMBROS, INCUMBENT OF THE OFFICE OF SUPERINTENDENT OF THE DRACUT WATER SUPPLY DISTRICT AND LIFE TENURE FOR DORIS PIPPEN, LEO BEAULIEU, THOMAS GRONDINE, JOHN SCHIRIPO, AND FRANK PAVELKA, EMPLOYEES OF SAID DISTRICT.

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

SECTION 1. The tenure of office of Nicholas Lambros, incumbent of the office of superintendent of the Dracut Water Supply District and the tenure of office of Doris Phippen, Leo Beaulieu, Thomas Grondine, John Schiripo and Frank Pavelka, employees of said district shall, upon the effective date of this act, be unlimited, but any of them may be removed 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 district at its next annual water district meeting in the form of the following question, which shall be placed upon the official ballot to be used for the election of water district officers at said meeting: — "Shall an act passed by the General Court in the year nineteen hundred and sixty-two, entitled 'An Act providing life tenure for Nicholas Lambros, incumbent of the office of superintendent of the Draut Water Supply District and life tenure for Doris Pippen, Leo Beaulieu, Thomas Grondine, John Schiripo and Frank Pavelka, employees of said district', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

*Approved January 25, 1962.*

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**Chap. 23.** AN ACT PROVIDING A PENALTY FOR THE POSSESSION OF AN ALTERED, FORGED OR COUNTERFEITED LICENSE TO OPERATE A MOTOR VEHICLE OR CERTIFICATE OF REGISTRATION OF A MOTOR VEHICLE OR TRAILER.

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

Chapter 90 of the General Laws is hereby amended by striking out section 24B, inserted by chapter 249 of the acts of 1960, and inserting in place thereof the following section: — *Section 24B.* Whoever falsely makes, alters, forges or counterfeits, or procures or assists another to falsely make, alter, forge or counterfeit, a license to operate motor vehicles or a certificate of registration of a motor vehicle or trailer, or whoever forges or without authority uses the signature, facsimile of the signature, or validating signature stamp of the registrar or deputy registrar upon a genuine or falsely made, altered, forged or counterfeited license to operate motor vehicles or certificate of registration of a motor vehicle or trailer, or whoever has in his possession, or utters, publishes as true or in any way makes use of a falsely made, altered, forged or counterfeited license to operate motor vehicles or certificate of registration of a motor vehicle or trailer, and whoever has in his possession, or utters, publishes as true, or in any way makes use of a falsely made, altered, forged or counterfeited signature, facsimile of the signature or validating signature stamp of the registrar or deputy registrar, shall be punished by imprisonment in the state prison for not more than five years or in a jail or house of correction for not more than two years.

*Approved January 25, 1962.*

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**Chap. 24.** AN ACT PROVIDING LIFE TENURE FOR GEORGE R. O'BRIEN, INCUMBENT OF THE OFFICE OF LIEUTENANT OF POLICE OF THE TOWN OF RAYNHAM.

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

SECTION 1. The tenure of office of George R. O'Brien, incumbent of the office of lieutenant of police of the town of Raynham shall, upon the effective date of this act, be unlimited during good behavior. 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 the town of Raynham at its annual town meeting 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 at said meeting: — "Shall an act passed by the General Court in the year nineteen hundred and sixty-two, entitled 'An Act providing life tenure for George R. O'Brien, incumbent of the office of lieutenant of police of the town of Raynham', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

*Approved January 25, 1962.*

**Chap. 25.** AN ACT PROVIDING LIFE TENURE FOR LEO J. PESSINI, INCUMBENT OF THE OFFICE OF SUPERINTENDENT OF STREETS OF THE TOWN OF SOUTHBOROUGH.

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

SECTION 1. The tenure of office of Leo J. Pessini, incumbent of the office of superintendent of streets of the town of Southborough, shall be unlimited, but he may be removed therefrom for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

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

*Approved January 25, 1962.*

**Chap. 26.** 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-three, 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 January 25, 1962.*

**Chap. 27.** AN ACT RELATIVE TO THE POWERS AND DUTIES OF CERTAIN LICENSED ENGINEERS AUTHORIZED TO OPERATE STEAM BOILERS AND ENGINES.

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

SECTION 1. Chapter 146 of the General Laws is hereby amended by striking out section 49, as amended by section 1 of chapter 207 of the acts of 1953, and inserting in place thereof the following section: —

*Section 49.* Licenses shall be granted according to the competence of the applicant, and shall be classified as follows: Engineers' licenses: First class, to have charge of and operate any steam plant. Second class, to have charge of and operate a boiler or boilers, and to have charge of and operate engines, no one of which shall exceed one hundred and fifty horse power, or to operate a first class plant under the engineer in direct charge thereof. Third class, to have charge of and operate a boiler or boilers not exceeding in the aggregate one hundred and fifty horse power when solid fuel is burned or not exceeding in the aggregate five hundred horse power based upon the relieving capacity of the safety valve or valves when steam is generated by the use of liquid or gaseous fuel, electric or atomic energy, or any other source of heat, and an engine or engines not exceeding fifty horse power each, or to operate a second class plant under the engineer in direct charge thereof. Fourth class, to have charge of and operate hoisting and portable steam engines and boilers. Portable class, to have charge of or to operate portable boilers and portable engines, except hoisting engines or steam fire engines. Steam fire engineer's class, to have charge of or to operate steam fire engines and boilers. Firemen's licenses: Extra first class, to have charge of and operate any boiler or boilers. First class, to have charge of and operate any boiler or boilers where the safety valve or valves are set to blow at a pressure not exceeding twenty-five pounds to the square inch, or to operate high pressure boilers under the engineer or fireman in direct charge thereof. Second class, to operate any boiler or boilers under the engineer or fireman in direct charge thereof. A person holding an extra first class or first class fireman's license may operate a third class plant under the engineer in direct charge thereof. Special licenses: A person who desires to have charge of or to operate a particular steam plant may, if he files with his application for such examination a written request signed by the owner or user of the plant, be examined as to his competence for such service and no other, and, if found competent and trustworthy, he shall be granted a license for such service, and no other; provided, that no special license shall be granted to give any person charge of or permission to operate an engine of over fifty horse power, or a boiler or boilers exceeding in the aggregate one hundred and fifty horse power, except that where the main power plant is run exclusively by water power, developed on the premises of

such plant a major part of the year, and has auxiliary steam power for use during periods of low water, a special license may be granted to an applicant holding an engineer's license.

SECTION 2. No special license issued under section forty-nine of chapter one hundred and forty-six of the General Laws, as in effect prior to the effective date of this act shall be invalidated or affected in any way by the provisions of section one of this act.

*Approved January 26, 1962.*

**Chap. 28.** AN ACT INCREASING THE FEES WHICH MAY BE CHARGED FOR EVENING SCHOOL INSTRUCTION.

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

Chapter 71 of the General Laws is hereby amended by striking out section 20, as amended by chapter 680 of the acts of 1951, and inserting in place thereof the following section: — *Section 20.* The school committee shall, two weeks next before the opening of each term of the evening schools, post in three or more public places in the town notice of the situation of said schools, the date of the beginning of the term, the evenings of the week on which they will be in session, such regulations as to attendance as it deems proper, and the provisions of section ninety-five of chapter one hundred and forty-nine. Except in the city of Boston, the school committee may require from each student, not bound by law to attend, an advance payment not exceeding ten dollars for each course offered for which the student registers and for which the town receives no reimbursement from the commonwealth or any of its agents, and not exceeding five dollars for each course offered for which the student registers and for which the town is reimbursed in whole or in part by the commonwealth or any of its agents, which fee or fees may, at its discretion, be paid into the town treasury to be credited to the school appropriation, or be returned in whole or in part at such time and under such conditions as the committee determines. In the city of Boston, the school committee may require from each student, not bound by law to attend, an advance payment not exceeding five dollars, which may, at its discretion, be paid into the city treasury to be credited to the school appropriation, or be returned in whole or in part at such time and under such conditions as the committee determines.

*Approved January 26, 1962.*

**Chap. 29.** AN ACT PLACING THE POSITIONS OF REGULAR OR PERMANENT MEMBERS OF THE FIRE DEPARTMENT OF THE TOWN OF READING UNDER THE CIVIL SERVICE LAWS.

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

SECTION 1. The positions of regular or permanent members of the fire department of the town of Reading shall, upon the effective date of this act, be subject to the civil service laws and rules relative to fire fighters in towns, and the tenure of office of any incumbent thereof shall be unlimited, subject, however, to said laws. The incumbent of each such position on said effective date shall be subjected to a qualifying examination for such position by the division of civil service, and, if he passes said examination, shall be certified for said position and shall be

deemed to be permanently appointed thereto without being required to serve any probationary period.

SECTION 2. This act shall be submitted for acceptance to the voters of the town of Reading at the biennial state election in the current year in the form of the following question, which shall be placed upon the official ballot to be used at said election: — “Shall an act passed by the General Court in the year nineteen hundred and sixty-two, entitled ‘An Act placing the positions of regular or permanent members of the fire department of the town of Reading under the civil service laws’, be accepted?” If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

*Approved January 30, 1962.*

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**Chap. 30.** AN ACT AUTHORIZING THE TOWN OF GROVELAND TO USE CERTAIN PARK LAND FOR MUNICIPAL PURPOSES.

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

SECTION 1. The town of Groveland is hereby authorized to use for municipal purposes the land in said town now held for park purposes and known as Merrimack park and bounded as follows: — Northerly by Main street 75.5 feet; Easterly by Elm park 60.3 feet; Southerly by Elm park 29 feet; and Westerly by Elm park 90 feet.

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

*Approved January 30, 1962.*

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**Chap. 31.** AN ACT PLACING THE OFFICES AND POSITIONS IN THE PUBLIC WORKS DEPARTMENT OF THE TOWN OF NORTH READING UNDER THE CIVIL SERVICE LAWS.

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

SECTION 1. The offices and positions in the public works department of the town of North Reading 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. The incumbent on said effective date of each such office or position classified in the official service of the civil service classification shall be subjected to a qualifying examination for such office or position by the division of civil service, and, if he passes said examination, shall be certified for said 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 for acceptance to the voters of the town of North Reading at the annual town meeting in the current year in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting: — “Shall an act passed by the General Court in the year nineteen hundred and sixty-two, entitled, ‘An Act placing the offices and positions in the public works department of the town of North Reading under the civil service laws’, be accepted?” If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

*Approved January 30, 1962.*

**Chap. 32.** AN ACT INCREASING THE AMOUNT OF MONEY THE TOWN OF PLYMOUTH MAY APPROPRIATE FOR MUNICIPAL ADVERTISING PURPOSES AND FOR PUBLIC AMUSEMENTS.

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

SECTION 1. Section 1 of chapter 76 of the acts of 1950, as most recently amended by section 1 of chapter 62 of the acts of 1959, is hereby further amended by striking out, in line 2, the word "fifteen" and inserting in place thereof the word: — twenty, — so as to read as follows: — *Section 1.* The town of Plymouth may, by a majority vote, appropriate each year a sum not exceeding twenty 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 selectmen.

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

*Approved January 31, 1962.*

**Chap. 33.** AN ACT VALIDATING AN AMENDMENT TO THE ZONING BY-LAWS OF THE TOWN OF SUNDERLAND.

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

SECTION 1. The action taken by the town of Sunderland at its annual town meeting held in the year nineteen hundred and sixty-one in voting to amend section four of its zoning by-laws, as described in article twenty-five of the warrant for said meeting is hereby validated and confirmed, notwithstanding the fact that the provisions of section six of chapter forty A of the General Laws relative to the giving of notice were not complied with prior to the public hearing on said article.

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

*Approved January 31, 1962.*

**Chap. 34.** AN ACT AUTHORIZING THE TOWN OF FRAMINGHAM TO ABOLISH THE OFFICE OF TREE WARDEN AND TRANSFER THE POWERS AND DUTIES THEREOF TO THE COMMISSIONERS OF PUBLIC WORKS.

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

SECTION 1. Chapter 701 of the acts of 1914 is hereby amended by striking out section 4 and inserting in place thereof the following section: — *Section 4.* After the acceptance of this act, the said town may, at any legal town meeting called for that purpose, vote to abolish the board of park commissioners or the office of tree warden and thereupon all of the powers, rights, duties and liabilities of said board or office shall be conferred and imposed upon the commissioners of public works.

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

*Approved January 31, 1962,*



**Chap. 35.** AN ACT ELIMINATING THE REQUIREMENT THAT CERTAIN EVIDENCE THAT A FEMALE DOG HAS BEEN SPAYED BE FILED WHEN PAYING THE LICENSE FEE.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to eliminate forthwith the requirement that certain evidence that a female dog has been spayed be filed when paying the license fee, 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 140 of the General Laws is hereby amended by striking out section 139, as most recently amended by section 2 of chapter 44 of the acts of 1956, and inserting in place thereof the following section: — *Section 139.* The fee for every license shall, except as otherwise provided, be two dollars for a male dog and five dollars for a female dog, unless a certificate of a registered veterinarian who performed the operation that said female dog has been spayed and has thereby been deprived of the power of propagation has been shown to the town clerk, in which case the fee shall be two dollars. If the town clerk is satisfied that the certificate of the veterinarian who spayed the dog cannot be obtained, he may accept in lieu thereof a statement signed under the penalties of perjury by a veterinarian registered and practicing in the commonwealth, describing the dog and stating that he has examined such dog and that it appears to have been, and in his opinion has been, spayed and thereby deprived of the power of propagation. No fee shall be charged for a license for a dog specially trained to lead or serve a blind person; provided, that the division of the blind certifies that such dog is so trained and actually in the service of a blind person. No license fee or part thereof shall be refunded because of the subsequent death, loss, spaying, or removal from the commonwealth or other disposal, of the dog, nor shall any license fee or part thereof paid by mistake be paid or recovered back after it has been paid over to the county under section one hundred and forty-seven.

SECTION 2. The provisions of section one hundred and thirty-nine of chapter one hundred and forty of the General Laws, as amended by section one of this act, shall take effect on April first, nineteen hundred and sixty-two.

*Approved January 31, 1962.*

**Chap. 36.** AN ACT VALIDATING CERTAIN PROCEEDINGS OF THE TOWN OF FRANKLIN AND AUTHORIZING EXPENDITURES IN ACCORDANCE THEREWITH.

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

SECTION 1. The vote of the town of Franklin passed on March fourteenth, nineteen hundred and sixty-one ratifying and confirming the action of the board of health of said town in appointing Peter O'Brien, one of its members, as acting board of health agent for a temporary period, and appropriating the sum of thirteen hundred and fifty dollars to be paid to said Peter O'Brien for services rendered, is hereby validated and confirmed, and said appropriation may be expended by said town.

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

*Approved January 31, 1962.*

**Chap. 37.** AN ACT INCREASING THE AMOUNT OF MONEY THAT THE TOWN OF WAREHAM MAY EXPEND FOR ADVERTISING PURPOSES.

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

SECTION 1. Section 1 of chapter 30 of the acts of 1954 is hereby amended by striking out, in line 3, the word "twenty-five" and inserting in place thereof the word: — thirty-five, — so as to read as follows: — *Section 1.* The town of Wareham is hereby authorized to appropriate annually a sum of money not exceeding thirty-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 2. This act shall take effect upon its passage.

*Approved January 31, 1962.*

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**Chap. 38.** AN ACT CHANGING THE TITLE OF THE EXECUTIVE OFFICER OF THE POLICE DEPARTMENT OF THE TOWN OF STONEHAM FROM CAPTAIN TO CHIEF OF POLICE.

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

SECTION 1. The title of the executive officer of the police department of the town of Stoneham is hereby changed from captain of police to chief of police. The incumbent of the office of captain of police, Bernard C. Vacon, shall hold the office of chief of police subject to the civil service laws and rules without further examination.

SECTION 2. This act shall take effect upon its acceptance by a majority of the voters of the town of Stoneham present and voting thereon at the annual town meeting in the current year.

*Approved January 31, 1962.*

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**Chap. 39.** AN ACT CHANGING THE TITLE OF THE EXECUTIVE OFFICER OF THE POLICE DEPARTMENT OF THE CITY OF MELROSE FROM CAPTAIN IN CHARGE OF POLICE TO CHIEF OF POLICE.

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

SECTION 1. The title of the executive officer of the police department of the city of Melrose is hereby changed from captain in charge of police to chief of police. The incumbent of the office of captain in charge of police, Robert Lloyd, shall hold the position of chief of police subject to the civil service laws and rules without further examination.

SECTION 2. Section 36 of chapter 162 of the acts of 1899, as most recently amended by chapter 78 of the acts of 1926, is hereby further amended by striking out, in line 13, the word "captain" and inserting in place thereof the word: — chief.

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

*Approved January 31, 1962.*

**Chap. 40.** AN ACT PERMITTING PAYMENTS OF NON-CONTRIBUTORY PENSIONS BY COUNTY TREASURERS WITHOUT CERTIFIED ORDERS OF THE COUNTY COMMISSIONERS.

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

Section 11 of chapter 35 of the General Laws, as most recently amended by section 1 of chapter 659 of the acts of 1950, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:— No payments, except payments of expenses in criminal prosecutions, of expenses of the courts, of the compensation or salaries of elected county officers, of outstanding notes or bonds and of interest thereon, reasonable expenses incurred by the treasurer as a party in representing the county which have been certified by the director of accounts, and non-contributory pensions authorized under any general or special law, shall be made by a treasurer except upon orders drawn and signed by a majority of the county commissioners, certified by their clerk and accompanied, except in Suffolk county, by the original bills, vouchers or evidences of county indebtedness for which payment is ordered, stating in detail the items and confirming the account.

*Approved January 31, 1962.*

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**Chap. 41.** AN ACT PROVIDING LIFE TENURE FOR JOSEPH E. COMIER, INCUMBENT OF THE OFFICE OF VETERANS' AGENT IN THE CITY OF GARDNER.

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

SECTION 1. The tenure of office of Joseph E. Comier, incumbent of the office of veterans' agent in the city of Gardner 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 mayor and city council of the city of Gardner, subject to the provisions of its charter, but not otherwise.

*Approved January 31, 1962.*

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**Chap. 42.** AN ACT PROVIDING THAT THE CHAIRMAN OF THE PERSONNEL BOARD OF THE TOWN OF MILFORD SHALL BE A TOWN MEETING MEMBER AT LARGE IN SAID TOWN.

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

SECTION 1. Section 3 of chapter 271 of the acts of 1933 is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 60 of the acts of 1953, and inserting in place thereof the following sentence:— Any representative town meeting held under the provisions of this act, except as otherwise provided herein, shall be limited to the voters elected under section two, together with the following, designated as town meeting members at large; namely, any member of the general court of the commonwealth from the town, the moderator, the town clerk, the selectmen, the town treasurer, the town counsel, the highway surveyor, the chairman of the trustees of the public library, the chairman of the finance committee,

the chairman of the school committee, the chairman of the board of assessors, the chairman of the board of health, the chairman of the park commission, the chairman of the board of town cemeteries, the chairman of the registrars of voters, the tax collector, the chairman of the board of public welfare, the chairman of the board of sewer commissioners, the chairman of the board of appeal under zoning by-laws, the chairman of the planning board, the town accountant, and the chairman of the personnel board.

SECTION 2. This act shall be submitted for acceptance to the town meeting members of the town of Milford at the next annual town meeting under an article which the selectmen of said town are hereby directed to insert in the warrant for such meeting, and shall take full effect upon its acceptance by a majority of the town meeting members voting thereon.

*Approved January 31, 1962.*

**Chap. 43.** AN ACT ABOLISHING THE PLANNING BOARD OF THE TOWN OF MONTEREY.

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

SECTION 1. The planning board of the town of Monterey is hereby abolished.

SECTION 2. This act shall be submitted to the voters of the town of Monterey 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-two, entitled 'An Act abolishing the planning board of the town of Monterey', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

*Approved January 31, 1962.*

**Chap. 44.** AN ACT RELATIVE TO THE TIME WHEN CERTAIN LOANS BY SAVINGS BANKS SHALL BE PAYABLE.

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

Section 41 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 1 and inserting in place thereof the following paragraph: —

1. *Term.* — Loans made under paragraphs 1 to 5, inclusive, of section thirty-eight and under section thirty-nine shall be payable either at a time not exceeding one year from the date thereof or upon demand on or after a date not exceeding one year from the date thereof and, in either case, may be renewed for any term for which a loan could then be made hereunder.

*Approved January 31, 1962.*

**Chap. 45.** AN ACT PLACING THE OFFICE OF TREE WARDEN OF THE TOWN OF WEST SPRINGFIELD UNDER THE CIVIL SERVICE LAWS.

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

SECTION 1. The office of tree warden of the town of West Springfield 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 said laws and rules. The incumbent of said office on said effective date shall be subjected by the division of civil service to a qualifying examination, and if he passes said examination he shall be certified for said office and shall be deemed to be permanently appointed thereto without being required to serve any probationary period.

SECTION 2. This act shall be submitted 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-two, entitled 'An Act placing the office of tree warden of the town of West Springfield under the civil service laws', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

*Approved January 31, 1962.*

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**Chap. 46.** AN ACT AUTHORIZING BANKS AND CREDIT UNIONS TO MAKE CERTAIN HOME IMPROVEMENT LOANS INSURED PURSUANT TO THE NATIONAL HOUSING ACT.

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

Section 51 of chapter 167 of the General Laws is hereby amended by striking out the second sentence, as appearing in chapter 598 of the acts of 1950, and inserting in place thereof the following two sentences: — With respect to the obligation of any mortgage contract entered into under any provision of this section, for the life of said obligation, no provision of law limiting the ratio of a mortgage loan to the value of the property or the term of the mortgage, or limiting the power of any trust company, savings bank, co-operative bank, banking company or credit union to make loans other than those secured by mortgages upon real estate shall apply to loans made pursuant to this section and subject to regulations referred to herein, and no provision of law limiting the power of any trust company, savings bank, co-operative bank, banking company or credit union to make loans shall apply to home improvement loans insured pursuant to the provisions of subsection (h) of section two hundred and twenty or of subsection (k) of section two hundred and three of the National Housing Act as the same may from time to time be amended and subject to such regulations, but no more than ten per cent of the total deposits of any trust company, savings bank, co-operative bank, banking company or credit union shall be invested at any one time in loans insured pursuant to the provisions of said subsections (h) or (k). Nothing contained herein shall be deemed to abridge any power or authority conferred upon the commissioner of banks by any other provision of law.

*Approved January 31, 1962.*

**Chap. 47.** AN ACT AUTHORIZING THE TOWN OF HAMILTON TO SELL AND CONVEY CERTAIN LAND TO HAMILTON AMERICAN LEGION ASSOCIATES, INC.

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

Notwithstanding any contrary provision of general or special law, the town of Hamilton is hereby authorized to sell and convey to Hamilton American Legion Associates, Inc., by majority vote of the voters of the town present and voting thereon, at an annual or special town meeting called for the purpose, for such consideration as shall be fixed at said meeting, the premises on School street in said town, including the building, fixtures and personal property thereon, bounded and described as follows:—

Beginning at a point on School street in said Hamilton one hundred and two and fifty hundredths (102.50) feet northwesterly from a town way, thence running in a northwesterly direction on said School street, one hundred and forty-eight (148) feet, thence turning and running in a northeasterly direction by land of Chebacco Club and also now and formerly of Day, three hundred and sixty-five and sixty-three hundredths (365.63) feet to land of Boston and Maine Railroad, thence turning and running in a southeasterly direction by land of said Railroad, forty-three and ninety-seven hundredths (43.97) feet, thence turning and running in a southwesterly direction by land formerly of Knowlton, Whipple, Hawkins and Knowlton, four hundred seven and ninety-four hundredths (407.94) feet to the point of beginning, containing thirty-four thousand, six hundred and sixty-nine square feet more or less. For plan of this land see plan of Ray C. Allen, Civil Engineer, dated May 8, 1918, recorded July 10, 1918 in the Essex Registry of Deeds, South District.

*Approved January 31, 1962.*

**Chap. 48.** AN ACT PROVIDING THAT CERTAIN INFORMATION BE TRANSMITTED WITH THE MITTIMUS WHEN CERTAIN PERSONS ARE COMMITTED TO PENAL INSTITUTIONS.

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

Chapter 279 of the General Laws is hereby amended by striking out section 35, as amended by section 103 of chapter 770 of the acts of 1955, and inserting in place thereof the following section:— *Section 35.* When a person is committed to any correctional institution of the commonwealth or to any other public penal institution, on conviction of felony, the clerk of the court shall, without charge, transmit with the mittimus an attested copy of the complaint or indictment under which such person was convicted and, if such complaint or indictment does not contain a reference to the chapter and section of the General Laws under which such person was convicted, a statement designating such chapter and section, and the names and addresses of the witnesses who testified for and against such person at the trial, together with a record containing the names and addresses of the presiding justice, district attorney and of the attorney for the defendant. *Approved February 2, 1962.*

**Chap. 49.** AN ACT TO AUTHORIZE AND ENABLE EASTERN MASSACHUSETTS STREET RAILWAY COMPANY TO ACQUIRE AND HOLD SECURITIES OF OTHER STREET RAILWAY OR PUBLIC SERVICE COMPANIES.

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

Eastern Massachusetts Street Railway Company, a corporation organized and existing under the provisions of chapter one hundred and eighty-eight of the Special Acts of nineteen hundred and eighteen, is hereby authorized and empowered, subject to the approval of the department of public utilities, to acquire, by purchase or otherwise, and to hold, securities of other street railway or public service companies.

*Approved February 2, 1962.*

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**Chap. 50.** AN ACT RELATIVE TO REAL ESTATE MORTGAGE LOANS MADE OR ACQUIRED BY SAVINGS BANKS.

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

SECTION 1. The first sentence of paragraph 3 of section 34 of chapter 168 of the General Laws, as amended by chapter 131 of the acts of 1958, is hereby further amended by striking out, in line 4, the word "ten" and inserting in place thereof the word: — fifteen, — so as to read as follows: — Not more than seventy per cent of the total deposits of such corporation shall be invested in mortgages of real estate; provided, that in addition to such seventy per cent an amount equivalent to fifteen per cent of the total deposits of such corporation may be invested in insured or guaranteed mortgages, or both, referred to in paragraph 11 of section thirty-five, section fifty-one of chapter one hundred and sixty-seven, and chapter forty-six of the acts of nineteen hundred and forty-five, as amended, and in regulations thereunder.

SECTION 2. Paragraph 3 of section 35 of said chapter 168, as appearing in section 1 of chapter 432 of the acts of 1955, is hereby amended by striking out, in line 3, the word "twenty" and inserting in place thereof the word: — twenty-five, — so that the first sentence will read as follows: — A mortgage loan not exceeding sixty per cent of the value of the real estate, payable not more than twenty-five years from the date of the note; provided, that the terms of the note or mortgage shall require payments on the loan to be made in periodic instalments, at intervals not exceeding three months, in amounts aggregating annually not less than two per cent of the original amount of the loan.

SECTION 3. Paragraph 4 of said section 35 of said chapter 168, as amended by section 1 of chapter 194 of the acts of 1956, is hereby further amended by striking out the first two sentences and inserting in place thereof the following two sentences: — A mortgage loan not exceeding seventy per cent of the value of the real estate, payable not more than twenty-five years from the date of the note. The terms of the note or mortgage shall require payments on the loan to be made in periodic instalments, at intervals not exceeding three months, in amounts aggregating annually not less than three per cent of the original amount of the loan; except that in the case of any mortgage loan of this class or of the class authorized in paragraph 5 of this section, the minimum annual principal payment may be less than three per cent of the original amount of the loan if the terms of the note or mortgage shall require

periodic payments, at least each three months, in such amounts as will enable complete amortization over the period of the loan, which periodic payments shall be equal in amount or shall be in accordance with a schedule under which the earlier of such payments shall be greater than the later and such periodic payments shall be applied first to interest and the balance to principal and the interest on the loan shall be computed on the unpaid balance monthly or at such other time as the periodic payment is required.

SECTION 4. The third sentence of paragraph 5 of said section 35 of said chapter 168, as appearing in section 1 of chapter 432 of the acts of 1955, is hereby amended by striking out, in line 2, the word "twenty" and inserting in place thereof the word: — thirty, — so as to read as follows: — No loan of this class shall be made or acquired for a sum in excess of thirty thousand dollars.

SECTION 5. Paragraph 6 of said section 35 of said chapter 168, as so appearing, is hereby amended by striking out, in line 17, the word "twenty" and inserting in place thereof the word: — twenty-five, — so that the fifth sentence will read as follows: — No loan of this class shall be made or acquired for a sum in excess of twenty-five thousand dollars.

SECTION 6. Paragraph 4 of section 36 of said chapter 168, as so appearing, is hereby amended by striking out the first two sentences and inserting in place thereof the following two sentences: — With the approval of the board of investment of such corporation, at the request of the owner of the equity of redemption, the amount of the periodic payments of principal or interest, or both, called for by any note and mortgage and any other terms or provisions of any note or mortgage may be changed; provided, that, in the case of any change in the amount of any such periodic payments, the unpaid balance of principal is not in excess of the percentage of value of the mortgaged property required for one of the classes of mortgage loans authorized under section thirty-five as certified in writing by at least two members of said board, according to their best judgment or as determined by them upon the signed opinion in writing of an appraiser approved by said board; and provided, further, that, in such case, the periodic payments as changed shall meet the minimum payments required for such class of mortgage; and provided, further, that, in the case of any change authorized hereunder, such change shall be consistent with the requirements for such class of mortgage as changed hereunder. Every such change shall be evidenced by a writing setting forth such change, the payments to be made pursuant thereto, the provisions of any mortgage extension and any other changed terms or provisions, which writing shall be filed with the papers relating to the loan.

*Approved February 5, 1962.*

**Chap. 51.** AN ACT EXTENDING THE TIME WITHIN WHICH THE WEST AND SOUTH WATER SUPPLY DISTRICT OF ACTON SHALL NOT USE THE TOWN OF BOXBOROUGH AS A SOURCE OF WATER SUPPLY.

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

Section 1 of chapter 361 of the acts of 1961 is hereby amended by striking out, in line 5, the words "one year" and inserting in place thereof the words: — two years.

*Approved February 5, 1962.*



**Chap. 52.** AN ACT FURTHER REGULATING THE DUTIES OF TRUSTEES  
IN CERTAIN ASSIGNMENTS FOR THE BENEFIT OF CREDITORS.

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

Section 41 of chapter 203 of the General Laws, as amended by section 40 of chapter 550 of the acts of 1948, is hereby further amended by adding at the end the following two paragraphs: —

The provisions of section forty shall not apply to the acts of such trustee unless the assignment provides, in cases where the assets or liabilities exceed five thousand dollars, that the trustee shall furnish to all assenting creditors and to all other creditors having claims in excess of three hundred dollars, at least fifteen days before distribution of any assets, a statement in writing indicating, the total assets of the trust, the total liabilities of the trust, and administrative costs, trustee's fees, legal fees, and other miscellaneous expenses.

Such statement shall also contain an affidavit of the debtor that the total assets shown therein constitutes all his property and estate wherever situated, either within or without the commonwealth, which is not exempt from attachment.

*Approved February 5, 1962.*

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**Chap. 53.** AN ACT VALIDATING CERTAIN AMENDMENTS TO THE  
ZONING BY-LAWS OF THE TOWN OF ROCKPORT.

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

SECTION 1. The action taken by the town of Rockport, at its annual town meeting held on March sixth, nineteen hundred and sixty-one, in voting to adopt amendments to its zoning by-laws and zoning map, as described in articles 39, 40, 41, 42, 49 and 50 of the warrant for said meeting, is hereby confirmed and validated, notwithstanding the failure of the planning board of said town to comply with so much of the provisions of section six of chapter forty A of the General Laws as require that the first notice of the public hearing on such amendments be published or posted not less than twenty-one days prior thereto.

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

*Approved February 5, 1962.*

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**Chap. 54.** AN ACT AUTHORIZING THE TOWN OF MANCHESTER TO  
SET ASIDE PARKING SPACES IN MASCONOMO PARK FOR  
THE SOLE USE OF RESIDENTS OF SAID TOWN.

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

The town of Manchester, acting through its board of park commissioners, is hereby authorized to set aside not more than twenty parking spaces for the sole use of its residents on certain land located in said town, known as Masconomo park, and held by said town for park purposes. Said land is described in deeds to said town recorded in Essex County Registry of Deeds, Southern District, Book 1708, Page 331 and Book 2909, Page 450, respectively.

*Approved February 5, 1962.*

**Chap. 55.** 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 3 of the acts of 1961, is hereby further amended by striking out, in line 2, the word "thirty", and inserting in place thereof the word: — thirty-five, — 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-five 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 February 6, 1962.*

**Chap. 56.** AN ACT AUTHORIZING THE TOWN OF SWAMPSCOTT TO INCREASE THE AMOUNT OF THE SCHOLARSHIP FUND FOR GRADUATES OF THE HIGH SCHOOL OF SAID TOWN.

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

SECTION 1. Section 1 of chapter 119 of the acts of 1949 is hereby amended by striking out, in line 2, the word "ten" and inserting in place thereof the word: — twenty, — so as to read as follows: — *Section 1.* The town of Swampscott is hereby authorized to raise and appropriate the sum of twenty thousand dollars to provide a scholarship fund the income of which may be used for the higher education of graduates of the high school of said town living therein, and said fund shall be dedicated as a memorial to veterans of World War II.

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

*Approved February 6, 1962.*

**Chap. 57.** AN ACT RELATIVE TO THE NUMBER OF POLICYHOLDERS REQUIRED IN ORDER TO CALL A SPECIAL MEETING OF MUTUAL FIRE INSURANCE COMPANIES.

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

The second paragraph of section 77 of chapter 175 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 3, the word "twenty" and inserting in place thereof the words: — at least one half of one per cent of the.

*Approved February 6, 1962.*

**Chap. 58.** AN ACT PROVIDING LIFE TENURE FOR WALTER A. BENOIT, INCUMBENT OF THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF EAST BRIDGEWATER.

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

SECTION 1. The tenure of office of Walter A. Benoit, incumbent of the office of chief of police of the town of East Bridgewater, shall be

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

SECTION 2. This act shall be submitted for acceptance to the voters of said town at 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-two, entitled 'An Act providing life tenure for Walter A. Benoit, incumbent of the office of chief of police of the town of East Bridgewater', 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 6, 1962.*

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**Chap. 59.** AN ACT AUTHORIZING THE TOWN OF WRENTHAM TO SUPPLY AND SELL WATER TO THE WRENTHAM SPORTSMEN'S ASSOCIATION LOCATED IN THE TOWN OF PLAINVILLE.

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

The town of Wrentham is hereby authorized to supply and sell water to the Wrentham Sportsmen's Association located in the town of Plainville. Any installation and extension of water mains made within the town of Plainville shall be subject in all respects to the approval of the selectmen of said town.

*Approved February 6, 1962.*

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**Chap. 60.** AN ACT CLARIFYING THE LAW RELATIVE TO THE EMPLOYMENT OF BOYS UNDER EIGHTEEN YEARS OF AGE AND GIRLS UNDER TWENTY-ONE YEARS OF AGE.

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

Section 66 of chapter 149 of the General Laws, as most recently amended by chapter 69 of the acts of 1961, is hereby further amended by striking out, in line 9, the words " , mechanical or mercantile " and inserting in place thereof the words: — or mechanical, — and by striking out, in line 12 the words " male or ", — so as to read as follows: — *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 or mechanical 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 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 6, 1962.*

**Chap. 61.** AN ACT ABOLISHING THE OFFICE OF TREE WARDEN IN THE TOWN OF NORTH ANDOVER AND TRANSFERRING THE POWERS AND DUTIES THEREOF TO THE BOARD OF PUBLIC WORKS OF SAID TOWN.

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

SECTION 1. The office of tree warden in the town of North Andover shall, six months after the acceptance of this act, as hereinafter provided, be abolished.

SECTION 2. Chapter 379 of the acts of 1906 is hereby amended by striking out section 2A, inserted by section 1 of chapter 80 of the acts of 1954, and inserting in place thereof the following section: — *Section 2A.* The said board of public works shall have the powers, rights, duties and obligations now or from time to time vested by general law, special law or town meeting vote in the following departments, officers and committees of said town, to wit: park department, tree warden, playground department, cemetery department and school department, in so far as the care, improvement and maintenance of school department property, exclusive of school buildings, is vested by general law in the school department. The use and control of all school department property shall remain with the school department.

SECTION 3. 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 current year, entitled ‘An Act abolishing the office of tree warden in the town of North Andover and transferring the powers and duties thereof to the board of public works of said town’, 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 6, 1962.*

**Chap. 62.** AN ACT ESTABLISHING A FEE FOR THE FILING OF NOTICE OF A FEDERAL TAX LIEN OR OF A CERTIFICATE OF DISCHARGE OF SUCH A LIEN WITH A CITY OR TOWN CLERK.

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

Section 24 of chapter 36 of the General Laws is hereby amended by inserting after the second sentence, added by chapter 245 of the acts of 1952, the following sentence: — The fee for the recording of such lien, or of a certificate of the discharge of such lien, in the office of the clerk of a city or town, shall be four dollars. *Approved February 6, 1962.*

**Chap. 63.** AN ACT AUTHORIZING THE TOWN OF NORTH ATTLEBOROUGH TO USE CERTAIN PARK LAND FOR HIGHWAY PURPOSES.

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

SECTION 1. The town of North Attleborough is hereby authorized to use for highway purposes certain land in said town, being a portion of Simmons park, so called, which is held by it for park purposes, said land to be so used being bounded and described as follows: — Beginning

at a granite bound in the southwesterly line of Commonwealth Avenue, being a corner of land of the Central Congregational Church of Attleboro Falls; thence southeasterly by said Avenue about 246 feet to a point of curvature; thence curving to the south and west by a radius of 7.22 feet, a distance of 20.61 feet to the northerly line of Cushman Street; thence westerly by Cushman Street about 46 feet to the start of a curve; thence curving easterly and northerly by a ten-foot radius a distance of 28.55 feet to a point of tangency; thence northwesterly in a line parallel to the northeasterly line of Commonwealth Avenue and 52 feet distant southwesterly therefrom, a distance of about 198 feet to land of aforesaid Church; thence northeasterly by said Church about 12 feet to the point of beginning.

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

*Approved February 6, 1962.*

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**Chap. 64.** AN ACT RELATIVE TO THE CORPORATE POWER OF THE ARLINGTON FIREMEN'S RELIEF ASSOCIATION, INC.

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

The Arlington Firemen's Relief Association, Inc., a corporation duly established under the laws of the commonwealth, is hereby authorized, upon the retirement from the fire department of the town of Arlington of any member in good standing, to pay to such member such sum, not exceeding five hundred dollars, as may be determined by vote of said corporation.

*Approved February 6, 1962.*

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**Chap. 65.** AN ACT AUTHORIZING THE TOWN OF COHASSET TO CONSTRUCT AND OPERATE A SYSTEM OR SYSTEMS OF SEWERAGE AND SEWAGE DISPOSAL.

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

SECTION 1. The town of Cohasset, 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. Said 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. Said town may, at the meeting when this act is accepted, vote that the selectmen or water 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 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 selectmen or water commissioner shall be eligible to election to said board. In either case, whether the town votes that its selectmen or water 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 selectmen or water commissioners 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 or water commissioners 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 or water commissioners 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 or the water commissioners acting as such, who shall preserve a record thereof.

SECTION 8. For the purpose of paying the necessary expenses and liabilities incurred under this act, the town may from time to time, within five years after the passage of this act, borrow such sums as may be necessary, not exceeding, in the aggregate, one million dollars, and may issue bonds or notes therefor, which shall bear on their face the words Cohasset Sewerage Loan, Act of 1962. 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 of sewer commissioners 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 Cohasset, if there be any, and if not, then in some newspaper published in the county of Norfolk, and shall not take effect until such publications have been made.

SECTION 13. If the town votes that the water commissioners shall act as a board of sewer commissioners, they may so act and be eligible to so act with full validity, notwithstanding the provisions of section

fourteen of chapter one hundred and twenty-eight of the acts of eighteen hundred and eighty-six, as amended by section six of chapter four hundred and eighty-nine of the acts of nineteen hundred and forty-six, which provides that said water commissioners may not hold any other elective or appointive town office.

SECTION 14. 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 15. 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 any 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 February 6, 1962.*

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**Chap. 66.** AN ACT RELATIVE TO THE ACCEPTANCE BY THE TOWN OF BILLERICA OF THE PROVISIONS OF LAW ESTABLISHING MINIMUM ANNUAL COMPENSATION FOR REGULAR POLICE OFFICERS.

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

Notwithstanding any contrary provision of any general or special law, 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 town of Billerica in the current year: — "Shall the town vote to accept the provisions of section one hundred and eight E of chapter forty-one of the General Laws whereby, if accepted, the minimum annual compensation of each regular police officer in the police department of the town of Billerica shall be not less than four thousand eight hundred and eighty dollars for the first year of service, five thousand and thirty dollars for the second year of service, and five thousand five hundred dollars for the third and each succeeding year of service?" If a majority of the votes in answer to said question is in the affirmative, said section shall thereupon become effective in said town.

*Approved February 6, 1962.*

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**Chap. 67.** AN ACT AUTHORIZING SAVINGS BANKS TO MAKE CERTAIN LOANS GUARANTEED IN WHOLE OR IN PART BY THE MASSACHUSETTS HIGHER EDUCATION ASSISTANCE CORPORATION.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to authorize savings banks to make loans for the purpose of aiding and assisting students to fulfill a program of higher education, which loans are guaranteed in whole or in part by the Massachusetts Higher Education Assistance Corporation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

Chapter 168 of the General Laws is hereby amended by inserting after section 37 the following section: —

*Section 37A.* Such corporation for the purpose of aiding and assist-



ing students to fulfill a program of higher education, may make loans to one or more borrowers, including one or more minors, which are guaranteed in whole or in part by the Massachusetts Higher Education Assistance Corporation, created by chapter two hundred and ninety-eight of the acts of nineteen hundred and fifty-six. Any such loan shall be in such principal sum and upon such terms, including terms as to rate of interest and other charges, maturity dates, renewal and extension privileges, and in such form as to the note or other contract or evidence of indebtedness, as the board of investment shall by rules or regulations determine. A student, as defined in section one of said chapter two hundred and ninety-eight, who borrows under the provisions of this section shall have full legal capacity to act in his own behalf in the matter of contracts or other transactions related to such loan or any renewal, extension or modification thereof, and with respect to such acts done by him shall have all of the rights, powers and privileges and shall be subject to all of the duties and obligations of a person of full age.

*Approved February 7, 1962.*

**Chap. 68.** AN ACT RELATIVE TO THE POWERS AND DUTIES OF CERTAIN SPECIAL COMMISSIONS.

*Whereas*, The deferred operation of this act would tend to defeat its purpose which is, in part, to make uniform forthwith the powers and duties of certain special commissions, 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 4 of the General Laws is hereby amended by adding after section 2 the following section: —

*Section 2A.* Unless otherwise provided, the provisions of this section shall apply to each special commission established to make an investigation and study of any matter.

If it is provided that members of the senate and house of representatives shall be members of such commission, such members shall be designated by the president of the senate and the speaker of the house of representatives, respectively.

Such commission (1) shall be provided with quarters in the state house or elsewhere; (2) may expend for expenses and for expert, legal, clerical and other assistance such sums as may be appropriated therefor; (3) may travel within the commonwealth; (4) may hold hearings; (5) 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 branch in which originated the bill or resolve forming the basis of the statute establishing such commission; and (6) shall file such report not later than the last Wednesday in January in the following year, if it is established, continued, or revived and continued, in an odd-numbered year, or not later than the last Wednesday in December in the same year, if it is established, continued, or revived and continued in an even-numbered year.

If such commission is continued, or revived and continued, it shall continue to exercise and perform all the rights, powers and duties previously conferred or imposed on it.

*Approved February 7, 1962.*

**Chap. 69.** AN ACT VALIDATING AND CONFIRMING THE APPROVAL OF CERTAIN SITE PLANS BY THE PLANNING BOARD OF THE TOWN OF SUDBURY.

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

SECTION 1. Any action taken by the planning board of the town of Sudbury prior to August twenty-fourth, nineteen hundred and sixty-one, in voting to approve site plans, in so far as such approval may be invalid by reason of being contrary to the provisions of section four of chapter forty A of the General Laws, is hereby validated and confirmed.

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

*Approved February 7, 1962.*

**Chap. 70.** AN ACT VALIDATING A CERTAIN APPOINTMENT IN THE CITY OF MALDEN.

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

SECTION 1. Notwithstanding any provision of section twelve of chapter four of the General Laws to the contrary, the appointment in the year nineteen hundred and sixty-one of Anne M. Hanks as a member of the board of registrars of voters of the city of Malden is hereby confirmed and validated.

SECTION 2. This act shall take effect as of the date of said appointment.

*Approved February 7, 1962.*

**Chap. 71.** AN ACT PLACING THE POSITION OF DOG OFFICER OF THE CITY OF LOWELL UNDER THE CIVIL SERVICE LAWS.

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

SECTION 1. The position of dog officer of the city of Lowell shall be subject to the civil service laws and rules and the tenure of office of any incumbent thereof upon the effective date of this act shall be unlimited, subject, however, to said laws and rules. Any such incumbent shall be subject 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.

Any person holding the position of dog officer in said city shall receive such compensation as may be provided under the job classification and salary plan of said city.

SECTION 2. This act shall take effect upon its acceptance in the current year by the affirmative vote of a majority of all the members of the city council of the city of Lowell subject to the provisions of its charter.

*Approved February 7, 1962.*

**Chap. 72.** AN ACT RELATIVE TO THE HEIGHT OF BUILDINGS IN THE CITY OF WORCESTER.

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

Section 2 of chapter 143 of the General Laws, as most recently amended by section 1 of chapter 252 of the acts of 1960, is hereby further amended by striking out, in line 9, the words "Newton and Cambridge" and inserting in place thereof the words: — Newton, Cambridge and Worcester, — so as to read as follows: — *Section 2.* In a city no building shall be erected to a height of more than one hundred and twenty-five feet above the grade of the street; but this restriction shall not apply to grain or coal elevators, power plants or sugar refineries, nor to steeples, domes, towers or cupolas erected for strictly ornamental purposes, of fire-proof material, on buildings of the above height or less. The supreme judicial or superior court may enforce this section and restrain any violation thereof. This section shall not apply to the cities of Boston, Newton, Cambridge and Worcester. *Approved February 7, 1962.*

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**Chap. 73.** AN ACT LIMITING THE AMOUNT THAT MAY BE INVESTED BY A CREDIT UNION IN CERTAIN BONDS AND NOTES.

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

Section 21 of chapter 171 of the General Laws is hereby amended by inserting after the first sentence, as appearing in section 1 of chapter 151 of the acts of 1957, the following sentence: — The amount invested by a credit union in bonds, notes or bankers' acceptances shall not be in excess of that permitted to savings banks.

*Approved February 7, 1962.*

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**Chap. 74.** AN ACT INCREASING FROM THREE TO FIVE THE MINIMUM NUMBER OF MEMBERS OF THE BOARD OF INVESTMENT OF A SAVINGS BANK.

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

Section 12 of chapter 168 of the General Laws, as appearing in section 1 of chapter 432 of the acts of 1955, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Such corporation shall have a board of investment of not less than five members, who shall be trustees of such corporation.

*Approved February 7, 1962.*

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**Chap. 75.** AN ACT ESTABLISHING A COMMITTEE TO PROVIDE FOR THE CELEBRATION OF THE TWO HUNDRED AND FIFTIETH ANNIVERSARY OF THE OLD TOWN OF ABINGTON AND PROVIDING THAT THE TREASURER OF THE TOWN OF WHITMAN SHALL BE TREASURER OF SAID COMMITTEE.

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

SECTION 1. Chapter 38 of the acts of 1961 is hereby amended by inserting after section 1 the following section: —

*Section 1A.* There shall be a committee to be known as the General Committee to Celebrate the Two Hundred and Fiftieth Anniversary of

the Old Town of Abington, to consist of five residents of each of the towns of Abington, Rockland and Whitman, to be appointed by the respective moderators thereof, one of whom from each town shall be designated by the moderator thereof as an executive member. The treasurer of the town of Whitman shall be the treasurer of said committee. All funds appropriated by said towns under authority of this act shall be turned over to the treasurer of said committee, who shall keep the funds in a separate account. He may disburse funds for the purposes of this act upon the written authorization of a majority of the executive members. He shall make a final accounting to each of said towns and shall return any surplus funds to said towns in proportion to the amounts appropriated and paid over to him by each town.

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

*Approved February 9, 1962.*

**Chap. 76.** AN ACT INCREASING THE AMOUNT OF MONEY THE TOWN OF GOSNOLD MAY APPROPRIATE FOR ADVERTISING THE ADVANTAGES OF SAID TOWN.

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

SECTION 1. The town of Gosnold may, by majority vote, appropriate each year a sum, not exceeding one thousand dollars, for advertising the recreational and other advantages of the town. The money so appropriated shall be expended under the direction of the selectmen.

SECTION 2. Chapter ninety-eight of the acts of nineteen hundred and forty-one is hereby repealed.

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

*Approved February 9, 1962.*

**Chap. 77.** AN ACT FURTHER REGULATING THE NOMINATIONS OF OFFICERS OF CHARITABLE CORPORATIONS.

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

Section 7 of chapter 180 of the General Laws, as most recently amended by chapter 19 of the acts of 1960, is hereby further amended by inserting after the first sentence the following sentence: — If pursuant to the by-laws, the report of a nominating committee is sent to the members at least thirty days prior to the date of the annual meeting, the by-laws may require, instead of the foregoing requirement, that the notice of nominations be first filed with the corporation's recording officer within twenty days after the nominating committee's report is sent out.

*Approved February 9, 1962.*

**Chap. 78.** AN ACT PROVIDING LIFE TENURE FOR THE REGULAR OR PERMANENT MEMBERS OF THE POLICE DEPARTMENT OF THE TOWN OF EAST BRIDGEWATER, EXCEPT THE CHIEF OF POLICE.

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

SECTION 1. The tenure of office of Kenneth S. Copeland, incumbent of the office of sergeant, and of William D. Tardie, Henry B. Belcher and Robert J. Doherty, incumbents of the position of patrolman, of the

police department of the town of East Bridgewater, shall, upon the effective date of this act, be unlimited. None of said incumbents shall be removed from office, lowered in rank or suspended, except for just cause and for reasons specifically given him in writing.

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-two, entitled ‘An Act providing life tenure for the regular or permanent members of the police department of the town of East Bridgewater, except the chief of police’, 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 9, 1962.*

**Chap. 79.** AN ACT PROVIDING FOR THE SUBMISSION OF A CERTAIN QUESTION TO THE VOTERS OF THE TOWNS OF BRAINTREE, HINGHAM AND WEYMOUTH RELATIVE TO MASS TRANSPORTATION FACILITIES.

*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 current year in each of the towns of Braintree, Hingham and Weymouth: — “Do you favor the establishment of a Railroad or Budd Car type of transportation system over the Old Colony Railroad tracks from Hingham, through Weymouth and Braintree, to the South Station, with any deficit to be assessed on the taxpayers of the city of Quincy and the towns of Braintree, Hingham and Weymouth on a proportional basis?”

YES.	<input type="checkbox"/>
NO.	<input type="checkbox"/>

The state secretary shall transmit to the General Court a written statement of the results of such votes on or before the first Monday of May in the current year by filing the same with the clerk of the senate.

*Approved February 9, 1962.*

**Chap. 80.** AN ACT AUTHORIZING SAVINGS BANKS AND CO-OPERATIVE BANKS TO EXCEED THE LIMITATIONS ON THE AGGREGATE AMOUNT INVESTED IN BANKING QUARTERS WITH THE APPROVAL OF THE COMMISSIONER.

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

SECTION 1. Paragraph 2 of section 53 of chapter 168 of the General Laws, as appearing in section 1 of chapter 432 of the acts of 1955, is hereby amended by adding at the end the following sentence: — Notwithstanding the provisions of this section, a bank may exceed the limits provided for herein with the approval of the commissioner when the amount so expended is for the construction of disaster facilities in said real estate.

SECTION 2. The second paragraph of section 30 of chapter 170 of the General Laws, as amended by section 2 of chapter 197 of the acts of 1957, is hereby further amended by adding at the end the following

sentence: — Notwithstanding the provisions of this section, a bank may exceed the limits provided for herein with the approval of the commissioner when the amount so expended is for the construction of disaster facilities in said real estate. *Approved February 9, 1962.*

**Chap. 81.** AN ACT INCREASING THE ANNUAL RATE OF CERTAIN CALL FIREMEN'S OR RESERVE POLICEMEN'S COMPENSATION FOR PURPOSES OF DETERMINING THE NORMAL YEARLY AMOUNT OF CERTAIN PENSIONS.

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

Paragraph (b) of subdivision (2) of section 7 of chapter 32 of the General Laws is hereby amended by striking out, in line 15, as appearing in section 1 of chapter 658 of the acts of 1945, the words "eighteen hundred" and inserting in place thereof the words: — three thousand.

*Approved February 9, 1962.*

**Chap. 82.** AN ACT PLACING THE OFFICE OF CITY ENGINEER OF THE CITY OF CHICOPEE UNDER THE CIVIL SERVICE LAWS.

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

SECTION 1. The office of city engineer of the city of Chicopee shall be subject to the civil service laws and rules and the tenure of office of the incumbent thereof upon the effective date of this act shall be unlimited, subject, however, to said laws and rules. Said incumbent 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 be submitted for acceptance to the voters of the city of Chicopee at the biennial state election in the current year in the form of the following question, which shall be placed upon the official ballot to be used at said election in said city: — "Shall an act passed by the General Court in the year nineteen hundred and sixty-two, entitled 'An Act placing the office of city engineer of the city of Chicopee under the civil service laws', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise. *Approved February 9, 1962.*

**Chap. 83.** AN ACT RELATIVE TO THE ADOPTING OF A CHILD BY ONE OF THE PARENTS OF THE CHILD.

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

Section 5A of chapter 210 of the General Laws, as most recently amended by section 2 of chapter 649 of the acts of 1954, is hereby further amended by adding at the end the following paragraph: —

The court may waive the provisions of this section in the case of a petition for the adoption of a child of one of the parties petitioning for said adoption. *Approved February 9, 1962.*

**Chap. 84.** AN ACT INCREASING THE AMOUNT OF CERTAIN DEATH BENEFITS WHICH MAY BE PAID BY THE QUINCY POLICE MUTUAL AID ASSOCIATION.

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

SECTION 1. The Quincy Police Mutual Aid Association, a corporation duly established under the laws of the commonwealth, is hereby authorized, upon the death of the wife of any member in good standing, to pay such member such sum, not exceeding 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. Chapter three hundred and twelve of the acts of nineteen hundred and thirty-six is hereby repealed.

*Approved February 9, 1962.*

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**Chap. 85.** AN ACT AUTHORIZING THE SALEM POLICE RELIEF ASSOCIATION TO PAY CERTAIN SUMS TO MEMBERS UPON THE DEATH OF THEIR WIVES.

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

The Salem 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 the death benefits paid upon the death of any member in good standing, as may from time to time be determined by vote of said corporation.

*Approved February 9, 1962.*

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**Chap. 86.** AN ACT PROHIBITING THE DISCHARGE OF CERTAIN EMPLOYEES WHO COMPLAIN OF VIOLATIONS OF THE MINIMUM WAGE LAW.

*Be it enacted, as follows:*

Section 19 of chapter 151 of the General Laws is hereby amended by striking out paragraph (1), as appearing in section 1 of chapter 432 of the acts of 1947, and inserting in place thereof the following paragraph: — (1) Any employer and his agent, or the officer or agent of any corporation, who discharges or in any other manner discriminates against any employee because such employee has served or is about to serve on a wage board, or has complained of a violation of the provisions of this chapter, or has testified or is about to testify before any wage board or in any other investigation or proceeding under or related to this chapter or because such employer believes that said employee may serve on any wage board, or may complain of a violation of the provisions of this chapter, or may testify before any wage board or in any investigation or proceeding under this chapter, shall be punished by a fine of not less than fifty nor more than two hundred dollars.

*Approved February 9, 1962.*

**Chap. 87.** AN ACT RELATIVE TO MEMBERSHIP IN THE SWAMPSCOTT POLICE RELIEF ASSOCIATION, INCORPORATED, AND PROVIDING THAT CERTAIN MEMBERS OF SAID ASSOCIATION MAY, UPON PENSION OR RETIREMENT FROM THE SWAMPSCOTT POLICE DEPARTMENT, BE PAID A CERTAIN SUM OF MONEY BY SAID ASSOCIATION.

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

Any member of the Swampscott Police Relief Association, Incorporated, a corporation duly established by law, shall, if he so elects by a writing filed with the secretary of said association within sixty days after he is pensioned or retired from the police department of the town of Swampscott, receive from said association a sum equal to and in lieu of the death benefit provided by the by-laws of said association, and he shall thereupon cease to be a member of said association or entitled to receive any benefits therefrom; if any member of said association who is pensioned or retired from said police department does not make such election within sixty days after the effective date of this act, he shall remain a member of said association and entitled to its death benefits, and, subject to the provisions of its by-laws, entitled to any other of its benefits.

*Approved February 9, 1962.*

**Chap. 88.** AN ACT ESTABLISHING THE OFFICE OF COMPTROLLER IN THE TOWN OF SCITUATE.

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

SECTION 1. There shall be in the town of Scituate a comptroller who shall be appointed by the selectmen for a term of three years and until his successor is qualified. He may be removed from office by the selectmen. He shall be a citizen of the United States, shall be qualified by training and experience in the field of accounting, shall be subject to the supervision and control of the selectmen, and shall devote his entire time to the performance of his duties and the supervision of the employees in his office. The term of office of the comptroller initially appointed under the provisions of this act shall commence on the first day of April following its acceptance, as hereinafter provided. Any vacancy in said office may be filled in like manner for the remainder of the unexpired term. His salary or compensation shall be such as the town may vote from time to time in accordance with the job classification and salary plans of the town. The office of comptroller shall not be subject to the civil service laws and rules.

SECTION 2. The comptroller shall have the powers and duties conferred and imposed upon town accountants under the General Laws and, in addition, the following powers and duties: —

(a) He shall prescribe the methods of installation and exercise supervision of all accounting records of the several officers, boards and commissions of the town; provided, however, that before making any change in the system of accounts he shall first discuss such change with the selectmen and the officers, boards and commissions affected, and provided that such change meets the requirements of the state director of accounts.

(b) He shall establish standard practices relating to all accounting matters and procedures and the coordination of systems throughout the



town, including clerical and office methods, records, reports and procedures as they relate to accounting matters and shall prepare and issue rules, regulations and instructions relating thereto, which, when approved by the selectmen, shall be binding upon all officers, employees and departments of the town. He shall establish procedures for advertising for bids for the furnishing of materials to the town as required by law.

(c) He shall be in charge of all of the accounting and business machines owned by the town, and shall allocate the use thereof among the several departments.

(d) He shall be in general charge of all the clerical and secretarial employees except employees of the school department and the welfare department of the town and may assign and re-assign them among the various departments of the town without regard to the departmental appropriation out of which their salaries are paid, provided, however, that he shall assign such employees to the departments out of the appropriations of which their salaries are paid to the greatest extent practicable consistent with the efficient operation of the town offices.

(e) He shall be responsible for a continuous audit of all accounts and records of the town wherever located.

(f) He shall draw all warrants upon the treasurer for the payment of bills, drafts and orders chargeable to the several appropriations.

(g) He shall, prior to submitting any warrant to the selectmen, examine, and approve as not being fraudulent, unlawful or excessive, all bills, drafts and orders covered thereby; and in connection with any such examination he may make inspection as to the quality, quantity and condition of any materials, supplies or equipment delivered to or received by any officer, board or commission of the town, and may investigate the services or labor performed for or furnished to any such officer, board or commission. If upon such examination it appears to the comptroller that any such bill, draft or order is fraudulent, unlawful or excessive, he may disallow and refuse to approve the same for payment, in whole or in part, and in such case he shall file with the town treasurer a written statement of the reasons for such refusal. The treasurer shall not pay any claim or bill so disallowed by the comptroller.

(h) In the event that the office of executive secretary to the board of selectmen is established in the town, the comptroller may serve as said executive secretary at the discretion of said board pursuant to section twenty-three A of chapter forty-one of the General Laws.

SECTION 3. If the comptroller is unable to perform his duties because of disability or absence, or if the office is vacant, the selectmen may appoint a temporary comptroller to hold such office and exercise the powers and perform the duties thereof until the comptroller who was disabled or absent resumes his duties or until another comptroller is duly appointed. Said appointment shall be in writing signed by a majority of the selectmen and shall be filed in the office of the town clerk.

SECTION 4. Upon the qualification of the comptroller first appointed hereunder, the town accountant shall cease to serve as such and the office of town accountant shall thereupon be abolished.

SECTION 5. This act shall be 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 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-two, entitled ‘An Act establishing the office of comptroller in the town of Scituate’, 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, 1962.*

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**Chap. 89.** AN ACT PROVIDING FOR THE APPOINTMENT OF CONSTABLES IN CERTAIN CITIES FOR TERMS NOT EXCEEDING THREE YEARS.

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

Section 91 of chapter 41 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: — In a city in which the city council accepts this section, or has accepted corresponding provisions of earlier laws, constables shall be appointed by the mayor for terms not exceeding three years.

*Approved February 9, 1962.*

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**Chap. 90.** AN ACT RELATIVE TO THE ADMISSIBILITY IN EVIDENCE OF CERTAIN REPRODUCTIONS OF BUSINESS AND PUBLIC RECORDS.

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

Section 79E of chapter 233 of the General Laws, as amended by chapter 125 of the acts of 1955, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — If any business, institution, member of a profession or calling, or any department or agency of government, in the regular course of business or activity, has kept or recorded any memorandum, writing entry, print, representation or combination thereof, of any act, transaction, occurrence or event, and in the regular course of business has caused any or all of the same to be recorded, copied or reproduced by any photographic, photostatic, microfilm, microcard, miniature photographic, or other process which accurately reproduces or forms a durable medium for so reproducing the original, the original may be destroyed in the regular course of business unless its preservation is required by law.

*Approved February 9, 1962.*

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**Chap. 91.** AN ACT REGULATING ADVERTISEMENTS AND CONTRACTS OF SCHOOLS OR PERSONS OFFERING CIVIL SERVICE COURSES.

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

Chapter 271 of the General Laws is hereby amended by inserting after section 47 the following section: —

Section 48. Any school or person offering courses in preparation for civil service examinations shall cause to be printed in bold type on all its advertisements and circulars and all contracts to be entered into with prospective students a statement that disabled veterans who qualify for appointment must be given preference for appointment over veterans and non-veterans and that veterans must be given preference over non-veterans. Whoever violates the provisions of this section shall be punished by a fine of not less than fifty nor more than five hundred dollars.

*Approved February 9, 1962.*

**Chap. 92.** AN ACT PROHIBITING THE SALE OR OFFERING FOR SALE OF IMPORTED CANVAS OR RUBBER FOOTWEAR, TOOLS OR HARDWARE UNLESS PROSPECTIVE PURCHASERS ARE NOTIFIED THAT SUCH FOOTWEAR, TOOLS OR HARDWARE IS IMPORTED.

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

The first sentence of section 277B of chapter 94 of the General Laws, as appearing in chapter 172 of the acts of 1961, is hereby amended by inserting after the word "equipment", in line 2, the words: —, canvas or rubber footwear, tools, hardware. *Approved February 14, 1962.*

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**Chap. 93.** AN ACT PROVIDING LIFE TENURE FOR CHARLES E. CLEVELAND, INCUMBENT OF THE OFFICE OF SUPERINTENDENT OF THE LUNENBURG WATER DISTRICT OF LUNENBURG.

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

SECTION 1. The tenure of office of Charles E. Cleveland, incumbent of the office of superintendent of the Lunenburg Water District of Lunenburg shall be unlimited, but he may be removed therefrom for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall take effect upon its acceptance by vote of said water district at an annual meeting or at a special meeting called for the purpose. *Approved February 14, 1962.*

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**Chap. 94.** AN ACT RELATIVE TO THE QUALIFICATIONS OF APPLICANTS FOR REGISTRATION AS ARCHITECTS, AND THE REGISTRATION OF CERTAIN APPLICANTS WITHOUT EXAMINATION.

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

Chapter 112 of the General Laws is hereby amended by striking out section 60C, as amended by chapter 167 of the acts of 1943, and inserting in place thereof the following section: — *Section 60C.* Every person applying to the board for registration shall submit with his application to the board evidence of graduation from a recognized high school or its equivalent. The applicant shall also submit satisfactory evidence of (a) graduation from an accredited architectural school and three years of practical training in offices of practicing registered architects; or (b) graduation from a non-accredited architectural school requiring not less than four years in a curriculum approved by the board and five years of practical training in offices of practicing registered architects; provided, however, that not more than one year of school and office training shall be concurrent; or (c) eight years of practical training in offices of registered architects and one additional such year in training for each year short of graduation from an architectural school approved by the board, but not more than five additional years. The board shall thereupon examine the applicant in writing, on such technical and professional subjects as are prescribed by it. A written examination may be supplemented by such oral examination as the board may determine. The board may exempt from the written examination herein prescribed a holder of a certificate of qualification issued by the National Council of Architectural Registration Boards. *Approved February 14, 1962.*

**Chap. 95.** AN ACT PROVIDING LIFE TENURE FOR LAURENT G. FORTIER, INCUMBENT OF THE OFFICE OF DIRECTOR OF RECREATION OF THE RECREATION COMMISSION OF THE TOWN OF WATERTOWN.

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

SECTION 1. Notwithstanding the provisions of chapter ninety-four of the acts of nineteen hundred and fifty-four, the tenure of office of Laurent G. Fortier, incumbent of the office of director of recreation of the recreation commission of the town of Watertown shall, upon the effective date of this act, be unlimited, but he may be removed therefrom for cause after hearing in accordance with the provisions of section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall take effect upon its acceptance by the town of Watertown at the annual town meeting to be held in the current year.

*Approved February 14, 1962.*

**Chap. 96.** AN ACT PROVIDING LIFE TENURE FOR ROBERT A. GARNEAU, INCUMBENT OF THE OFFICE OF ASSISTANT SUPERINTENDENT OF THE LUNENBURG WATER DISTRICT OF LUNENBURG.

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

SECTION 1. The tenure of office of Robert A. Garneau, incumbent of the office of assistant superintendent of the Lunenburg Water District of Lunenburg, shall be unlimited, but he may be removed therefrom for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall take effect upon its acceptance by vote of said water district at an annual meeting or at a special meeting called for the purpose.

*Approved February 14, 1962.*

**Chap. 97.** AN ACT AUTHORIZING THE TOWN OF WINTHROP TO REVOKE ITS ACCEPTANCE OF THE LAW RELATING TO TENEMENT HOUSES IN TOWNS.

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

SECTION 1. The provisions of chapter one hundred and forty-five of the General Laws, relative to tenement houses in towns, shall not apply to the town of Winthrop notwithstanding the acceptance of chapter six hundred and thirty-five of the acts of nineteen hundred and twelve by said town.

SECTION 2. This act shall be submitted to the voters of the town of Winthrop 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-two, entitled 'An Act authorizing the town of Winthrop to revoke its acceptance of the law relating to tenement houses in towns', 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 14, 1962.*

**Chap. 98.** AN ACT RELATIVE TO THE AMOUNT A DOG OFFICER MAY CHARGE PER DAY FOR THE CUSTODY AND CONFINEMENT OF CERTAIN DOGS.

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

Section 151A of chapter 140 of the General Laws is hereby amended by striking out the last sentence, as amended by chapter 48 of the acts of 1957, and inserting in place thereof the following sentence: — A dog officer having custody of a confined dog shall be allowed the sum of one dollar and fifty cents per day for the care of such dog, payable by the owner or keeper thereof, if known, otherwise from the dog fund; but if any such dog is duly licensed the dog officer having custody shall be allowed only one dollar per day, payable by the owner or keeper.

*Approved February 14, 1962.*

**Chap. 99.** AN ACT PROVIDING THAT THE QUESTIONS OF ACCEPTANCE OF CERTAIN LAWS RELATIVE TO VACATIONS OF CERTAIN EMPLOYEES OF CITIES AND TOWNS BE PLACED ON THE BALLOT IN THE TOWN OF BILLERICA IN THE CURRENT YEAR.

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

The following questions shall be placed upon the official ballot to be used for the election of town officers in the town of Billerica at the annual town meeting to be held in the current year: —

1. "Shall section one hundred and eleven of chapter forty-one of the General Laws, providing for vacations for certain municipal employees, be accepted?"

YES.	
NO.	

2. "Shall section one hundred and eleven G of chapter forty-one of the General Laws, which provides that any employee of the town who has worked continuously for five years but less than ten years shall be granted an annual vacation of three weeks without loss of pay, and any employee who has worked continuously for ten years or more shall be granted an annual vacation of four weeks without loss of pay, be accepted?"

YES.	
NO.	

If a majority of the votes in answer to question 1 is in the affirmative, section one hundred and eleven of chapter forty-one of the General Laws shall take effect in said town from and after the beginning of the next municipal year.

If a majority of the votes in answer to questions 1 and 2 is in the affirmative, section one hundred and eleven G of said chapter forty-one shall take effect in said town from and after the beginning of the next municipal year.

*Approved February 14, 1962.*

**Chap. 100.** AN ACT RELATIVE TO THE ACCEPTANCE BY THE TOWN OF WHITMAN OF A LAW AUTHORIZING SAID TOWN TO CONSTRUCT AND OPERATE A SYSTEM OF SEWERAGE.

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

Chapter 460 of the acts of 1961 is hereby amended by striking out section 16 and inserting in place thereof the following section: — *Sec-*

tion 16. This act shall take effect upon its acceptance by vote of a majority of the voters of said town voting thereon at the annual town meeting in the year nineteen hundred and sixty-two.

If this act is not accepted at said town meeting, it shall, upon the filing with the town clerk sixty days before an annual town meeting held within two years thereafter of a petition signed by five per cent or more of the registered voters of said town, be submitted for acceptance by the voters of said town 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 authorizing the town of Whitman to construct and operate a system of sewers', be accepted?"

If, upon such submission, this act is not accepted, it may, after the expiration of two years, be again submitted to the voters of said town, upon the filing of such a petition in the manner hereinbefore provided.

*Approved February 14, 1962.*

**Chap. 101.** AN ACT ABOLISHING THE PARK DEPARTMENT OF THE TOWN OF HUDSON AND TRANSFERRING THE POWERS AND DUTIES THEREOF TO THE COMMISSIONERS OF PUBLIC WORKS OF SAID TOWN.

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

SECTION 1. The park department of the town of Hudson is hereby abolished and all the powers, rights, duties and liabilities of said department are hereby conferred and imposed upon the commissioners of public works of said town.

SECTION 2. This act shall take effect upon its acceptance by vote of the town of Hudson at an annual town meeting or a special town meeting called for the purpose.

*Approved February 14, 1962.*

**Chap. 102.** AN ACT FURTHER DEFINING THE TERM "BUILDINGS USED FOR INDUSTRIAL PURPOSES" OR "INDUSTRIAL ESTABLISHMENTS".

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

Section 1 of chapter 149 of the General Laws is hereby amended by striking out the definition "Buildings used for industrial purposes" or "industrial establishments", as appearing in the Tercentenary Edition, and inserting in place thereof the following definition: —

"Buildings used for industrial purposes" or "industrial establishments" shall include factories, workshops, bakeries, mechanical establishments, laundries, foundries, tenement house workrooms, all other buildings or parts thereof where manufacturing is carried on, mercantile establishments as defined in this section, telegraph offices or telephone exchanges, express or transportation companies, private clubs, offices, letter shops, financial institutions, hotels, manicuring or hairdressing establishments, motion picture or other theaters and other places of amusement and garages.

*Approved February 14, 1962.*

**Chap. 103.** AN ACT AUTHORIZING THE TOWN OF WARE TO ALLOW THE USE OF ITS EQUIPMENT WITH ITS OPERATOR ON PRIVATE PROPERTY AND IN OTHER TOWNS 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 Ware 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, including corporations and fraternal, charitable or veterans' organizations, for use on their property within the boundaries of said town and for other towns. 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 called the road machinery fund 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, which payments shall be credited to said account. Any balance remaining from the advance cash deposit paid to said town after the completion of the rental agreement shall be returned to the private individual.

The equipment and employees of the town of Ware, 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 Ware to said employees.

SECTION 2. The highway department of said town may establish a charge for the use of its equipment by other departments of said town and payments of such charges shall be credited to the road machinery fund account.

SECTION 3. This act shall be submitted to the voters of said town at its 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 at said meeting: — "Shall an act passed by the General Court in the year nine-

teen hundred and sixty-two, entitled 'An Act authorizing the town of Ware to allow the use of its equipment with its operator on private property and in other towns for certain purposes', 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 14, 1962.*

**Chap. 104.** AN ACT AUTHORIZING THE UNITARIAN LAYMEN'S LEAGUE TO HOLD MEETINGS IN THE UNITED STATES OF AMERICA OR CANADA AND VALIDATING PROCEEDINGS RELATING THERETO.

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

SECTION 1. The Unitarian Laymen's League, a corporation organized under general law, is hereby authorized to hold meetings of its members anywhere in the United States of America or Canada and to transact any and all business at such meetings which it might transact if such meetings were held in the commonwealth.

SECTION 2. The proceedings taken before the date of passage of this act relating to the holding of meetings of members of said corporation anywhere in the United States of America or Canada, including adoption of an amendment of the by-laws of said corporation providing for the holding of meetings in Boston, Massachusetts, or at such other place in the United States of America or Canada as shall be determined at least three months prior to the date of such meeting by the council of said corporation, and any other action relating to the holding of the annual meeting of members of said corporation in Washington, D. C., during the month of May in the year nineteen hundred and sixty-two, are hereby validated.

SECTION 3. This act shall take effect immediately upon the filing by the secretary of said corporation with the state secretary of a copy of the vote of said corporation adopting said amendment of its by-laws.

*Approved February 16, 1962.*

**Chap. 105.** AN ACT AUTHORIZING TRUST COMPANIES TO PAY VARIABLE RATES OF INTEREST ON SAVINGS DEPOSITS AND TO PAY INTEREST ON SUCH DEPOSITS FROM THE DATE RECEIVED TO THE DATE WITHDRAWN.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to authorize a trust company to pay forthwith variable rates of interest in its savings 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:*

Chapter 172 of the General Laws is hereby amended by striking out section 61, as appearing in section 1 of chapter 493 of the acts of 1961, and inserting in place thereof the following section:— *Section 61.* Any such corporation may pay interest on regular savings accounts at such rate as its board of directors may determine and may with the approval



of the commissioner pay variable rates of interest on other types of savings accounts provided, however, that no such rate shall exceed five per cent per annum.

Interest may be paid on savings deposits from the date of deposit to the date of withdrawal and if its by-laws or regulations so provide such corporation may also pay interest on a savings deposit received during the first ten calendar days of any month calculated from the first day of such month until such deposit is withdrawn.

Interest 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. *Approved February 19, 1962.*

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**Chap. 106.** AN ACT PROHIBITING THE CROPPING OR CUTTING OF A DOG'S EARS BY ANYONE OTHER THAN A DULY LICENSED VETERINARIAN.

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

Chapter 272 of the General Laws is hereby amended by striking out section 80A, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 80A.* Whoever, not being a veterinarian duly registered under chapter one hundred and twelve, crops or cuts off the whole or any part of the ear of a dog shall be punished by a fine of not more than two hundred and fifty dollars. If a dog with an ear cropped or cut off in whole or in part and with the wound resulting therefrom unhealed is found confined upon the premises or in the charge or custody of any person other than such veterinarian, or a dog officer of a city or town duly appointed under section one hundred and fifty-one of chapter one hundred and forty, such fact shall be prima facie evidence of a violation of this section by the person in control of such premises or the person having such charge or custody.

*Approved February 19, 1962.*

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**Chap. 107.** AN ACT PERMITTING THE APPEARANCE OF CHILDREN IN FASHION SHOWS.

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

SECTION 1. Section 104 of chapter 149 of the General Laws, as most recently amended by chapter 110 of the acts of 1954, is hereby further amended by inserting after the first sentence the following sentence: — This section shall not prevent participation of a child under fifteen years of age in a fashion show, provided such child is accompanied by either one of his parents.

SECTION 2. Section 60 of chapter 149 of the General Laws, as most recently amended by chapter 113 of the acts of 1955, is hereby further amended by adding at the end the following paragraph: —

This section shall not prevent participation of a child under fifteen years of age in a fashion show, provided such child is accompanied by either one of his parents.

*Approved February 19, 1962.*

**Chap. 108.** AN ACT RELATIVE TO THE AMOUNT TO BE EXPENDED BY THE COUNTY COMMISSIONERS OF THE COUNTY OF BARNSTABLE FOR THE PURCHASE OF FOREST FIRE FIGHTING APPARATUS DURING THE YEAR NINETEEN HUNDRED AND SIXTY-TWO.

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

SECTION 1. Chapter three hundred and forty-nine of the acts of nineteen hundred and thirty-nine is hereby repealed.

SECTION 2. The county commissioners of the county of Barnstable may expend in the year nineteen hundred and sixty-two a sum, not exceeding thirty-two thousand dollars, as may be appropriated by the General Court, for the purchase of apparatus to be used by the several towns within said county in preventing and extinguishing forest fires. Said commissioners shall, from time to time, provide by rules and regulations for the custody and maintenance of said apparatus, and for the use of said apparatus, subject to the pertinent provisions of sections twenty-four and twenty-five of chapter forty-eight of the General Laws relative to the use and control of apparatus in the extinguishment of fires.

*Approved February 19, 1962.*

**Chap. 109.** AN ACT RELATIVE TO VERIFICATION OF CERTAIN ACCOUNTS IN CO-OPERATIVE BANKS.

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

Section 42 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 the second paragraph.

*Approved February 19, 1962.*

**Chap. 110.** AN ACT RELATIVE TO THE BORROWING POWERS OF CO-OPERATIVE BANKS.

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

The first paragraph of section 31 of chapter 170 of the General Laws, as amended by chapter 38 of the acts of 1956, is hereby further amended by striking out, in line 11, the word "three" and inserting in place thereof the word: — five, — so as to read as follows: — Such corporation, by vote of at least three fifths of all its directors, may borrow from any source to meet withdrawals, pay taxes, make loans on shares or accounts of the corporation, or make or acquire real estate loans; provided, that any such borrowing for a period exceeding one year shall be subject to the approval of the commissioner; and provided, further, that any borrowing for a period of one year or less shall be subject to such approval if such borrowing together with the aggregate of all borrowings then outstanding would exceed an amount equal to five per cent of the assets of such corporation.

*Approved February 19, 1962.*

**Chap. 111.** AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF HAMPSHIRE COUNTY TO EXPEND A SUM OF MONEY FOR THE OBSERVANCE OF THE THREE HUNDREDTH ANNIVERSARY OF SAID COUNTY.

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

The county commissioners of Hampshire county are hereby authorized to expend from any available funds, without further appropriation, a sum, not exceeding ten thousand dollars, for the purpose of observing the three hundredth anniversary of the incorporation of Hampshire county.

*Approved February 19, 1962.*

**Chap. 112.** AN ACT CHANGING THE DATE OF BIENNIAL MUNICIPAL ELECTIONS IN THE CITY OF BEVERLY.

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

SECTION 1. Chapter 238 of the acts of 1951 is hereby amended by striking out section 1 and inserting in place thereof the following section: — *Section 1.* Beginning with the year nineteen hundred and sixty-three, biennial municipal elections in the city of Beverly for the choice of mayor, members of the board of aldermen and members of the school committee shall be held on the Tuesday next following the first Monday of November in every odd-numbered year.

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

*Approved February 19, 1962.*

**Chap. 113.** AN ACT AUTHORIZING THE TOWN OF ARLINGTON TO APPROPRIATE MONEY FOR THE ESTABLISHMENT AND MAINTENANCE OF A YOUTH COMMITTEE.

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

SECTION 1. The town of Arlington is hereby authorized to appropriate money at an annual town meeting for the purpose of establishing and maintaining a youth committee for the prevention, treatment and control of youth problems in said town.

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

*Approved February 20, 1962.*

**Chap. 114.** AN ACT PROVIDING A RIGHT TO A HEARING AND A RIGHT TO A REVIEW BY A DISTRICT COURT FOR CERTAIN VETERANS WHO ARE MEMBERS OF A CONTRIBUTORY RETIREMENT SYSTEM UPON REMOVAL OR DISCHARGE.

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

SECTION 1. Subdivision (2) of section 16 of chapter 32 of the General Laws is hereby amended by striking out the first sentence, as amended by section 20 of chapter 321 of the acts of 1958, and inserting in place thereof the following sentence: — The removal or discharge of any member in service classified in either Group 1 or Group 2 who has attained age fifty-five and has completed fifteen or more years of creditable service, or any member so classified who has not attained age fifty-five but

who has completed twenty or more years of creditable service, or any such member who is a veteran and has completed ten or more years of creditable service, shall not become effective unless and until a written notice thereof containing a fair summary of the facts upon which such action was based has been filed with the board.

SECTION 2. Paragraph (a) of subdivision (3) of said section 16 of said chapter 32, as amended by section 21 of chapter 321 of the acts of 1958, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — Any member classified in either Group 1 or Group 2 who has attained age fifty-five and completed fifteen or more years of creditable service, or any member so classified who has not attained age fifty-five but who has completed twenty or more years of creditable service, or any such member who is a veteran and has completed ten or more years of creditable service, and who is aggrieved by any action taken or decision of a board rendered with reference to his involuntary retirement under the provisions of subdivision (1) of this section or to his removal or discharge as set forth in subdivision (2) of this section, or any member who is aggrieved by any action taken or decision of a board rendered with reference to his dereliction of duty as set forth in section fifteen, may, within thirty days after the certification of the decision of the board, bring a petition in the district court within the territorial jurisdiction in which he resides praying that such action and decision be reviewed by the court.

*Approved February 20, 1962.*

**Chap. 115.** AN ACT RESTRICTING THE POWERS OF HOUSING AND RE-DEVELOPMENT AUTHORITIES RELATIVE TO THE TAKING OF LAND AND TO ENTERING INTO CONTRACTS WITH THE FEDERAL GOVERNMENT.

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

The last paragraph of section 26P of chapter 121 of the General Laws, added by section 1 of chapter 188 of the acts of 1961, is hereby amended by inserting after the word "town", in line 23, the words: — ; and provided, further, that no land shall be taken or acquired under the provisions of this paragraph and no contract shall be entered into with the federal government without first obtaining the approval of the emergency finance board established under section one of chapter forty-nine of the acts of nineteen hundred and thirty-three.

*Approved February 20, 1962.*

**Chap. 116.** AN ACT TO REQUIRE LIGHTS ON THE REAR OF ALL TRAILERS.

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

Section 7 of chapter 90 of the General Laws is hereby amended by striking out the seventh sentence, as appearing in chapter 51 of the acts of 1933, and inserting in place thereof the following sentence: — Every motor vehicle or trailer so operated shall have a rear light so placed as to show a red light from behind and a white light so arranged as to illuminate and not obscure the rear register number.

*Approved February 20, 1962.*

**Chap. 117.** AN ACT ELIMINATING CERTAIN OBSOLETE LANGUAGE FROM THE INCOME TAX LAW.

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

SECTION 1. The first sentence of section 32 of chapter 62 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 3 and 4, the words: — , and the income tax assessors, and their deputies, assistants and clerks when acting under their authority, — so as to read as follows: — Returns shall be open to the inspection of the commissioner, and his deputies, assistants and clerks when acting under his authority.

SECTION 2. The third sentence of section 39 of said chapter 62, as so appearing, is hereby amended by striking out, in lines 2 and 3, the words: — of the income tax assessor, — so as to read as follows: — All taxes assessed hereunder may be paid at the office of the commissioner in Boston or at the office for the district where the taxpayer resides or has his principal place of business, at the option of the taxpayer, and the notice shall state the places at which the tax may be paid.

*Approved February 20, 1962.*

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**Chap. 118.** AN ACT PROVIDING LIFE TENURE FOR GORDON T. RICHARDSON, INCUMBENT OF THE OFFICE OF COMMISSIONER OF PUBLIC WORKS OF THE CITY OF BEVERLY.

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

SECTION 1. The tenure of office of Gordon T. Richardson, incumbent of the office of commissioner of public works of the city of Beverly 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 the city of Beverly at the biennial state election in the current year in the form of the following question, which shall be placed upon the official ballot to be used in said city at said election: — “Shall an act passed by the General Court in the year nineteen hundred and sixty-two, entitled ‘An Act providing life tenure for Gordon T. Richardson, incumbent of the office of commissioner of public works of the city of Beverly’, 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 20, 1962.*

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**Chap. 119.** AN ACT FURTHER DEFINING GROUP LIFE INSURANCE AND THE TERMS USED IN CONNECTION THEREWITH.

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

SECTION 1. Clause (a) of section 133 of chapter 175 of the General Laws, as most recently amended by chapter 171 of the acts of 1955, is hereby further amended by inserting after the word “employees”, in line 1, the words: — at date of issue, — so as to read as follows: — (a) not less than ten employees at date of issue, with or without medical examination, written under a policy issued to the employer, or to the

trustees of a fund established by the employer, the premium on which is to be paid by the policyholder, either wholly from the employer's funds or funds contributed by him, or partly from such funds and partly from funds contributed by the insured employees, and insuring only all of the employees of the employer, or all of any class or classes thereof determined by conditions pertaining to their employment, or by duration of service in which case no employee shall be excluded if he has been for one year or more in the employ of the employer, or for such period longer than one year as may be required by any pension plan under or in connection with which the policy is taken out, for amounts of insurance based upon some plan precluding individual selection, and for the benefit of persons other than the employer, provided, that when part of the premium is to be derived from funds contributed by the insured employees and the benefits of the policy are offered to all eligible employees, not less than seventy-five per cent of such employees may be so insured, or not less than forty per cent if each employee belonging to the insured group has been medically examined and found acceptable for ordinary insurance by an individual policy; or

SECTION 2. Clause (d) of said section 133 of said chapter 175, added by section 2 of chapter 424 of the acts of 1943, is hereby amended by inserting after the word "members", in lines 13 and 14, the words: — at date of issue, — so as to read as follows: — (d) the members of any association of state, county or municipal employees, who are regularly and permanently employed by the commonwealth, a county or a municipality and, if employed by the commonwealth or the city of Boston, are paid by a common paymaster and are eligible for membership in the retirement association for the employees of the commonwealth or of the city of Boston, or the members of any association of employees of two or more municipalities within one county who are regularly and permanently employed by one or more such municipalities, with or without medical examination, written under a policy issued to the association, the premium on which is to be paid by its members and insuring not less than fifty members at date of issue and seventy-five per cent of all persons eligible for membership therein, for amounts of insurance based upon some plan which will preclude individual selection, and for the benefit of persons other than the association or any officers thereof; provided, that any member or members insured under such policy may apply for amounts of insurance additional to those granted by said policy, in which case any percentage of the members may be insured for additional amounts if they pass satisfactory medical examinations; and provided, further, that no person shall be eligible for coverage under such a policy as a member of more than one such association.

*Approved February 20, 1962.*

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**Chap. 120.** AN ACT PROVIDING LIFE TENURE FOR HARRY P. LOFTUS, INCUMBENT OF THE OFFICE OF COMMISSIONER OF PUBLIC WORKS OF THE CITY OF MARLBOROUGH.

*Be it enacted, etc., as follows: —*

SECTION 1. The tenure of office of Harry P. Loftus, incumbent of the office of commissioner of public works of the city of Marlborough 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 Marlborough, subject to the provisions of its charter, but not otherwise.

*Approved February 20, 1962.*

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**Chap. 121.** AN ACT PROVIDING LIFE TENURE FOR FRANCIS HARAN, INCUMBENT OF THE OFFICE OF CITY AUDITOR OF THE CITY OF PEABODY.

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

SECTION 1. The tenure of office of Francis Haran, incumbent of the office of city auditor of the city of Peabody, shall on 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 Peabody, subject to the provisions of its charter, but not otherwise.

*Approved February 20, 1962.*

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**Chap. 122.** AN ACT AUTHORIZING AND DIRECTING THE CITY OF SPRINGFIELD TO CONVEY CERTAIN PARK LAND TO THE SPRINGFIELD HOUSING AUTHORITY FOR A HOUSING PROJECT FOR ELDERLY PERSONS.

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

SECTION 1. The city of Springfield, through its park department, is hereby authorized and directed to convey to the Springfield Housing Authority the following described parcel of park land, being a part of Forest Park, to be used for the erection of a housing project for elderly persons of low income: — Northeasterly by Dickinson street six hundred eleven and ninety-three hundredths feet, southeasterly by Trafton road eight hundred ninety-seven and thirty-one hundredths feet, southwesterly by said Forest Park six hundred seventy-five and ninety-eight hundredths feet, and northwesterly by Lenox alley and Piney place seven hundred fifty-four and twenty-eight hundredths feet, and containing nine and sixty-four hundredths acres of land, more or less.

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

*Approved February 20, 1962.*

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**Chap. 123.** AN ACT PROVIDING FOR THE APPOINTMENT OF AN ASSISTANT TREASURER FOR THE NORTHERN BERKSHIRE VOCATIONAL REGIONAL SCHOOL DISTRICT.

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

Chapter 518 of the acts of 1958 is hereby amended by striking out section 7 and inserting in place thereof the following section: — *Section 7.* The powers, duties and liabilities of the regional school district shall be vested in and exercised by a regional district school committee organized

in accordance with the agreement. The committee shall choose a chairman by ballot from its membership. It shall appoint a secretary and a treasurer who may be the same person, but who need not be members of said committee. The treasurer shall receive and take charge of all money belonging to the district, and shall pay any bill of the district which shall have been approved by the committee. The committee may appoint an assistant treasurer who need not be a member of the committee, and who shall, in the absence of the treasurer, perform his duties and shall have the powers and be subject to the requirements and penalties applicable to him. The treasurer and assistant treasurer may, by vote of said committee, be compensated for their services. The treasurer and assistant 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.

*Approved February 20, 1962.*

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**Chap. 124.** AN ACT AUTHORIZING CO-OPERATIVE BANKS TO MAKE OR ACQUIRE MORTGAGE LOANS ON WHICH THE NOTES HAVE BEEN ENDORSED FOR INSURANCE BY THE FEDERAL HOUSING ADMINISTRATOR OR WHICH HAVE BEEN GUARANTEED IN PART BY THE ADMINISTRATOR OF VETERANS' AFFAIRS.

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

Chapter 170 of the General Laws is hereby amended by striking out section 24A, inserted by chapter 342 of the acts of 1959, and inserting in place thereof the following section: — *Section 24A.* Notwithstanding the limitations contained in sections twenty-three and twenty-four, and in addition to the authority granted by section fifty-one of chapter one hundred and sixty-seven, any such corporation may, with the approval of the commissioner, and subject to regulations established by him, make or acquire mortgage loans on real estate, regardless of location, on which the notes have been endorsed for insurance by the federal housing administrator or on which the notes have been guaranteed in part by the administrator of veterans' affairs; provided, that the aggregate balance of principal outstanding at any one time in loans made hereunder does not exceed twenty-five per cent of the deposits of such corporation; and further provided, that no such loan shall exceed one half of one per cent of the deposits of such corporation. *Approved February 20, 1962.*

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**Chap. 125.** AN ACT INCREASING THE AMOUNT WHICH MAY BE INVESTED IN CERTAIN REAL ESTATE LOANS BY CO-OPERATIVE BANKS.

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

SECTION 1. Section 24 of chapter 170 of the General Laws is hereby amended by striking out subsection 4, as most recently amended by chapter 54 of the acts of 1960, and inserting in place thereof the following subsection: —

4. The principal sum of any loan secured by a mortgage on any one parcel of real estate shall when made, or the unpaid principal balance outstanding on any loan so secured shall when acquired, not exceed thirty thousand dollars; provided, that the aggregate amount of loans,



as to each of which the unpaid balance of principal outstanding is more than twenty-five thousand dollars, shall not at any time exceed twenty per cent of the deposits of the corporation; and, further provided, that loans over twenty-five thousand dollars and not exceeding thirty thousand dollars shall not exceed seventy-five per cent of the value of the mortgaged property as certified by the security committee.

SECTION 2. Subsection 5 of said section 24 of said chapter 170, as amended by chapter 34 of the acts of 1956, is hereby further amended by striking out, in lines 3 and 8, the word "twenty-five" and inserting in place thereof, in each instance, the word: — thirty.

*Approved February 20, 1962.*

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**Chap. 126.** AN ACT AUTHORIZING THE CITY OF BOSTON TO CONVEY TO THE TRUSTEES OF THE PUBLIC LIBRARY OF THE CITY OF BOSTON A CERTAIN PARCEL OF LAND IN SAID CITY.

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

Notwithstanding any contrary provision of general or special law, the city of Boston, by its mayor, may convey, without consideration, to the Trustees of the Public Library of the City of Boston, a corporation duly established under chapter one hundred and fourteen of the acts of eighteen hundred and seventy-eight, the parcel of land in said city, known as Alley No. 447, and bounded and described as follows: — Westerly by Exeter Street, twenty-four and fifty-nine hundredths feet; northerly by land now or formerly of the Trustees of Boston University, two hundred sixty-four and twenty-two hundredths feet; easterly by land of the city of Boston, twenty-four and fifty-nine hundredths feet; and southerly in part by land of the city of Boston, in part by land now or formerly of Steve M. Zaratzian, and in part by land of the Trustees of the Public Library of the City of Boston, two hundred sixty-four and twenty-two hundredths feet; containing six thousand four hundred ninety-seven square feet, more or less; and being a parcel of land shown on plan marked "City of Boston — Public Works Department, Engineering Division, Taking Plan — Blagden Street, Private Alley No. 447, Boston Proper — June 5, 1961 — Frederick L. Garvin, Acting Division Engineer", and on file in the office of the commissioner of public works of said city.

*Approved February 20, 1962.*

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**Chap. 127.** AN ACT REQUIRING THE PRESERVATION OF CREDIT UNION RECORDS FOR A PERIOD OF SIX YEARS.

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

Chapter 171 of the General Laws is hereby amended by inserting after section 26 the following section: —

*Section 26A.* Each credit union shall preserve all of its records of original and final entry, including cancelled checks and withdrawal and deposit slips, for a period of at least six years from the date of making the same or from the date of the last entry thereof.

*Approved February 20, 1962.*

**Chap. 128.** AN ACT PERMITTING THE TOWN OF HULL TO SELL CERTAIN REALTY ACQUIRED FOR WHARF AND RECREATIONAL PURPOSES.

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

The town of Hull is hereby authorized to sell at public or private sale, upon such terms and conditions as the town by vote at an annual or special town meeting shall direct, any or all realty, except the Nantasket pier, acquired by said town pursuant to chapter twenty-one of the acts of nineteen hundred and forty-one. *Approved February 20, 1962.*

**Chap. 129.** AN ACT TO AUTHORIZE THE MUSEUM OF FINE ARTS TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

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

SECTION 1. In addition to the land from time to time owned and occupied by the Museum of Fine Arts and the buildings located or which may be erected thereon and the works of art from time to time contained therein, said Museum of Fine Arts may receive by gift, devise, bequest or otherwise, and may hold, in trust or otherwise, real and personal estate to an amount not exceeding seventy-five million dollars, which estate or its income shall be devoted to the purposes for which said Museum of Fine Arts was incorporated.

SECTION 2. Section one of chapter thirty-seven of the acts of nineteen hundred and fifty-five is hereby repealed.

*Approved February 20, 1962.*

**Chap. 130.** AN ACT PROVIDING THAT THE POWERS AND DUTIES OF THE OFFICES OF TREE WARDEN AND SUPERINTENDENT OF MOTH EXTERMINATION IN THE TOWN OF WAYLAND BE VESTED IN THE BOARD OF CEMETERY COMMISSIONERS AND THAT SUCH OFFICES BE ABOLISHED.

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

SECTION 1. The board of cemetery commissioners in the town of Wayland shall have all the powers, rights and duties now vested by general or special law in the offices of tree warden and superintendent of moth extermination and such offices are hereby abolished. No contracts or liabilities in force on the date when this act becomes fully effective shall be affected by such abolition, but the board shall in all respects be the lawful successor of the offices so abolished.

SECTION 2. This act shall be submitted to the voters of the town of Wayland 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-two, entitled 'An Act providing that the powers and duties of the offices of tree warden and superintendent of moth extermination in the town of Wayland be vested in the board of cemetery commissioners and that such offices be abolished', 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 20, 1962.*

**Chap. 131.** AN ACT PROVIDING LIFE TENURE FOR THEODORE A. AUSTIN, INCUMBENT OF THE OFFICE OF SUPERINTENDENT OF THE WORCESTER CITY HOSPITAL.

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

SECTION 1. The tenure of office of Theodore A. Austin, incumbent of the office of superintendent of the Worcester City Hospital, shall be unlimited, but he may be removed or suspended 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, in the current year, by vote of the city council of said city with the approval of the city manager.

*Approved February 20, 1962.*

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**Chap. 132.** AN ACT REQUIRING THAT ALL TRAILERS, EXCEPT SEMI-TRAILERS, BE FASTENED BY SAFETY CHAINS TO THE TOWING VEHICLE.

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

Section 7 of chapter 90 of the General Laws is hereby amended by inserting after the first paragraph the following paragraph: —

Every trailer, except a semi-trailer, shall, in addition to a regular hitch, be fastened by safety chains to prevent it from breaking away from the towing vehicle. Such chains shall comply with such minimum standards for construction and performance as the registrar may prescribe.

*Approved February 20, 1962.*

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**Chap. 133.** AN ACT REGULATING THE ISSUE OF PREFERRED STOCK BY CORPORATIONS.

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

Chapter 155 of the General Laws is hereby amended by striking out section 18, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 18.* Every corporation may issue preferred stock of one or more classes to an amount not exceeding at any time the amount of the common stock then outstanding and all cash premiums paid to the company thereon and applied to the purposes of the corporation with such preferences and voting powers or restrictions or qualifications thereof as shall be fixed and determined in the agreement of association at the organization of the corporation; or after organization, as to any such preferred stock or additional class thereof, by a two thirds vote of all the stock entitled to vote thereon or by a by-law adopted by a two thirds vote of all the stock entitled to vote thereon, at a meeting duly called for the purpose. This section shall not apply to corporations organized under chapter one hundred and fifty-six or to railroad corporations or street railway companies.

*Approved February 21, 1962.*

**Chap. 134.** AN ACT INCREASING THE MINIMUM FAIR WAGE RATES.

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

SECTION 1. Section 1 of chapter 151 of the General Laws is hereby amended by striking out the second sentence, as most recently amended by section 1 of chapter 620 of the acts of 1958, and inserting in place thereof the following sentence: — A wage of less than one dollar and fifteen cents per hour in any occupation, as defined in this chapter, shall be conclusively presumed to be oppressive and unreasonable, wherever the term "minimum wage" is used in this chapter, unless the commission has expressly approved or shall expressly approve the establishment and payment of a lesser wage under the provisions of sections seven, eight and nine.

SECTION 2. Section 7 of said chapter 151 is hereby amended by striking out the second paragraph, as most recently amended by section 1 of chapter 551 of the acts of 1959, and inserting in place thereof the following paragraph: —

No wage board, however, can recommend minimum fair wage rates below one dollar and fifteen cents per hour, except for learners and apprentices, and except for ushers, ticket sellers and ticket takers whose minimum fair wage rates shall not be below one dollar, and except for service people who regularly receive gratuities and whose minimum fair wage rates shall not be below seventy-five cents per hour, and except for janitors and caretakers of residential property, who, when furnished with living quarters, shall be paid a wage of not less than thirty-six dollars per week, and except for services as golf caddies.

SECTION 3. Section 19 of said chapter 151 is hereby amended by striking out paragraph (2), as most recently amended by section 2 of chapter 620 of the acts of 1958, and inserting in place thereof the following paragraph: —

(2) Any employer or the office or agent of any corporation who knowingly pays or agrees to pay to any employee less than the rates applicable to such employee under a mandatory minimum fair wage order, or who pays or agrees to pay to any employee less than one dollar and fifteen cents per hour in any occupation not covered by a mandatory minimum fair wage order, shall be punished by a fine of not less than fifty nor more than two hundred dollars or by imprisonment for not less than ten nor more than ninety days, or by both such fine and imprisonment, and each week in any day of which such employee is paid less than the rate applicable to him under a mandatory minimum fair wage order, and each employee so paid less, shall constitute a separate offense.

SECTION 4. The second sentence of section 1 of chapter 151 of the General Laws, as appearing in section 1 of this act, is hereby amended by striking out the words "one dollar and fifteen cents" and inserting in place thereof the words: — one dollar and twenty-five cents.

SECTION 5. The second paragraph of section 7 of said chapter 151, as appearing in section 2 of this act, is hereby amended by striking out the words "one dollar and fifteen cents" and inserting in place thereof the words: — one dollar and twenty-five cents.

SECTION 6. Paragraph (2) of section 19 of said chapter 151, as appearing in section 3 of this act, is hereby amended by striking out the words "one dollar and fifteen cents" and inserting in place thereof the words: — one dollar and twenty-five cents.

SECTION 7. Existing minimum wage orders which have been promulgated under the provisions of chapter one hundred and fifty-one of the General Laws, and which on the effective date of this act contain minimum wage requirements less than one dollar and fifteen cents per hour, with the exception of minimum wage requirements relating to learners, apprentices and other employees mentioned in section seven of said chapter one hundred and fifty-one, as amended by section two of this act, shall automatically advance to one dollar and fifteen cents per hour on the effective date of this act, and the commissioner of labor and industries shall issue a mandatory order to that effect.

Existing minimum wage requirements relating to employees enumerated in said section seven of said chapter one hundred and fifty-one contained in minimum wage orders promulgated under the provisions of said chapter one hundred and fifty-one and which on the effective date of this act are less than the minimum wage requirements provided in said section seven shall automatically advance on said date to the minimums set forth in said section seven.

SECTION 8. Minimum wage orders promulgated under the provisions of chapter one hundred and fifty-one of the General Laws, as amended by sections one, two and three of this act, and which contain minimum wage requirements less than one dollar and twenty-five cents per hour, with the exception of minimum wage requirements relating to learners, apprentices and other employees mentioned in section seven of said chapter one hundred and fifty-one, shall automatically advance to one dollar and twenty-five cents per hour on September fifth, nineteen hundred and sixty-three, and the commissioner of labor and industries shall issue a mandatory order to that effect prior to said date.

SECTION 9. Sections four, five, six and eight of this act shall take effect on September fifth, nineteen hundred and sixty-three.

*Approved February 23, 1962.*

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**Chap. 135.** AN ACT ESTABLISHING A LIEN FOR WATER SUPPLIED BY THE TOWN OF DANVERS TO WATER CONSUMERS IN THE TOWN OF MIDDLETON.

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

SECTION 1. Unpaid rates and charges for water supplied or service or materials furnished in connection therewith by the town of Danvers to or for real estate in the town of Middleton at the request of the owners or tenants thereof shall be a lien upon such real estate, and the provisions of sections forty-two A through forty-two E, inclusive, of chapter forty of the General Laws shall apply in said town of Middleton, notwithstanding so much of said section forty-two A as requires acceptance by said town and the filing of a certificate of such acceptance. In lieu of the filing of such certificate, the clerk of the town of Danvers shall file a copy of this act with the South Essex registry of deeds and the register of deeds shall record such copy in the book kept for the recording of certificates of acceptance in accordance with the provisions of said section forty-two A.

SECTION 2. Annually in the month of April, the water and sewer commissioners of the town of Danvers shall certify to the assessors of the town of Middleton the amounts of such unpaid rates and charges owed.

to the town of Danvers by such owners or tenants of real estate in the town of Middleton for the preceding year. Said assessors shall forthwith add such amounts to the real estate taxes on the properties to which they relate and commit them with their warrant to the collector of taxes of the town of Middleton as part of the real estate taxes.

SECTION 3. Annually in the month of February, the town of Middleton shall pay to the town of Danvers the amounts collected in the preceding year by the town of Middleton for water supplied or service or materials furnished in connection therewith by the town of Danvers. No charge shall be made to the town of Danvers for making such collections.

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

*Approved February 27, 1962.*

**Chap. 136.** AN ACT AUTHORIZING THE ODD FELLOWS' HOME OF MASSACHUSETTS TO EXPEND FUNDS FOR THE CARE OF CERTAIN MEMBERS OF THE ORDER OF REBEKAHS.

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

Section 2 of chapter 560 of the acts of 1898 is hereby amended by adding after the word "fellow", in line 12, the words: — , or in the care and maintenance of indigent and unfortunate members of the Order of Rebekahs, — so as to read as follows: — *Section 2.* The object and purpose of this corporation shall be to collect, receive and hold moneys and any kind of personal property given by voluntary contributions, bequests or otherwise, and real estate purchased, granted, given or devised, and the same shall be held, used, improved and expended in the care and maintenance of indigent and unfortunate members of the fraternity of Independent Order of Odd Fellows within the Commonwealth of Massachusetts, or in the care or support of the wife or widow of such odd fellows, or in the care, support or education of any minor child or children of a dependent or deceased odd fellow, or in the care and maintenance of indigent and unfortunate members of the Order of Rebekahs.

*Approved February 27, 1962.*

**Chap. 137.** AN ACT AUTHORIZING NEW ENGLAND MEDICAL CENTER TO CHANGE ITS NAME TO TUFTS-NEW ENGLAND MEDICAL CENTER.

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

Section 2 of chapter 40 of the acts of 1930, as most recently amended by section 2 of chapter 176 of the acts of 1953, is hereby further amended by striking out, in line 22 and line 23, the words "New England Medical Center" and inserting in place thereof the words: — Tufts-New England Medical Center.

*Approved February 27, 1962.*

**Chap. 138.** AN ACT PROVIDING FOR THE APPOINTMENT OF TEN ADDITIONAL MEMBERS TO THE RESERVE POLICE FORCE OF THE CITY OF REVERE.

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

Notwithstanding the limitation upon the number of members of the reserve police force of a city, as provided in section twelve of chapter one hundred and forty-seven of the General Laws, the city manager of the city of Revere is hereby authorized to appoint ten members to the reserve police force in said city, in addition to the number of members of the reserve police force established for said city under said section twelve.

*Approved February 27, 1962.*

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**Chap. 139.** AN ACT EXEMPTING CERTAIN TANKS AND OTHER RECEPTACLES USED BY DIVERS FROM THE PROVISIONS OF LAW RELATIVE TO THE STORING OF COMPRESSED AIR.

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

Section 34 of chapter 146 of the General Laws is hereby amended by inserting after the first sentence, as appearing in section 1 of chapter 319 of the acts of 1938, the following sentence: — The provisions of this section shall not apply to any such tank or other receptacle used by divers if such tank or other receptacle is inspected by the refilling agency.

*Approved February 27, 1962.*

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**Chap. 140.** AN ACT AUTHORIZING THE WORCESTER ART MUSEUM TO HOLD ADDITIONAL REAL AND PERSONAL PROPERTY AND TO INCREASE THE NUMBER OF ITS CORPORATORS.

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

SECTION 1. Chapter 149 of the acts of 1941 is hereby amended by striking out, in line 3, the word "eight" and inserting in place thereof the word: — twenty, — so as to read as follows: — The Worcester Art Museum, a corporation incorporated under general law, is hereby authorized to hold real and personal property to an amount not exceeding twenty million dollars, in addition to the land occupied by it, the buildings erected or which may be erected thereon, and the works of art contained in said buildings, all of which property, and the income derived from it, shall be devoted to the purposes set forth in its charter or agreement of association.

SECTION 2. The corporators of the Worcester Art Museum are hereby authorized to amend the certificate of incorporation of said museum, dated April second, eighteen hundred and ninety-six, by striking out the word "fifty" in the fourth paragraph and inserting in place thereof the word: — seventy-five, — so that the proviso will read as follows: — *provided*, that the whole number of corporators shall at no time exceed seventy-five persons;

*Approved February 27, 1962.*

**Chap. 141.** AN ACT RELATIVE TO THE FILLING OF VACANCIES IN THE OFFICE OF TOWN MEETING MEMBER IN THE TOWN OF PLYMOUTH.

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

SECTION 1. Chapter 283 of the acts of 1952 is hereby amended by striking out section 8 and inserting in place thereof the following section: — *Section 8.* Any vacancy in the full number of town meeting members from any precinct, whether arising from a failure of the registered voters thereof to elect, or from any other cause, shall be filled until the next annual election by the selection by the town clerk of whichever of the defeated candidates for the office of town meeting member from such precinct at the preceding town election, who are eligible and willing to serve, received the highest number of votes at such election. The town clerk shall promptly notify such person of his selection as a town meeting member. If there be no such defeated candidate, who is eligible and willing to serve, notice of the vacancy shall be promptly given by the town clerk to the remaining members from the precinct in which the vacancy exists, and he shall call a special meeting of such members for the purpose of filling such vacancy. He shall cause to be mailed to every such member, not less than five days before the time set for the meeting, a notice specifying the object, time and place of the meeting. At the said meeting a majority of the members of the precinct shall constitute a quorum, and they shall elect from their own number a chairman and clerk. The choice to fill any vacancy shall be by ballot, and a majority of the votes cast shall be required for a choice. The chairman and clerk shall count the ballots and shall make a certificate of the choice and forthwith file the same with the town clerk, together with the written acceptance by the member so chosen, who shall thereupon be deemed elected and qualified as a town meeting member, subject to the right of all town meeting members to judge of the election and qualifications of the members as set forth in this act.

SECTION 2. This act shall take effect upon its acceptance by a majority vote of the town meeting members of the town of Plymouth present and voting thereon at an annual town meeting or a special town meeting called for the purpose, but not otherwise.

*Approved February 27, 1962.*

**Chap. 142.** AN ACT REGULATING VISITS TO JAILS AND HOUSES OF CORRECTION.

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

Chapter 127 of the General Laws is hereby amended by striking out section 36, as most recently amended by section 13 of chapter 777 of the acts of 1957, and inserting in place thereof the following section: — *Section 36.* No person except the governor, a member of the governor's council, a member of the general court, a justice of the supreme judicial, superior or district court, the attorney general, a district attorney, the commissioner, a deputy commissioner of correction, a member of the parole board, or a parole or probation officer may visit any of the correctional institutions of the commonwealth or any jail or house of correction in the commonwealth without the permission of the commis-



sioner or of the superintendent of such institution or of the keeper of such jail or house of correction. Every visitor who is required to obtain such permission shall also make and subscribe a statement under the penalties of perjury stating his true name and residence, whether or not he has been convicted of a felony, and, if visiting an inmate of such institution, his relationship by blood or marriage, if any, to such inmate, and, if not so related, the purpose of the visit.

*Approved February 27, 1962.*

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**Chap. 143.** AN ACT AUTHORIZING THE MEDFORD POLICE RELIEF ASSOCIATION, INCORPORATED TO PAY CERTAIN SUMS TO MEMBERS UPON THE DEATH OF THEIR WIVES AND TO INCREASE THE AMOUNT OF ITS DEATH BENEFITS.

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

The Medford Police Relief Association, Incorporated, a corporation duly established under the laws of the commonwealth, is hereby authorized, upon the death of the wife of any member in good standing, to pay such member such sum, not exceeding five hundred dollars, as may be determined by vote of the members of said corporation, and, upon the death of any member in good standing to pay such death benefits, not exceeding three thousand dollars, as may be determined by vote as aforesaid.

*Approved February 27, 1962.]*

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**Chap. 144.** AN ACT AUTHORIZING THE NEW ENGLAND BAPTIST HOSPITAL TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

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

The New England Baptist Hospital, a charitable corporation organized under general laws, may hold real and personal estate in an amount not exceeding ten million dollars.

*Approved February 27, 1962.*

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**Chap. 145.** AN ACT INCREASING THE FINE FOR THE TAKING OF WILD TURKEYS.

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

Chapter 131 of the General Laws is hereby amended by striking out section 53, as most recently amended by chapter 440 of the acts of 1958, and inserting in place thereof the following section: — *Section 53.* Whoever hunts or has in his possession a wild turkey or takes a nest or eggs of a wild turkey shall be punished by a fine of not less than five hundred nor more than one thousand dollars for each bird taken, killed or had in possession or for each egg disturbed, destroyed, possessed or taken or in case the complaint relates only to hunting, by a fine of not less than five hundred nor more than one thousand dollars for the offense, and whoever, except as otherwise provided in this chapter, hunts or has in his possession any other wild or undomesticated bird, except an English sparrow, bronzed or purple grackle (crow blackbird), crow, jay or starling, or wilfully destroys, disturbs or takes a nest or eggs of any wild or

undomesticated bird, except such as are not protected by this section, shall be punished by a fine of not less than twenty nor more than fifty dollars for each bird taken, killed or had in possession or for each nest or egg disturbed, destroyed, possessed or taken, or, in case the complaint relates only to hunting, by a fine of not less than twenty nor more than fifty dollars for the offense; but an owner or tenant of land, or, if authorized by such owner or tenant, any member of his family or person permanently employed thereon, may kill or attempt to kill any wild bird which he has reasonable cause to believe has damaged or is about to damage any property, including domesticated animals, poultry and game on game-rearing farms or preserves, and a person who has a certificate from the director that he is engaged in the scientific study of ornithology or is collecting in the interests of a scientific institution may at any time take or kill, or take the nests or eggs of, a wild or undomesticated bird, except woodcock, ruffed grouse and quail. This section shall not authorize a person to enter upon private grounds without the consent of the owner thereof for the purpose of taking nests or eggs or killing birds. No city, town, county or private organization shall offer or pay bounties for the killing or taking of any bird.

*Approved February 27, 1962.*

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**Chap. 146.** AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO SELL CERTAIN PARK LAND SITUATED IN SAID CITY.

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

The City of Springfield, acting by and through its mayor and city council, may sell and convey certain real property situated in said city held by it for park purposes, said property being bounded and described as follows:—

Beginning at a point on the southwesterly side of Armory Street at the northeasterly corner of land of The Roman Catholic Bishop of Springfield, said point being also distant one hundred six and sixty-two hundredths (106.62) feet southeasterly of Carew Street; thence South 48° 39' 05" East along the southwesterly side of Armory Street a distance of three hundred nine and forty-one hundredths (309.41) feet to a stone bound at land of the City of Springfield; thence South 41° 20' 55" West along land of the City of Springfield, a distance of four hundred (400) feet to a stone bound at the southwesterly corner of land of the City of Springfield; thence South 48° 39' 05" East along land of the City of Springfield, a distance of four hundred forty-nine and thirty-three hundredths (449.33) feet to land of Maurice M. and Alice M. O'Connor; thence South 28° 47' 55" West along land of Maurice M. and Alice M. O'Connor a distance of thirty-eight and one hundredths (38.01) feet to an iron bar at an angle; thence South 58° 29' 05" East along land of Maurice M. and Alice M. O'Connor a distance of one hundred thirty-six and twenty-eight hundredths (136.28) feet to an iron bar on the northwesterly side of Stafford Street; thence South 31° 30' 55" West along the northwesterly side of Stafford Street a distance of thirty-two and thirty-one hundredths (32.31) feet to an iron bar at an angle; thence South 41° 36' 05" West along the northwesterly side of Stafford Street a distance of two hundred twenty-three and seventy-three hundredths (223.73) feet to land of Katarzyna Bobak; thence North

80° 59' 30" West along land of Katarzyna Bobak and land of Andrew and Katherine Bobak a distance of one hundred fifty-seven and thirty-one hundredths (157.31) feet to an iron bar at an angle; thence South 4° 21' 00" East along land of Andrew and Katherine Bobak, the westerly end of Wolcott Street and land of Katarzyna Bobak a distance of one hundred eighty-four and forty hundredths (184.40) feet to an iron bar on the northwesterly side of Stafford Street; thence South 41° 36' 05" West along the northwesterly side of Stafford Street a distance of eighty-eight and seventy-six hundredths (88.76) feet to a stone bound at land of the City of Springfield; thence North 32° 36' 00" West along land of the City of Springfield, a distance of nine hundred eighty-nine and seventy-two hundredths (989.72) feet to a stone bound at land of Michael J. and Margaret M. Ryan, also at the southeasterly end of Mayo Street public way; thence North 57° 24' 00" East along land of Michael J. and Margaret M. Ryan a distance of one hundred (100) feet to an iron bar at land of Angelina R. Siliva and Guido and Rose S. Andrade; thence South 32° 36' 00" East along land of Angelina R. Siliva and Guido and Rose S. Andrade and land of Maurice and Elizabeth Keane a distance of one hundred two and twenty-five hundredths (102.25) feet to an iron bar at an angle; thence North 57° 24' 00" East along land of Maurice and Elizabeth Keane and the southeasterly end of Nye Street a distance of one hundred fifty (150) feet to an angle; thence North 32° 36' 00" West along the northeasterly side of Nye Street a distance of eighty-one and twenty hundredths (81.20) feet to an iron bar at land of The Roman Catholic Bishop of Springfield; thence North 57° 24' 00" East along land of The Roman Catholic Bishop of Springfield a distance of eighty (80) feet to an angle; thence North 33° 24' 35" West along land of The Roman Catholic Bishop of Springfield a distance of sixty-seven and twenty-one hundredths (67.21) feet to an iron bar at land of The Roman Catholic Bishop of Springfield; thence North 41° 20' 55" East along land of The Roman Catholic Bishop of Springfield a distance of three hundred sixty-eight and forty-five hundredths (368.45) feet to the point of beginning. Containing 11.222 Acres.

*Approved February 27, 1962.*

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**Chap. 147.** AN ACT PROVIDING FOR THE FILLING OF A VACANCY IN THE OFFICE OF MODERATOR BY THE TOWN MEETING MEMBERS IN THE TOWN OF WEYMOUTH.

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

SECTION 1. Section 6 of chapter 61 of the acts of 1921 is hereby amended by inserting after the first sentence the following sentence: — In the event a vacancy exists in said office it may be filled by vote of the town meeting members, and the moderator so elected shall serve until his successor is elected and qualified.

SECTION 2. This act shall take effect upon its acceptance by a majority of the town meeting members of said town present and voting thereon at an annual town meeting or a special town meeting called for the purpose, but not otherwise.

*Approved February 27, 1962.*

**Chap. 148.** AN ACT REQUIRING THAT THE APPOINTMENT OF MEMBERS OF THE BOARD OF APPEALS IN THE CITY OF QUINCY BE APPROVED BY THE CITY COUNCIL OF SAID CITY.

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

SECTION 1. Notwithstanding any contrary provision of law, members of the board of appeals in the city of Quincy shall be appointed by the mayor of said city, subject to the approval of the city council.

SECTION 2. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter, but not otherwise. *Approved February 27, 1962.*

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**Chap. 149.** AN ACT GRANTING THE CONSENT OF THE COMMONWEALTH TO A PETITION BY RUTH V. COFFEY.

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

Ruth V. Coffey of Cambridge 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 December eighteenth, nineteen hundred and sixty on a sidewalk on Ocean avenue in the city of Revere under the control of the metropolitan district commission. 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 Coffey would not have barred her from recovery in an action at law, find and determine her damages in an amount not to exceed four thousand dollars, and order entry of judgment therefor. *Approved February 27, 1962.*

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**Chap. 150.** AN ACT CLARIFYING THE ACCEPTANCE PROVISIONS OF THE LAW RELATING TO CONTRIBUTORY GROUP GENERAL OR BLANKET INSURANCE FOR PERSONS IN THE SERVICE OF CERTAIN POLITICAL SUBDIVISIONS OF THE COMMONWEALTH.

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

Chapter 32B of the General Laws is hereby amended by striking out section 10, as appearing in section 1 of chapter 730 of the acts of 1956 and inserting in place thereof the following section:— *Section 10.* This chapter, except sections nine A and eleven A, may be accepted in a county by vote of the county commissioners; in a city by vote of the city council, approved by the mayor; in a district, except as hereinafter provided, by vote of the registered voters of the district at a district meeting; in a regional school district by vote of the regional district school committee; in a veterans' services district by vote of the district board; in a welfare district by vote of the district welfare committee; and in a town by submission for acceptance to the registered voters in the form of the following question which shall be printed upon the official

ballot to be used at an election: — "Shall certain provisions of chapter thirty-two B of the General Laws, authorizing any county, city, town or district to provide a plan of contributory 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 such county, city, town or district and their dependents, be accepted by this town?" If a majority of the voters voting on the question shall vote in the affirmative, this chapter, except sections nine A and eleven A, shall take effect in such town.

*Approved February 27, 1962.*

See Page 69 for Emergency Letter

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**Chap. 151.** AN ACT REDEFINING THE TERM "DEPOSIT BOOK" OR "PASS BOOK" AS USED IN THE LAW RELATIVE TO TRUST COMPANIES.

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

Section 1 of chapter 172 of the General Laws, as appearing in section 1 of chapter 493 of the acts of 1961, is hereby amended by striking out, in lines 11 and 12, the definition of "Deposit book" or "pass book" and inserting in place thereof the following definition: — "Deposit book" or "pass book", the book or other instrument issued to a depositor as evidence of his savings account.

*Approved February 27, 1962.*

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**Chap. 152.** AN ACT AUTHORIZING THE CITY OF EVERETT TO USE CERTAIN PARK LAND IN SAID CITY FOR HIGHWAY AND OTHER MUNICIPAL PURPOSES.

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

SECTION 1. The city of Everett is hereby authorized to use for highway and other municipal purposes the land in said city now held for park purposes bounded by Bucknam street on the west, Valpey park as laid out on the north, land included in the acceptance of Bradford street on the east and north, and land formerly owned by Andrew Swan on the south, part of the above land obtained by the city of Everett by deed from John Maguire, October twenty-second, eighteen hundred and ninety-six and part by deed and exchange with Andrew Swan, March twenty-fourth, eighteen hundred and ninety-seven said land being more particularly bounded and described as follows: —

A certain parcel of land in Everett, beginning at the intersection of the easterly line of Bucknam street with the southerly line of land acquired by purchase or exchanged from Andrew Swan, thence easterly by a curved line radius five hundred fifty-seven and twenty-one hundredths (557.21) feet and measuring approximately one hundred eighty-nine (189) feet to its intersection with the land on the southerly side of Bradford street that was included in the acceptance of Bradford street June 2, 1868, thence westerly on said land included in Bradford street and measuring approximately forty-one (41) feet to the westerly line of said land included in Bradford street, thence northerly on said westerly line and measuring approximately thirty (30) feet to a point on a curved line the present southerly line of Valpey park, thence westerly on the southerly line of the above Valpey park on a curved line radius five hundred seven-

*(cont. on page 70)*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, April 9, 1962.

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 150 of the Acts of 1962, entitled "An Act Clarifying the Acceptance Provisions of the Law Relating to Contributory Group General or Blanket Insurance for Persons in the Service of Certain Political Subdivisions of the Commonwealth" and the enactment of which received my approval on February 27, 1962, 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 effectuate, without delay, the clarifying effect of said act relative to acceptance of plans of group insurance therein enumerated.

Very truly yours,

JOHN A. VOLPE,  
*Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, BOSTON, April 9, 1962.

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 fifteen minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter one hundred and fifty of the acts of nineteen hundred and sixty-two.

KEVIN H. WHITE,  
*Secretary of the Commonwealth.*

teen and twenty-one hundredths (517.21) feet and measuring approximately one hundred fifty-two (152) feet to the westerly line of Bucknam street, thence southerly on the easterly line of Bucknam street and measuring forty (40) feet to the point of beginning, containing six thousand eight hundred and seventy-five (6875) square feet, more or less.

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

*Approved February 27, 1962.*

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**Chap. 153.** AN ACT EXEMPTING SUMMER CAMPS OPERATED BY NON-PROFIT CHARITABLE CORPORATIONS FROM PAYING TIME AND A HALF AFTER FORTY HOURS.

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

The second paragraph of section 1A of chapter 151 of the General Laws is hereby amended by adding after clause (17), as appearing in chapter 431 of the acts of 1961, the following clause:—

(18) in a summer camp operated by a non-profit charitable corporation.

*Approved February 27, 1962.*

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**Chap. 154.** AN ACT PROVIDING THAT EVERY PERSON ENGAGED IN THE DISTRIBUTION AND SALE OF WATER THROUGH PIPES AND MAINS, EXCEPT MUNICIPAL CORPORATIONS AND CERTAIN LANDLORDS, SHALL BE DEEMED TO BE WATER COMPANIES.

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

Chapter 165 of the General Laws is hereby amended by striking out section 1, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:— *Section 1.* In sections one to eleven, inclusive, the following words shall have the following meanings:—

“Corporation” or “company”, every person, partnership, association or corporation, other than a municipal corporation, and other than a landlord supplying his tenant, engaged in the distribution and sale of water in the commonwealth through its pipes or mains.

“Department”, the department of public utilities.

*Approved February 27, 1962.*

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**Chap. 155.** 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:*

The second paragraph of section 1A of chapter 151 of the General Laws is hereby amended by striking out clause (9), as appearing in chapter 431 of the acts of 1961, and inserting in place thereof the following clause:—

(9) in a business or specified operation of a business which is carried on during a period or accumulated periods not in excess of one hundred and twenty days in any year, and determined by the commissioner to be seasonal in nature.

*Approved February 27, 1962.*

**Chap. 156.** AN ACT TO VALIDATE CERTAIN ELECTIONS OF MEMBERS OF THE UNIVERSALIST PUBLISHING HOUSE AND ACTS OF ITS OFFICERS, DIRECTORS AND TRUSTEES AND TO AUTHORIZE THE UNIVERSALIST PUBLISHING HOUSE TO MERGE WITH THE UNITARIAN UNIVERSALIST ASSOCIATION.

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

SECTION 1. The acts of the Universalist Publishing House, a corporation established by chapter two hundred and eighty-six of the acts of eighteen hundred and seventy-two, in electing from time to time more than twenty-one members, notwithstanding the provision in said chapter two hundred and eighty-six limiting the number of members in the corporation to twenty-one, are hereby validated; and the acts of the members, trustees, officers and directors of said corporation, both before and after the effective date of this act, shall not be deemed invalid by reason of the election and incumbency of more members than are provided for in said chapter two hundred and eighty-six.

SECTION 2. The Universalist Publishing House is hereby authorized to merge with Unitarian Universalist Association, a corporation established by virtue of chapter one hundred and forty-eight of the acts of nineteen hundred and sixty and by virtue of chapter eight hundred and twenty-seven of the acts of nineteen hundred and sixty of the State of New York.

SECTION 3. Upon completion of the merger authorized as aforesaid, the Universalist Publishing House shall no longer continue as a separate corporation, and Unitarian Universalist Association under its existing corporate powers may carry on the activities heretofore carried on by said Universalist Publishing House as part of the publishing activities of said Unitarian Universalist Association.

SECTION 4. Upon such merger becoming effective, all property of the Universalist Publishing House, including all bequests, devises, gifts and transfers of any kind heretofore and hereafter made for its benefit, shall be transferred to and vest in Unitarian Universalist Association without further act or deed, and said association shall have the same powers, rights and privileges with respect to the property of the Universalist Publishing House and with respect to such bequests, devises, gifts and transfers as would have been possessed by the Unitarian Universalist Association had such bequests, devises, gifts and transfers been made directly to it for its purposes, so far as these powers, rights and privileges can be constitutionally conferred by the General Court and without prejudice to any court proceeding, and otherwise shall have, with respect to such property, bequests, devises, gifts and transfers, the same powers, rights and privileges as would have been possessed by the Universalist Publishing House had such merger not been effected.

SECTION 5. The Unitarian Universalist Association shall be deemed to have assumed, and shall be liable for all the liabilities and obligations of the Universalist Publishing House.

SECTION 6. The merger shall not be completed: —

(a) unless at a meeting called for the purpose the Universalist Publishing House shall, by a majority vote of its members present and voting, have accepted sections two to eight, inclusive, of this act; and

(b) unless after acceptance as aforesaid by the Universalist Publishing House, Unitarian Universalist Association shall, at a regular annual



meeting, also by a majority vote of its members present and voting, have accepted sections two to eight, inclusive, of this act.

SECTION 7. The merger shall be complete and effective upon the filing with the secretary of the commonwealth of certificates signed by the secretary of the Universalist Publishing House and by the recording secretary of Unitarian Universalist Association, each of whom shall make affidavit setting forth detailed compliance with the provisions of section six. Said certificates shall be filed not later than thirty days after the said annual meeting of Unitarian Universalist Association.

SECTION 8. Any question arising as to the powers, rights, privileges and responsibilities of Unitarian Universalist Association with respect to the property of the Universalist Publishing House, including all bequests, devises, gifts and transfers of any kind heretofore and hereafter made to, and for the benefit of, the Universalist Publishing House, 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 specific 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.

*Approved February 27, 1962.*

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**Chap. 157.** AN ACT RELATIVE TO THE MANNER OF CHANGING THE BOUNDARY LINES BETWEEN ADJOINING TOWNS.

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

Chapter 42 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.* Proposed changes in the boundary lines between adjoining towns shall be submitted to each of the towns affected by the change for their concurrence at town meetings. If approved, they shall be submitted to the department of public works of the commonwealth for review as to clarity and engineering accuracy. Said department may recommend wording to accurately describe the proposed change, but may not alter the intent. The description as approved by said department, shall then be submitted to the next regular session of the general court. If ratified and accepted by the general court, the person, corporation, town, county, or state department initiating the change, shall, at his or its own expense, engage the services of a registered land surveyor to locate and define such change and determine the position of each angle and corner in such new boundary line. A plan of the change and any computations pertaining to it shall be submitted to said department of public works for approval as to accuracy. The selectmen of the contiguous towns, shall, within six months after passage of the legislation, place such monuments at the new points determined, and place such marks on them, in addition to initials, as the department may prescribe and in the manner required by section four. Monuments marking angles and corners in town boundaries, the position of which has not been changed, shall be re-marked in the manner indicated by said department so as to establish a uniform system of designating angles and corners of town boundary lines.

*Approved February 27, 1962.*

**Chap. 158.** AN ACT PROVIDING FOR THE MERGER AND UNION OF THE UNITARIAN CHURCH OF ROSLINDALE WITH THE FIRST PARISH, WEST ROXBURY, BOTH OF BOSTON, AND THE TRANSFER OF THE PROPERTY OF SAID UNITARIAN CHURCH OF ROSLINDALE TO THE FIRST PARISH, WEST ROXBURY.

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

SECTION 1. The Unitarian Church of Roslindale, a religious corporation duly organized under general laws, is hereby authorized to merge in and unite with the First Parish, West Roxbury, incorporated as a parish by chapter one hundred and eighty-four of the acts of eighteen hundred and ninety, and said First Parish, West Roxbury, shall in all respects be a continuance of, and the lawful successor to, said The Unitarian Church of Roslindale with all the privileges, powers and immunities to which other religious corporations in the commonwealth are entitled.

SECTION 2. Upon said merger and union the officers of said The Unitarian Church of Roslindale, or any of them, are hereby authorized to execute and deliver all papers and documents that may be deemed necessary and proper for effecting the transfer of its property of every kind to said First Parish, West Roxbury.

SECTION 3. All bequests, devises, conveyances and gifts heretofore or hereafter made to said The Unitarian Church of Roslindale, however described, and all the powers and privileges thereof, shall vest in said First Parish, West Roxbury, and all trusts heretofore or hereafter vested in either of said corporations shall be preserved inviolate, and all powers relating to such trusts shall have full force and effect in said First Parish, West Roxbury, in so far as such authority and right may be granted by statute.

SECTION 4. The First Parish, West Roxbury shall assume and is hereby charged with the payment of all valid and existing obligations of said The Unitarian Church of Roslindale.

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

SECTION 5. The proceedings and votes of said The Unitarian Church of Roslindale and said First Parish, West Roxbury, relating to the merger and union of said churches, and acts and doings thereunder, are hereby ratified and confirmed, notwithstanding any informalities, errors or omissions.

SECTION 6. Upon acceptance of this act by a majority of the members of each of said corporations at meetings duly called for the purpose, certified copies of the respective votes of acceptance, sworn to by the respective clerks or recording officers of said corporations, shall be filed for record in the registry of deeds for the county of Suffolk and in the office of the secretary of the commonwealth, and, upon such filing, said union and merger shall be complete; and the persons who are then members of The Unitarian Church of Roslindale shall become members of said First Parish, West Roxbury.

*Approved February 27, 1962.*

**Chap. 159.** AN ACT INCREASING THE RATES OF PILOTAGE FOR THE PORT OF BOSTON.

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

Section 31 of chapter 103 of the General Laws, as most recently amended by chapter 222 of the acts of 1958, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph: — Rates of pilotage outward and inward for the port of Boston, calculated per foot of draught, shall be as follows: — five dollars and fifty cents for vessels not over five hundred tons; six dollars for vessels over five hundred tons and not over one thousand tons; six dollars and fifty cents for vessels over one thousand tons and not over fifteen hundred tons; seven dollars for vessels over fifteen hundred tons and not over two thousand tons; seven dollars and fifty cents for vessels over two thousand tons. The tonnage herein specified shall mean the net registered tonnage.

*Approved February 27, 1962.*

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**Chap. 160.** AN ACT INCREASING THE PENALTY FOR OPERATING OR PERMITTING TO BE OPERATED ANY VEHICLE UNLESS IT IS SO CONSTRUCTED OR LOADED AS TO PREVENT ANY OF ITS LOAD FROM ESCAPING THEREFROM.

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

Chapter 85 of the General Laws is hereby amended by striking out section 36, as amended by chapter 281 of the acts of 1961, and inserting in place thereof the following section: — *Section 36.* No person shall drive or move a vehicle 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 less than ten nor more than fifty dollars.

*Approved February 27, 1962.*

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**Chap. 161.** AN ACT RELATIVE TO CHARGES AND ASSESSMENTS OF ABUTTERS TO THE SEWERAGE SYSTEM OF THE TOWN OF WILMINGTON.

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

Section 6 of chapter 297 of the acts of 1958 is hereby amended by striking out the second and third sentences and inserting in place thereof the following sentence: — In providing for the payment of the remaining portion of the cost of said system or systems of sewerage and sewage disposal, including the use of said system or systems by abutters to the system or systems of sewerage and sewage disposal, including public and private institutions, the town may avail itself of any or all of the methods permitted by the General Laws, including annual charges, as provided for in section sixteen of chapter eighty-three thereof, which may be ap-

plied to the payment of the cost of operation, maintenance and repairs of the system or systems of sewerage and sewage disposal, and to defray also such portion of the cost of the construction of said system or systems as the town shall by vote determine; provided, however, in the case of charges and assessments to be levied on abutters to any system or systems of sewerage and sewage disposal which was constructed prior to March twelfth, nineteen hundred and sixty, the charges and assessments shall not be due and payable until such time as the abutter enters his or its particular sewer into the system or systems of sewerage and sewage disposal, or until December thirty-first, nineteen hundred and sixty-five, whichever date is earlier. *Approved February 27, 1962.*

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**Chap. 162.** AN ACT EXEMPTING DEDUCTIONS OF CERTAIN DEPOSITS IN TRUST COMPANIES AND NATIONAL BANKING ASSOCIATIONS FROM THE OPERATION OF THE LAWS REGULATING ASSIGNMENT OF WAGES.

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

Section 8 of chapter 154 of the General Laws, as most recently amended by section 1 of chapter 52 of the acts of 1958, is hereby further amended by inserting after the word "bank", in line 7, the first time the same appears, the words: —, trust company, national banking association, — so as to read as follows: — *Section 8.* None of the foregoing sections of this chapter, nor section one hundred and forty-eight of chapter one hundred and forty-nine, shall be applicable to or control or prohibit the deduction of labor or trade union or craft dues or obligations, or making deposits in, purchasing shares of, or for the repayment of any loan from any credit union established under the laws of the commonwealth or of the United States, or deposits in any savings bank, trust company, national banking association or co-operative bank, or subscriptions to a non-profit hospital service corporation established under chapter one hundred and seventy-six A, or to a medical service corporation established under chapter one hundred and seventy-six B, or to a charitable corporation, or payments or contributions of or toward the cost of or the premiums on any insurance policy or annuity contract or purchase of government bonds, or purchase of stock pursuant to an employee stock purchase plan, from wages of an employee by an employer in accordance with a written request made by the individual employee; provided, that no such written request, whether recorded or not, except in the case of labor or trade union or craft dues, shall be regarded as an assignment valid against a trustee process.

*Approved February 27, 1962.*

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**Chap. 163.** AN ACT RELATIVE TO QUALIFICATIONS OF TRUSTEES AND HONORARY TRUSTEES OF A SAVINGS BANK.

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

SECTION 1. The first paragraph of section 10 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 provision 2 and inserting in place thereof the following provision: —

2. *Qualifications.* Each trustee shall be a citizen of the commonwealth, and shall, at the time of election or within thirty days thereafter, be a depositor of such corporation and shall not have reached the age of seventy-two years at the time of election; provided, however, that these qualifications shall not be applicable to a trustee who is also the president of such corporation.

SECTION 2. The second paragraph of said section 10 of said chapter 168, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The by-laws may authorize the continuance, as honorary trustees, of those persons who shall have served as trustee for ten years or more.

SECTION 3. Notwithstanding the provisions of section ten of chapter one hundred and sixty-eight of the General Laws, as amended by section one of this act, any trustee, holding office on the effective date of this act may be re-elected for an additional term.

*Approved February 27, 1962.*

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**Chap. 164.** AN ACT PROVIDING THAT CERTAIN DISEASES RESULTING IN DISABILITY OR DEATH TO UNIFORMED MEMBERS OF PAID FIRE DEPARTMENTS SHALL BE PRESUMED TO HAVE BEEN SUFFERED IN THE LINE OF DUTY, WITH REFERENCE TO THE ACCIDENTAL DISABILITY RETIREMENT LAW.

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

Chapter 32 of the General Laws is hereby amended by inserting after section 94 the following section: —

*Section 94A.* Notwithstanding the provisions of any general or special law to the contrary affecting the non-contributory or contributory retirement system, any condition of impairment of health caused by any disease of the lungs or respiratory tract, resulting in total disability or death to a uniformed member of a paid fire department, shall, if he successfully passed a physical examination on entry into such service or subsequent to such entry, which examination failed to reveal any evidence of such condition, be presumed to have been suffered in the line of duty, as a result of the inhalation of noxious fumes or poisonous gases, unless the contrary be shown by competent evidence.

*Approved February 27, 1962.*

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**Chap. 165.** AN ACT PROVIDING THAT PLAN F MAY BE SUBMITTED TO THE VOTERS AT BIENNIAL STATE ELECTIONS AS WELL AS 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 inserted by section 1 of chapter 146 of the acts of 1961, and inserting in place thereof the following sentence: — In the case of a petition for the adoption of Plan A, B, C, D or E, 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. Said chapter 43 of the General Laws is hereby further amended by inserting after section 9A the following section: —

*Section 9B.* In the case of a petition for the adoption of Plan F, within seventy days after such 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 or the election commission.

If any question arises as to the validity or sufficiency of the petition or of the signatures thereon, any registered voter of the city may appeal to the state ballot law commission for a determination of said question, by filing a notice of such appeal with the city council and with the clerk of the election commission or the board of registrars of voters within eighty days after the date the petition was filed with the city clerk by the petitioners, and the state ballot law commission shall give such petitioner a hearing on said question and shall within thirty days render a decision thereon. Said commission shall submit notice of its decision forthwith to the city council.

Any person aggrieved by the decision of the state ballot law commission may appeal to the superior court sitting in equity for the county in which the city is located; provided, that such appeal is filed in said court ten days after such decision is rendered. The court shall hear all pertinent evidence and determine the facts and, upon the facts as so determined, annul such decision if found to be erroneous in law or not warranted by the evidence, or make such other decree as justice and equity may require.

Within ten days after the expiration of said period of eighty days, if no appeal has been taken, or after receipt of a decision on any appeal in favor of the validity or sufficiency of such petition or signatures, as the case may be, the city council shall, unless the number of valid signatures certified to it is found to be less than the number required by section seven, transmit such certified copy to the city clerk. If the said certified copy is so transmitted to the city clerk at least thirty days before the regular city election in the odd year, the question proposed by the petitioner shall be submitted upon the official ballot to a vote of the registered voters of the city at said regular city election; otherwise the city clerk shall forthwith transmit such certified copy to the state secretary who shall cause it to be placed upon the official ballot for use in said city at the state election in the even year, next following the aforesaid city election.

If the said certified copy is so transmitted to the city clerk and then transmitted by him to the state secretary at least sixty days before the regular state election in the even year, the question proposed by the petitioner shall be caused to be placed by the state secretary upon the official ballot for use in said city at the state election in the even year; otherwise, the city clerk shall cause it to be placed upon the official ballot for use in said city at the regular city election in the odd year, next following the aforesaid state election.

*Approved February 28, 1962.*

**Chap. 166.** AN ACT PROVIDING FOR PARTY NOMINATIONS FOR TOWN OFFICERS IN THE TOWN OF FRAMINGHAM.

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

SECTION 1. Primaries for the nomination of candidates to be voted for at town elections, commencing with the year following the acceptance of this act as hereinafter provided, shall be held in the town of Framingham in accordance with the provisions of the General Laws, except as follows: —

(1) Notwithstanding the provisions of section ten of chapter fifty-three of the General Laws, nomination papers of candidates for offices to be filled at a town election shall be filed with the town clerk on or before the last day for filing primary nomination papers,

(2) Notwithstanding the provisions of section twenty-eight of said chapter fifty-three, town primaries shall be held on the twenty-eighth day preceding annual town elections and on the twenty-first day preceding special town elections,

(3) Sections fifty-six and fifty-seven of said chapter fifty-three shall not apply,

(4) Notwithstanding the provisions of section sixty-two of said chapter fifty-three, if a person nominated to be voted for at a town primary dies before the day of the primary, or withdraws his name from nomination, or is found ineligible, and there is no other candidate for the party nomination for the office, the vacancy may be filled by the town committee. In cases of vacancies caused by withdrawal, nominations to fill such vacancies shall be filed with the town clerk within twenty-four week-day hours, by a certificate signed by the chairman and secretary of said committee. No vacancy caused by withdrawal shall be filled before the withdrawal has been filed. If there is a failure to make a nomination at a town primary by reason of a tie vote, the vacancy shall be filled by the town committee within seventy-two week-day hours, by the choice of one of the candidates receiving the tie vote,

(5) Sections one hundred and seventeen to one hundred and twenty-one, inclusive, of said chapter fifty-three shall not apply.

SECTION 2. This act shall be submitted for acceptance to the voters of the town of Framingham 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-two, entitled 'An Act providing for party nominations for town officers in the town of Framingham', be accepted?" If a majority of the votes in answer to said question are in the affirmative, this act shall thereupon take full effect, but not otherwise.

*Approved March 1, 1962.*

**Chap. 167.** AN ACT TO CHANGE THE NAME OF THE BOARD OF HOME MISSIONS OF THE CONGREGATIONAL AND CHRISTIAN CHURCHES TO UNITED CHURCH BOARD FOR HOMELAND MINISTRIES AND TO AMEND THE MEMBERSHIP, PURPOSES, AND BOARD OF DIRECTORS OF SAID CORPORATION.

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

SECTION 1. The name of The Board of Home Missions of the Congregational and Christian Churches, a corporation established by chapter one hundred and sixty-six of the acts of nineteen hundred and thirty-seven, is hereby changed to United Church Board for Homeland Ministries.

SECTION 2. Section 1 of chapter 166 of the acts of 1937 is hereby amended by striking out, in lines 26 to 28, inclusive, the words "The Board of Home Missions of the Congregational and Christian Churches, hereinafter called the corporation hereby created", and inserting in place thereof the words: — United Church Board for Homeland Ministries, hereinafter called the corporation hereby created, and the corporation may provide by by-law for the admission, from time to time, to membership in the corporation of any persons in such manner and upon such conditions as such by-law shall prescribe, including election by the General Synod of the United Church of Christ or by a council, synod or convention composed of delegates representing any churches or groups of churches located within the United States.

SECTION 3. Section 2 of said chapter 166 is hereby amended by striking out clauses Third to Sixth, inclusive, and inserting in place thereof the following three clauses: —

Third: To promote the building of meeting-houses, parsonages and other buildings by churches of the United Church of Christ or by any Christian churches without limitation as to sect, denomination or name.

Fourth: To publish, purchase, sell, circulate and distribute, in such manner as it shall deem expedient, any and all publications, books, tracts, papers or periodicals, calculated to promote good morals and pure Christianity and the spread and extension of the gospel of Jesus Christ.

Fifth: And in general to extend the gospel and the means of Christian education, and to do and promote charitable and Christian work of whatever sort in accordance with the interests and purposes of the United Church of Christ or of any Christian churches without limitation as to sect, denomination or name, and said corporation may exercise its powers for the use and benefit of or in the advancement of the interests of or in co-operation with any other Christian religious, charitable or educational body or institution, incorporated or unincorporated, which has similar purposes.

SECTION 4. Section 3 of said chapter 166 is hereby amended by striking out clause (g) and inserting in place thereof the following clause: —

(g) such part of the work now or heretofore carried on by the Evangelical and Reformed Church, a corporation incorporated June twentieth, nineteen hundred and forty, and existing according to section fifteen of the Religious Corporation Law of the State of New York, as amended in chapter one hundred ninety-two of the laws of nineteen hundred twenty-seven of the State of New York, through the boards, agencies, or instrumentalities organized and/or controlled by said Evan-



gelical and Reformed Church; and the corporation may take over, acquire and become possessed of and invested with all, or any part, of the property and assets now owned, possessed, held and/or administered by the said The American Missionary Association, the Congregational Church Building Society, The Congregational Home Missionary Society, The Congregational Sunday School Extension Society, the Congregational Education Society, the Congregational Publishing Society and the boards, agencies, and instrumentalities, or any of them, created and/or controlled by the Evangelical and Reformed Church, expressly subject as to all said property and assets of the said societies, and each of them, and as to each and every part of said property and assets, to all and every the terms, conditions, stipulations, restrictions, reservations and provisions, of any and all wills, trusts, gifts, grants and contracts relating to or in anywise affecting the property and assets, so far as the same are now, or may become subject to or affected thereby, which shall be strictly and completely observed, fulfilled, discharged and complied with by the corporation hereby created, when and after, and from time to time as, it shall have duly acquired and become possessed of such property and assets. Notwithstanding such conveyances and transfers to the corporation hereby created all and singular the obligations of the said corporations so conveying their property shall remain in full force and the corporation hereby created shall be liable upon all contracts made by each of said conveying corporations to the extent of the value of the property, applicable to the discharge of its obligations, received from such conveying corporation.

SECTION 5. Said chapter 166 is hereby further amended by striking out section 4 and inserting in place thereof the following section:—*Section 4.* The said corporation is hereby authorized to accept and receive the assignment, transfer, conveyance, setting over and delivery of all or any portion of the property, estates and rights of any and every description held or enjoyed, or which may hereafter be held or enjoyed, by said The American Missionary Association, the Congregational Church Building Society, The Congregational Home Missionary Society, The Congregational Sunday School Extension Society, The Congregational Education Society, The Congregational Publishing Society, and the boards, agencies, and instrumentalities, or any of them, created and/or controlled by the Evangelical and Reformed Church, or any of said corporations, or to which they now are or any of them now is, or they or any of them may hereafter become entitled, by virtue of any grant, gift, bequest or devise or otherwise, howsoever, and in respect of any and all such property, estates and rights if and when, and from time to time as, the same are assigned, transferred, conveyed, set over and delivered to it by said corporations respectively, shall have, hold, use and enjoy the same corporate powers, franchises, and privileges as those which in respect thereof are now held, used and enjoyed by said corporations respectively; and the corporation hereby created shall have, hold, use and enjoy all the property, estates and rights which may be so assigned, transferred, conveyed, set over and delivered by said corporations respectively in the same manner and to the same extent as said corporations by which the same may be so assigned, transferred, conveyed, set over and delivered to it might respectively have done, and shall be entitled to receive, sue for and recover all legacies, devises, bequests, gifts and property which have heretofore been or may here-

after be made or given to said corporations, or any of them if and when, and from time to time as, the same are by them respectively so assigned, transferred, conveyed, set over and delivered, provided, however, and it is hereby expressly declared that the corporation created by this act shall receive and hold said property, estates and rights, legacies, devises, bequests and gifts, upon the same respective trusts, and for the same respective uses and purposes only, as the same are or otherwise would be held by the respective corporations by which the same may be so assigned, transferred, conveyed, set over and delivered to it.

SECTION 6. Section 6 of said chapter 166 is hereby amended by striking out, in line 8, the word "forty" and inserting in place thereof the word: — fifty.

SECTION 7. Section 7 of said chapter 166 is hereby amended by striking out, in line 2, the word "fifteen" and inserting in place thereof the word: — thirteen.

*Approved March 5, 1962.*

**Chap. 168.** AN ACT MAKING THE TRAFFIC COMMISSIONER OF THE CITY OF BOSTON THE AUTHORITY TO GRANT LICENSES FOR OPEN-AIR PARKING SPACES IN SAID CITY.

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

SECTION 1. Section 56 of chapter 148 of the General Laws is hereby amended by striking out the first sentence, as appearing in the Tercentenary Edition, and inserting in place thereof the following sentence: — In any city or town which accepts the provisions of this section, no person shall engage in the business of conducting or maintaining an open-air parking space without a license therefor granted, in the city of Boston, by the traffic commissioner, and in any other city or town, by the local licensing authority, approved in all cases by the head of the fire department.

SECTION 2. Section fifty-six of chapter one hundred and forty-eight of the General Laws, as amended by section one of this act, shall be applicable to each city or town which has accepted the provisions of section fifty-six of said chapter one hundred and forty-eight, as in effect prior to the effective date of this act, or corresponding provisions of earlier laws.

SECTION 3. This act shall take effect on July first, nineteen hundred and sixty-two.

*Approved March 5, 1962.*

**Chap. 169.** AN ACT AUTHORIZING SAVINGS BANKS TO ESTABLISH NEW TYPES OF DEPOSIT ACCOUNTS.

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

SECTION 1. Section 1 of chapter 168 of the General Laws, as appearing in section 1 of chapter 432 of the acts of 1955, is hereby amended by striking out the definition of "Deposit book", and inserting in place thereof the following definition: — "Deposit book", the book or other instrument issued to the depositor as evidence of his deposit.

SECTION 2. Said chapter 168 is hereby amended by inserting after section 22, the following two sections: —

*Special Notice Account Deposits.*

*Section 22A.* Any of the deposits authorized by sections twenty-one and twenty-two may, if the trustees of such corporation so determine, be received as special notice account deposits, subject to the limitations contained in said sections and to the provisions of this section.

1. *Special Notice Account Agreements.* — Any such deposits shall be received subject to a written agreement between the corporation and the depositor or joint depositors which agreement shall contain the following provisions:

(a) Except as hereinafter provided in respect of dividends on such deposits, neither the whole nor any part of such deposits may be withdrawn other than pursuant to the terms of a withdrawal notice of ninety days or more signed by such depositor or either of two joint depositors and received by such corporation. Such notice shall state that such depositor or joint depositor proposes to withdraw such deposits in whole or in specified part during a withdrawal period commencing upon a day specified, which day shall be not less than ninety days following the receipt by the corporation of such withdrawal notice, and terminating upon the expiration of the ninth day following or, if such ninth day shall be a Saturday, Sunday or legal holiday, upon the expiration of the business day next succeeding such ninth day.

(b) Any ordinary, extra or additional dividend on such deposits may be withdrawn pursuant to a permanent dividend order signed by such depositor or either of two joint depositors and received by such corporation prior to the declaration of such dividend, or pursuant to a demand made by such depositor or either of two joint depositors within one year after the day upon which such dividend was declared. If not so withdrawn, no such dividend shall be withdrawn except as hereinbefore provided in subparagraph (a).

2. *Withdrawals.* — No such corporation shall permit the whole or any part of such deposits or any ordinary, extra or additional dividend declared thereon to be withdrawn, in whole or in part, except in accordance with the terms of such agreement.

3. *Deposit Books.* — Each deposit book evidencing deposits received under this section shall contain the title "Special Notice Account" and shall plainly set forth the phrase "90 Days' Written Notice of Withdrawal Required".

4. *Other Provisions.* — No general requirement of notice of withdrawal or loan under paragraph two or three of section twenty-six shall apply to the withdrawal of such deposits pursuant to a withdrawal notice in compliance with this section received by such corporation before such general requirement was imposed.

*Systematic Savings Account Deposits.*

*Section 22B.* Any of the deposits authorized by sections twenty-one and twenty-two may, if the trustees of such corporations so determine, be received as systematic savings account deposits, subject to the limitations contained in said sections and to the provisions of this section.

1. *Systematic Savings Account Agreements.* — Any such deposits shall be received subject to a written agreement between the corporation and

the depositor or joint depositors, which agreement shall contain the following provisions:

(a) The corporation, in addition to its ordinary and any extra dividends, as authorized in sections sixty and sixty-one, shall, subject to the provisions of section sixty A, pay on such deposits a bonus dividend at such time and rate as is hereinafter provided, on condition that the depositor or joint depositors shall on or before a designated day in each month for a period of at least forty-eight months deposit with the corporation a specified monthly amount of not less than five dollars upon which interest shall be paid notwithstanding a provision in the corporation's by-laws to the contrary; provided, that such account shall not be in arrears more than thirty days, except that once in each forty-eight month period an account may be in arrears sixty days, unless for cause the corporation further extends such time; and provided, further, that such monthly amount shall not be deposited in advance more than three months at any time. Such account shall not be subject to withdrawal of the whole or any part thereof, including ordinary or extra dividends declared thereon, nor shall such account be subject to the provisions of section forty, except, however, that upon written request of the depositor, the agreement shall be cancelled and the funds then on deposit shall be transferred into a regular savings account on which withdrawals or loans may be made.

(b) If the depositor or joint depositors shall make such monthly deposits for a period of ninety-six months in accordance with the conditions of such agreement such bonus dividend shall be at a specified rate not exceeding one per cent per annum and shall become payable either on the designated day in the ninety-sixth month or on the day upon which the ninety-sixth monthly deposit is made, whichever is later.

(c) If the depositor or joint depositors, after having made at least forty-eight but before having made ninety-six monthly deposits in accordance with the conditions of such agreement, shall withdraw all or any part of such deposits or any ordinary or extra dividends declared thereon, or shall fail within the time specified in (a) above to deposit with the corporation the said monthly amount specified therein, or shall receive from such corporation a loan secured by such deposits under section forty, such bonus dividend shall be at a specified rate not exceeding one-half per cent per annum and shall become payable on the day of such withdrawal, such failure to deposit, or the receipt of such loan.

(d) Upon the payment of a bonus dividend or upon the failure by the depositor or joint depositors to comply in any respect with the conditions of such agreement prior to making at least forty-eight monthly deposits, such deposits or the remainder thereof shall thereupon cease to be entitled to earn or be paid any bonus dividend and thereafter shall be treated as having been on deposit in an account not subject to any systematic savings account agreement since the date or dates on which such deposits were made.

(e) Such bonus dividends either shall be credited to such account at the specified rate on each of the dates fixed for ordinary dividend payments or shall be credited thereto only on the day upon which such bonus dividend shall become payable as hereinbefore provided, as the corporation shall in such agreement elect; provided, however, that no bonus dividend shall be entered upon any passbook, be subject to withdrawal or be treated as a part of any deposit for the making of any

determination or computation provided for in this chapter except to the extent that it shall have become payable as hereinbefore provided; and provided, further, that if the depositor or joint depositors, before making monthly deposits for a period of ninety-six months in accordance with the conditions of such agreement, shall fail to comply with a condition of such agreement, all or any part of any bonus dividend which shall have been credited to such account and which shall not have become payable as hereinbefore provided, shall cease to be so credited and shall revert to such corporation on the day on which such depositor shall first have failed so to comply with a condition of such agreement.

2. *Deposit Books.* — Each deposit book evidencing deposits received under this section shall contain the title "Systematic Savings Account" and shall plainly set forth the sentence: "No bonus dividend shall be earned if the depositor fails to make monthly deposits for a period of at least forty-eight months in compliance with the systematic savings account agreement".

SECTION 3. Section 26 of said chapter 168, as appearing in section 1 of chapter 432 of the acts of 1955, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The deposits in such corporation may be withdrawn at such time and in such manner as the by-laws direct, subject to the provisions of this section, section twenty-two A, section twenty-two B, paragraph 1 of section twenty-five, section seventy-seven, and of other applicable provisions of law.

SECTION 4. Paragraph 1 of said section 26 of said chapter 168, as so appearing, is hereby amended by inserting after the word "section", in line 9, the words: — and in any applicable special notice account agreement.

SECTION 5. Section 27 of said chapter 168, as so appearing, is hereby amended by inserting after the word "payment", in line 5, the words: — or notice of proposed withdrawal, — and by inserting after the word "drawer", in line 18, the words: — ; provided, in either event, that such funds would on the date of such payment have been subject to withdrawal by the drawer if living.

SECTION 6. Paragraph 3 of section 38 of said chapter 168, as so appearing, is hereby amended by adding after the word "Corporation" in line 32, the words: — ; provided, however, that no such corporation shall make a loan to one of its own special notice account depositors secured by the pledge of the deposit book evidencing such depositor's special notice account unless such loan either is made pursuant to the provisions of section forty or is for a period of not less than six months.

SECTION 7. The first sentence of section 40 of said chapter 168, as so appearing, is hereby amended by adding after the word "made", in line 6, the words: — ; provided, however, that no such loan secured by a deposit book evidencing special notice account deposits shall be made except upon an application in writing received by such corporation not less than ninety days prior to the day upon which such loan is made.

SECTION 8. Said section 40 of said chapter 168 is hereby further amended by adding at the end the following paragraph: —

Such corporation may, upon application by a depositor or by either of two joint depositors in a special notice account, make a loan to him, secured by his deposit book, in an amount not exceeding said deposit, for a time not extending beyond the end of the dividend period in which

the loan was made or ninety days from the day on which the loan was made, whichever is longer. Said corporation shall charge the depositor interest for, or collect discount in advance upon, such loan at a rate not less than two per cent per annum more than the combined rates of the next preceding ordinary dividend of such corporation and the additional dividend then paid therewith on special notice account deposits, and if an extra dividend shall have been paid therewith, not less than two per cent per annum more than the combined rates of such ordinary, additional and extra dividends.

SECTION 9. Paragraph 1 of section 60 of said chapter 168, as so appearing, is hereby amended by inserting after the word "fifty-nine", in line 10, the words: —, after making such provisions as the trustees shall determine, pursuant to their election made in accordance with subparagraph (e) of paragraph 1 of section twenty-two B, to credit to systematic savings account deposits an appropriate portion of such net income or to reserve, subject to the approval of the commissioner, an appropriate portion thereof for the payment of bonus dividends on such deposits.

SECTION 10. Said chapter 168 is hereby further amended by inserting after section 60 the following section: —

*Additional and Bonus Dividends.*

*Section 60A.* — The payment of additional dividends on special notice account deposits and the crediting and payment of bonus dividends on systematic savings account deposits shall be subject to the conditions, limitations and requirements of this section.

1. *Dividend Period.* — An additional dividend on special notice account deposits shall be authorized and declared by the trustees at the same time and for the same periods as and for which ordinary dividends are declared. Additional dividends on special notice account deposits shall be declared from the net income available therefor as shown by the report of the auditing committee required by section fifty-nine, after making such provisions as the trustees shall determine, pursuant to their election made in accordance with subparagraph (e) of paragraph 1 of section twenty-two B, to credit to systematic savings account deposits an appropriate portion of such net income or to reserve, subject to the approval of the commissioner, an appropriate portion thereof for the payment of bonus dividends on such deposits. Bonus dividends on systematic savings account deposits shall, in accordance with such election, be credited thereto either on each of the dates fixed for ordinary dividend payments or when such bonus dividends become payable under the provisions of the applicable systematic savings account agreements and shall be paid from the sum or sums so credited or from the net income reserved therefor.

2. *Rate and Computation.* — Additional dividends on special notice account deposits shall be at such rate, not less than one-eighth nor more than one-half of one per cent per annum, as the trustees shall determine. Bonus dividends on systematic savings account deposits shall be at the rate specified in the applicable systematic savings account agreement. If not withdrawn, additional dividends on special notice account deposits shall be treated as deposits added to the account upon which declared and, in computing the dividend next following, shall be considered as

having been on deposit for the preceding dividend period. Bonus dividends on systematic savings account deposits, to the extent that they become payable and subject to withdrawal, shall be treated as deposits added to the account upon which paid and, in computing the dividend next following, shall be considered as having been on deposit since the date upon which such bonus dividends became payable.

*Approved March 5, 1962.*

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**Chap. 170.** AN ACT INCREASING THE ALLOTMENT TO THE GEORGE FINGOLD LIBRARY OF THE MANUAL FOR THE GENERAL COURT.

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

Section 11 of chapter 5 of the General Laws is hereby amended by striking out, in line 10, as appearing in chapter 295 of the acts of 1947, the words "To the state library, one hundred and ten;" and inserting in place thereof the words:—To the George Fingold Library, two hundred;.

*Approved March 5, 1962.*

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**Chap. 171.** AN ACT REQUIRING THE WEARING OF A DAYLIGHT FLUORESCENT RED OR ORANGE COLOR CLOTHING OR MATERIAL WHILE HUNTING DURING THE DEER SEASON.

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

Chapter 131 of the General Laws is hereby amended by striking out section 85C, as most recently amended by chapter 101 of the acts of 1960, and inserting in place thereof the following section:—*Section 85C.* Whoever, during that part of the open season on deer in which shotguns are legal for hunting deer, hunts or enters the woodlands or fields of the commonwealth for the purpose of hunting shall wear in a conspicuous manner on his chest and back, or on his head, chest and back, a minimum of two hundred square inches of clothing or material of a daylight fluorescent red or orange color. Any violation of any provision of this section shall be punished by a fine of not less than twenty dollars nor more than fifty dollars.

*Approved March 5, 1962.*

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**Chap. 172.** AN ACT REPEALING THE LAW RELATIVE TO PICKING WILD BERRIES OR FLOWERS, CAMPING OR PICNICKING BY UNNATURALIZED, FOREIGN BORN PERSONS IN BARNSTABLE OR PLYMOUTH COUNTIES.

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

Section one hundred and sixteen of chapter two hundred and sixty-six of the General Laws is hereby repealed.

*Approved March 5, 1962.*

**Chap. 173.** AN ACT VALIDATING THE ZONING BY-LAWS OF THE TOWN OF RUTLAND.

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

SECTION 1. The action taken by the town of Rutland at the special town meeting held on July fourteenth, nineteen hundred and sixty-one in voting to adopt its zoning by-laws, in accordance with Article 6 of the warrant for said meeting, is hereby confirmed and validated notwithstanding the failure of the planning board of said town to comply with so much of the provisions of section six of chapter forty A of the General Laws as require that notice of the public hearing on the adoption of such by-laws be published in each of two successive weeks, or posted for not less than twenty-one days, prior thereto.

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

*Approved March 5, 1962.*

**Chap. 174.** AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SEVENTY FOR JOSEPH T. MEW, INCUMBENT OF THE OFFICE OF CITY COLLECTOR OF THE CITY OF NORTHAMPTON.

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

SECTION 1. Joseph T. Mew, incumbent of the office of city collector of the city of Northampton, 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 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 Northampton at the biennial state election in the current year in the form of the following question, which shall be placed upon the official ballot to be used in said city at said election: — "Shall an act passed by the General Court in the year nineteen hundred and sixty-two, entitled 'An Act providing tenure of office until age seventy for Joseph T. Mew, incumbent of the office of city collector of the city of Northampton', 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 5, 1962.*

**Chap. 175.** AN ACT AUTHORIZING PAY-ROLL DEDUCTIONS ON ACCOUNT OF DUES TO ASSOCIATIONS OF PUBLIC SCHOOL TEACHERS.

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

Chapter 180 of the General Laws is hereby amended by inserting after section 17B the following section: —

*Section 17C.* Deductions on pay-roll schedules may be made from the salary of a school teacher of any amount which such teacher may specify in writing to the city, town or district school committee by which he is employed for the payment of dues to an association of teachers. Any such authorization may be withdrawn by such teacher by giving at least sixty days' notice in writing of such withdrawal to said school committee. The treasurer of the city, town or district shall deduct from



the salary of such teacher such amount of dues as may be certified to him on the pay roll and transmit the sum so deducted to said association; provided, that the city, town or district treasurer is satisfied by such evidence as he may require that the treasurer of such association has given to said association a bond, in a form approved by the commissioner of corporations and taxation, for the faithful performance of his duties, in a sum and with such surety or sureties as are satisfactory to the city, town or district treasurer. This section shall take effect in each city, town or regional school district which accepts the provisions hereof by vote of its school committee.

*Approved March 5, 1962.*

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**Chap. 176.** AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SEVENTY FOR DAVID P. SULLIVAN, INCUMBENT OF THE OFFICE OF CITY AUDITOR OF THE CITY OF NORTHAMPTON.

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

SECTION 1. David P. Sullivan, incumbent of the office of city auditor of the city of Northampton, 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 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 Northampton at the biennial state election in the current year in the form of the following question, which shall be placed upon the official ballot to be used in said city at said election: — "Shall an act passed by the General Court in the year nineteen hundred and sixty-two, entitled 'An Act providing tenure of office until age seventy for David P. Sullivan, incumbent of the office of city auditor of the city of Northampton', 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 5, 1962.*

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**Chap. 177.** AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO CONVEY A PARCEL OF LAND TO THE TOWN OF WAKEFIELD.

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

SECTION 1. The metropolitan district commission, for and on behalf of the commonwealth, is hereby authorized and directed to convey to the town of Wakefield, for a consideration of five hundred dollars, a certain parcel of land located in said town, bounded and described as follows: —

Beginning at a point on the southerly side of Charles street at the intersection of land of the town of Wakefield and land now or formerly of Jennie F. Sederquest, southerly three hundred and thirty (330) feet; thence southwesterly two hundred and twelve (212) feet; thence northerly one hundred and fifty-five (155) feet; thence westerly two hundred eighty (280) feet; thence northerly one hundred fifty (150) feet; thence easterly two hundred eighty (280) feet; thence northerly one hundred one and fifty-four hundredths (101.54) feet; thence easterly two hun-

dred two and seventy-seven hundredths (202.77) feet to the point of beginning, all of said measurements being more or less, said parcel containing approximately two and four tenths (2.4) acres.

If construction of housing for the elderly is not commenced on said land within three years after the date of passage of this act, title to said land shall revert to the commonwealth.

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

*Approved March 5, 1962.*

**Chap. 178.** AN ACT PROHIBITING COMPLAINTS TO THE COMMISSIONER OF INSURANCE ON CANCELLATIONS FOR NON-PAYMENT OF PREMIUM OF CERTAIN COMPULSORY MOTOR VEHICLE LIABILITY POLICIES AND BONDS.

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

SECTION 1. The first paragraph of section 113D of chapter 175 of the General Laws, as amended by section 2 of chapter 119 of the acts of 1933, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — Any person aggrieved by the issue by any company, or an agent thereof on its behalf, of a written notice purporting to cancel a motor vehicle liability policy or bond, both as defined in section thirty-four A of chapter ninety, except a notice of cancellation for non-payment of premium on such policy or bond insuring a motor vehicle registered as a taxicab or for public livery use, or by the refusal of any company, or an agent thereof on its behalf, to issue such a policy or to execute such a bond as surety, may, at any time prior to the intended effective date of cancellation expressed in such notice, or within ten days after such a refusal, file a written complaint with the commissioner, unless he has secured a certificate, as defined in said section thirty-four A, from another company.

SECTION 2. This act shall take effect on January first, nineteen hundred and sixty-three.

*Approved March 5, 1962.*

**Chap. 179.** AN ACT EXEMPTING THE REFUSAL TO RENEW THE LICENSE OF A FOREIGN INSURANCE COMPANY FROM CERTAIN PROVISIONS OF THE STATE ADMINISTRATIVE PROCEDURE ACT.

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

The third paragraph of section 13 of chapter 30A of the General Laws is hereby amended by striking out clause (4), added by chapter 245 of the acts of 1960, and inserting in place thereof the following clause: —

(4) Where there is a refusal to renew the license of a foreign insurance company by the commissioner of insurance, under authority of section one hundred and fifty-one of chapter one hundred and seventy-five or where there is a revocation of the license of a foreign insurance company by said commissioner under authority of section five of chapter one hundred and seventy-five, if such refusal or revocation is upon the grounds that such company is insolvent or is in an unsound financial condition, or that its condition or management is such as to render its further transaction of business hazardous to the public or its policy-

holders, or that the amount of its funds, net cash or contingent assets is deficient or that its capital stock or deposit or guaranty capital or guaranty fund is impaired, as set forth in section twenty-three A of said chapter one hundred and seventy-five, or that such capital stock, deposit or guaranty capital or guaranty fund has been reduced below the amount required by section one hundred and fifty-one of said chapter one hundred and seventy-five.

*Approved March 5, 1962.*

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**Chap. 180.** AN ACT AUTHORIZING THE CITY OF LYNN TO SELL CERTAIN PARK LAND IN SAID CITY TO ELEANOR C. STEWART.

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

SECTION 1. The city of Lynn may sell and convey to Eleanor C. Stewart a certain parcel of park land in said city containing twenty-four hundred fifty-five square feet, more or less, said parcel being bounded and described as follows: — Beginning at a point at the end of a right of way from Log Cabin Road over land of Carl E. and Clara Lundgren at the intersection of elevation seventy-four of Sluice Pond and land of Ann L. Lingary; thence southwesterly sixty-one feet, more or less, by Sluice Pond and again southwesterly fifty-seven feet by Sluice Pond; thence turning at right angles and running northwesterly forty-four feet by Sluice Pond; thence turning at right angles and running northeasterly forty-nine feet by Sluice Pond; thence turning and running northeasterly forty feet, more or less, by Sluice Pond to elevation seventy-four and said right of way; thence southeasterly by said elevation seventy-four and right of way twenty feet, more or less, to point of beginning. Meaning and intending to describe that area outside and surrounding a parcel of land owned by Eleanor C. Stewart and bounded by elevation seventy-four.

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

*Approved March 5, 1962.*

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**Chap. 181.** AN ACT REGULATING THE USE OF THE WORD "NATIVE" IN CONNECTION WITH THE SALE OR PACKAGING OF FRUIT.

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

Section 99B of chapter 94 of the General Laws, inserted by chapter 85 of the acts of 1961, is hereby amended by inserting after the word "vegetables", in lines 3 and 4, in each instance, the words: — or fruit, — so as to read as follows: — *Section 99B.* No person shall sell or offer to sell or pack for sale or distribution in the commonwealth vegetables or fruit in a container bearing the label or designation "native" unless the name of the state in which such vegetables or fruit 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 March 5, 1962.*

**Chap. 182.** AN ACT RELATIVE TO THE ACCEPTANCE OF A STATUTE BY A CITY OR TOWN.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is, in part, to make effective forthwith certain changes in the General Laws relative to the acceptance of a statute by a city or town, 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 4 of the General Laws is hereby amended by striking out section 4, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 4.* Wherever a statute is to take effect upon its acceptance by a city or town, or is to be effective in cities or towns accepting its provisions, such acceptance shall, except as otherwise provided in such statute, be, in a city, by vote of the city council, subject to the provisions of the charter of such city or, in a town, by vote of the town at a town meeting.

*Approved March 7, 1962.*

**Chap. 183.** AN ACT REVISING THE LAW RELATIVE TO PARKING ON THE STATE HOUSE GROUNDS.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the establishment of rules and regulations relative to the parking of motor vehicles on the state house grounds in order to relieve traffic congestion in the vicinity of the state house, 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 parking area on the state house grounds, including that portion of Mount Vernon street between the westerly curb of Bowdoin street and the easterly curb of Hancock street, is hereby designated for the use of members of the general court, subject to such rules and regulations as the committee on rules of the two branches acting concurrently may adopt and for the use of such other persons as said committee may by such rules and regulations prescribe. Whoever violates any such rule or regulation shall be punished by a fine of not more than ten dollars for each such violation. The capitol police shall enforce said rules and regulations and for said purpose may exercise the powers conferred on them by section twelve of chapter eight of the General Laws.

SECTION 2. Chapter two hundred and eleven of the acts of nineteen hundred and fifty-one is hereby repealed.

*Approved March 7, 1962.*

**Chap. 184.** AN ACT AUTHORIZING THE CITY OF MALDEN TO PAY A SUM OF MONEY TO JAMES F. MAHER FOR CERTAIN OVERTIME SERVICES.

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

Notwithstanding any ordinance of the city of Malden or any general or special law to the contrary, said city is hereby authorized to pay as

overtime to James F. Maher, director of public assistance of said city, the sum of three hundred dollars for performing the duties of the superintendent of McFadden Manor from November twenty-seventh, nineteen hundred and sixty-one to January second, nineteen hundred and sixty-two, both dates inclusive.

*Approved March 7, 1962.*

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**Chap. 185.** AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BERKSHIRE COUNTY TO BORROW MONEY TO ALTER, REPAIR, RENOVATE AND EQUIP THE COUNTY COURT HOUSE AND THE REGISTRY OF DEEDS AND DISTRICT COURT BUILDING IN THE CITY OF PITTSFIELD.

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

SECTION 1. The county commissioners of Berkshire county are hereby authorized to raise and expend a sum, not exceeding three hundred thousand dollars, for the repair, alteration, renovation and equipping of the county court house and the registry of deeds and district court building in the city of Pittsfield, including plans and specifications and architect's fees and expenses connected therewith.

SECTION 2. For the purpose aforesaid, the treasurer of said county, with the approval of the county commissioners, may borrow from time to time 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 therefor which shall bear on their face the words, Berkshire County Court House and Registry of Deeds and District Court Building Loan, Act of 1962. Each authorized issue shall constitute a separate loan. Such bonds or notes shall be payable in such annual installments beginning not more than one year from the date thereof, as will extinguish each loan in not more than twenty years from their dates, so that the amount of such annual payment in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Such 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.

*Approved March 7, 1962.*

**Chap. 186.** AN ACT AUTHORIZING THE LYNN HOUSING AUTHORITY TO RELOCATE A LITTLE LEAGUE BASEBALL DIAMOND AT MAGNOLIA AVENUE PLAYGROUND.

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

Notwithstanding any provision of chapter four hundred and eighty-one of the acts of nineteen hundred and fifty-nine to the contrary, the Lynn Housing Authority shall, in consideration of the conveyance to it by the city of Lynn of a certain parcel of park land in said city, being the unused portion of the Magnolia avenue playground, as provided in said chapter four hundred and eighty-one, expend as part of the development costs of the Lynn housing project for elderly persons, 667-3, such sums, not exceeding eight thousand dollars, as may be necessary to relocate a so-called Little League baseball diamond at said Magnolia avenue playground, which relocation is made necessary by reason of the construction of said project.

*Approved March 7, 1962.*

**Chap. 187.** AN ACT PROVIDING LIFE TENURE FOR JOHN F. PELLETIER, INCUMBENT OF THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF PEPPERELL.

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

SECTION 1. The tenure of office of John F. Pelletier, incumbent of the office of chief of police of the town of Pepperell, shall be unlimited. Said incumbent shall not be removed from office, lowered in rank or suspended, except for just cause and for reasons specifically given him in writing by the board of selectmen.

SECTION 2. This act shall be submitted to the voters of said town at the annual town meeting in the year nineteen hundred and sixty-three 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-two, entitled 'An Act providing life tenure for John F. Pelletier, incumbent of the office of chief of police of the town of Pepperell', be accepted?" If a majority of the votes cast in answer to said question is in the affirmative, this act shall take full effect, but not otherwise.

*Approved March 7, 1962.*

**Chap. 188.** AN ACT PROVIDING LIFE TENURE FOR MAUNSELL B. BABIN, INCUMBENT OF THE OFFICE OF SERGEANT OF POLICE OF THE TOWN OF PEPPERELL.

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

SECTION 1. The tenure of office of Maunsell B. Babin, incumbent of the office of sergeant of police of the town of Pepperell, shall be unlimited. Said incumbent shall not be removed from office, lowered in rank or suspended, except for just cause and for reasons specifically given him in writing by the board of selectmen.

SECTION 2. This act shall be submitted to the voters of said town at the annual town meeting in the year nineteen hundred and sixty-three 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 meet-

ing: — "Shall an act passed by the General Court in the year nineteen hundred and sixty-two, entitled 'An Act providing life tenure for Maunsell B. Babin, incumbent of the office of sergeant of police of the town of Pepperell', be accepted?" If a majority of the votes cast in answer to said question is in the affirmative, this act shall take full effect, but not otherwise.

*Approved March 7, 1962.*

**Chap. 189.** AN ACT DESIGNATING A CERTAIN HIGHWAY IN THE TOWN OF BRAINTREE AS THE BRAINTREE DISABLED AMERICAN VETERANS MEMORIAL HIGHWAY.

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

That portion of the state highway known as Granite street in the town of Braintree, running from Braintree Five Corners northerly to the Quincy line shall be known and designated as the Braintree Disabled American Veterans Memorial Highway, and suitable markers bearing said designation shall be erected along said highway by the department of public works.

*Approved March 7, 1962.*

**Chap. 190.** AN ACT DESIGNATING THE BRIDGE OVER TORREY STREET IN THE CITY OF BROCKTON ON THE AMVETS MEMORIAL HIGHWAY AS THE SPANISH AMERICAN WAR VETERANS BRIDGE.

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

The bridge over Torrey street in the city of Brockton on the AMVETS Memorial Highway shall be known and designated as the Spanish American War Veterans Bridge, and a suitable marker bearing said designation shall be attached thereto by the department of public works.

*Approved March 7, 1962.*

**Chap. 191.** AN ACT DESIGNATING A CERTAIN BRIDGE OVER PILGRIMS HIGHWAY ON WASHINGTON STREET IN THE TOWN OF HANOVER AS THE CORPORAL FRANKLIN N. MASSEY BRIDGE.

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

The bridge over Pilgrims Highway on Washington street in the town of Hanover shall be designated and known as the Corporal Franklin N. Massey bridge, in memory of Corporal Franklin N. Massey of said town, who was killed in action in Germany, on December fourth, nineteen hundred and forty-four. The department of public works is hereby authorized and directed to erect and maintain a suitable marker on said bridge bearing said designation.

*Approved March 7, 1962.*

**Chap. 192.** AN ACT AUTHORIZING THE TOWN OF MAYNARD TO USE A PORTION OF MEMORIAL PARK IN SAID TOWN FOR MUNICIPAL PARKING PURPOSES AND PROVIDING FOR THE DEDICATION OF ANOTHER PARCEL OF TOWN LAND TO PARK PURPOSES.

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

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

SECTION 2. Chapter three hundred and eight of the acts of nineteen hundred and fifty-five is hereby repealed.

SECTION 3. The town of Maynard is hereby authorized to use for municipal parking purposes that portion of certain park land known as Memorial Park, being lots numbered 4, 5 and 9 as shown on plan of land entitled "Land in Maynard owned by the Town of Maynard, Land on Nason St. and Summer St., Memorial Park and Parking Lot, Harlan E. Tuttle, Surveyor," dated November 27, 1961, and filed in the office of the town clerk of the town of Maynard; provided, however, that said town dedicates to park purposes a certain parcel of land owned by it adjacent to said Memorial Park, and shown on said plan as lots numbered 1, 6 and 8.

SECTION 4. 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-two, entitled 'An Act authorizing the town of Maynard to use a portion of Memorial Park in said town for municipal parking purposes and providing for the dedication of another parcel of town land to park purposes', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall take full effect, but not otherwise.

*Approved March 7, 1962.*

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**Chap. 193.** AN ACT CHANGING THE NAME OF THE STATE EMPLOYEES' GROUP INSURANCE COMMISSION TO THE GROUP INSURANCE COMMISSION.

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

SECTION 1. Section 2 of chapter 32A of the General Laws is hereby amended by striking out paragraph (a), as appearing in section 1 of chapter 628 of the acts of 1955, and inserting in place thereof the following paragraph: —

(a) "Commission", the group insurance commission.

SECTION 2. Section 3 of said chapter 32A, as amended by section 1 of chapter 355 of the acts of 1958, is hereby further amended by striking out, in line 3, the words "state employees".

SECTION 3. Section 2 of chapter 32B of the General Laws is hereby amended by striking out paragraph (h), inserted by section 1 of chapter 337 of the acts of 1960, and inserting in place thereof the following paragraph: —

(h) "Commission", the group insurance commission established by section three of chapter thirty-two A.

*Approved March 7, 1962.*

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**Chap. 194.** AN ACT DESIGNATING THE CLOVERLEAF INTERCHANGE LOCATED AT THE JUNCTION OF ROUTE 128 AND ANDOVER STREET IN THE CITY OF PEABODY AS THE REPRESENTATIVE HENRY W. HALLINAN INTERCHANGE.

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

The cloverleaf interchange located at the junction of state highway route 128 and Andover street in the city of Peabody shall be known and designated as the Representative Henry W. Hallinan interchange, and a suitable marker bearing such designation shall be erected thereat by the department of public works.

*Approved March 7, 1962.*



**Chap. 195.** AN ACT DESIGNATING THE BRIDGE OVER THE GENERAL CASIMIR PULASKI SKYWAY AT BOSTON STREET IN THE CITY OF BOSTON AS THE REVEREND JOHN M. CHMIELINSKI BRIDGE.

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

The bridge over the General Casimir Pulaski Skyway at Boston street in the city of Boston shall be designated and known as the Reverend John M. Chmielinski bridge, and a suitable marker bearing said designation shall be attached thereto by the department of public works.

*Approved March 7, 1962.*

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**Chap. 196.** AN ACT DESIGNATING THE TRAFFIC CIRCLE ON WASHINGTON STREET AT THE FORE RIVER BRIDGE IN THE CITY OF QUINCY AS THE CONGRESSMAN RICHARD B. WIGGLESWORTH CIRCLE.

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

The traffic circle on Washington street at the Fore River bridge in the city of Quincy shall be designated as the Congressman Richard B. Wigglesworth Circle, and a suitable marker bearing said designation shall be erected and maintained at said circle by the department of public works.

*Approved March 7, 1962.*

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**Chap. 197.** AN ACT DESIGNATING THE BRIDGE ON PILGRIMS HIGHWAY OVER WEBSTER STREET IN THE TOWN OF HANOVER AS THE STAFF SERGEANT OSCAR ROME BRIDGE.

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

The bridge on Pilgrims Highway over Webster street in the town of Hanover shall be designated and known as the Staff Sergeant Oscar Rome bridge, in memory of Staff Sergeant Oscar Rome of said town, who was killed in action on March nineteenth, nineteen hundred and forty-four, when his plane was shot down while flying a mission in Italy. The department of public works is hereby authorized and directed to erect and maintain a suitable marker on the said bridge bearing said designation.

*Approved March 7, 1962.*

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**Chap. 198.** AN ACT DESIGNATING THE BRIDGE OVER PILGRIMS HIGHWAY ON MAIN STREET IN THE TOWN OF KINGSTON AS KINGSTON'S WORLD WAR II MEMORIAL BRIDGE.

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

The bridge over Pilgrims Highway on Main street in the town of Kingston shall be known as Kingston's World War II Memorial Bridge and a suitable marker bearing said designation shall be attached thereto by the department of public works.

*Approved March 7, 1962.*

**Chap. 199.** AN ACT AUTHORIZING THE ISSUANCE OF AN ALCOHOLIC BEVERAGES LICENSE TO THE METHUEN COUNCIL #4027 KNIGHTS OF COLUMBUS, INC.

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

Notwithstanding any limitation on the number of licenses to be issued under the provisions of section seventeen of chapter one hundred and thirty-eight of the General Laws, but subject, however, to all other provisions of said chapter, the licensing board of the town of Methuen is hereby authorized to issue to the Methuen Council #4027 Knights of Columbus, Inc., an annual license to sell all alcoholic beverages, to be drunk on its premises, to members and to guests introduced by such members and to no others.

Said license shall not be transferable to any other licensee and shall not be included in the number of licenses issued under authority of said section seventeen; provided, however, that if there is an addition to the quota of such licenses in said town under said section seventeen because of an increase in population in said town, then said license shall be included in such new quota.

*Approved March 7, 1962.*

**Chap. 200.** AN ACT AMENDING THE REQUISITES FOR MEMBERSHIP ON THE BOARD OF REGISTRATION OF BARBERS.

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

Chapter 13 of the General Laws is hereby amended by striking out section 39, as most recently amended by section 1 of chapter 509 of the acts of 1947, and inserting in place thereof the following section:—  
*Section 39.* There shall be a board of registration of barbers, in this section and in sections forty and forty-one called the board, to be appointed by the governor, with the advice and consent of the council, and to consist of three members, citizens of the commonwealth, each of whom shall be a practising barber, and shall have had five years of practical experience as a barber in this commonwealth prior to his original appointment and shall have been actively engaged in the occupation of barbering in this commonwealth for not less than six months during the twelve months immediately prior to such appointment, and at least one of whom shall be a journeyman barber employed by a master barber, and at least one of whom shall be a master barber who is an employer of one or more barbers. No two members of the board shall, while in office, be engaged in practising the occupation of barbering in the same town. As the term of office of a member expires, his successor shall be appointed by the governor, with like advice and consent, to serve for three years. The governor may also, with like advice and consent, fill any vacancy in the board for the unexpired portion of the term.

*Approved March 7, 1962.*

**Chap. 201.** AN ACT RELATIVE TO THE PROCEDURE FOR ADVERTISING HEARINGS BY PLANNING BOARDS AND HEARINGS BY ZONING BOARDS OF APPEAL UNDER THE ZONING ENABLING ACT.

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

**SECTION 1.** Chapter 40A of the General Laws is hereby amended by striking out section 6, as most recently amended by chapter 151 of the acts of 1961, and inserting in place thereof the following section:—

*Section 6.* Zoning ordinances or by-laws may be adopted and from time to time be changed by amendment, addition or repeal, but only in the manner hereinafter provided. No zoning ordinance or by-law originally establishing the boundaries of the districts or the regulations and restrictions to be enforced therein, and no such ordinance or by-law changing the same as aforesaid, shall be adopted until after the planning board, if any, or, in a town having no such board, the board of selectmen, has held a public hearing thereon, first causing notice of the time and place of such hearing and of the subject matter, sufficient for identification, to be published in a newspaper of general circulation in the city or town once in each of two successive weeks, the first publication being not less than fourteen days before the day of such hearing or if there is no such newspaper in such city or town then by posting such notice in a conspicuous place in the city or town hall for a period of not less than fourteen days before the day of such hearing, and has submitted a final report with recommendations to the city council or town meeting, or until twenty days shall have elapsed after such hearing without the submission of such report; provided, that, in case of a proposed ordinance or by-law originally establishing the boundaries of the districts or the regulations and restrictions to be enforced therein, it shall be sufficient if a public hearing is held and a final report with recommendations is submitted by a zoning board appointed for the purpose by the city council or selectmen or twenty days elapse after such hearing without such report being submitted. In a city no such ordinance as proposed to be originally established or changed as aforesaid shall be adopted until after the city council or a committee designated or appointed for the purpose by it has held a public hearing thereon, at which all interested persons shall be given an opportunity to be heard. Notice of the time and place of such hearing before the city council or committee thereof and of the subject matter, sufficient for identification, shall be published in a newspaper of general circulation in the city once in each of two successive weeks, the first publication to be not less than fourteen days before the day of the hearing or if there is no such newspaper in such city then by posting such notice in a conspicuous place in the city hall for a period of not less than fourteen days before the day of such hearing. After such notice, hearings and report, or lapse of time without report, a city council or town meeting may adopt, reject, or amend and adopt any such proposed ordinance or by-law. 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.

SECTION 2. Said chapter 40A is hereby further amended by striking out section 17, as amended by section 2 of chapter 317 of the acts of 1959, and inserting in place thereof the following section: — *Section 17.* The board of appeals shall fix a reasonable time for the hearing of any appeal or other matter referred to it or any petition for a variance, and shall cause the notice of the time and place of such hearing thereof and of the subject matter, sufficient for identification, to be published in a newspaper of general circulation in the city or town once in each of two successive weeks, the first publication to be not less than fourteen days before the day of the hearing or if there is no such newspaper in such city or town then by posting such notice in a conspicuous place in the city or town hall for a period of not less than fourteen days before

the day of such hearing, and also send notice by mail, postage prepaid, to the petitioner and to the owners of all property deemed by the board to be affected thereby, as they appear on the most recent local tax list, and to the planning board of such city or town. At the hearing any party whether entitled to notice thereof or not may appear in person or by agent or by attorney.

*Approved March 12, 1962.*

**Chap. 202.** AN ACT ESTABLISHING ADDITIONAL FINANCIAL REQUIREMENTS FOR CERTAIN LIFE 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 amended by section 2 of chapter 168 of the acts of 1961, and inserting in place thereof the following paragraph: —

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

SECTION 2. Section 51 of said chapter 175 is hereby amended by striking out clause (d), as amended by section 3 of said chapter 168, 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 eight 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 eight hundred thousand dollars, exclusive of said capital.

SECTION 3. Section 93E of said chapter 175, as appearing in the Tercentenary Edition, is hereby 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 the sixteenth clause of section forty-seven, or under clause (e) of section forty-eight A, until it has established a fully paid-up guaranty capital of not less than four hundred thousand dollars, if it proposes to transact business under said sixteenth clause, or eight hundred thousand dollars, if it proposes to transact business under said clause (e), together, in either case, with a net cash surplus of not less than eight hundred thousand dollars, exclusive of said guaranty capital.

SECTION 4. Said chapter 175 is hereby further amended by striking out section 153, as so appearing, and inserting in place thereof the following section: — *Section 153.* A company organized under the laws of any other state of the United States for the transaction of life insurance may, subject to all provisions of section one hundred and fifty-one so far as applicable to a life company, be admitted and authorized to do business in this commonwealth if it is a stock company and complies with the financial requirements specified in sections forty-eight and fifty-one or if it is a mutual company and complies with the financial requirements specified in sections fifty-four and ninety-three E and in addition, has policies in force upon not less than two thousand lives in the United States for an aggregate amount of not less than two million dollars. Any such company organized under the laws of a state or

government other than one of the United States may be so admitted and authorized, subject to all the provisions of section one hundred and fifty-one as aforesaid, if, in addition to fulfilling all the requirements of this section, it complies with section one hundred and fifty-five, and if it shall have and keep on deposit as provided in section one hundred and fifty-five or in the hands of trustees as provided in section one hundred and fifty-six, in exclusive trust for the security of its contracts with policyholders in the United States, funds of an amount equal to the net value of all its policies in the United States, less all indebtedness thereon, and not less than four hundred thousand dollars.

SECTION 5. Section 54 of said chapter 175 is hereby amended by striking out clause (c), as amended by section 4 of chapter 168 of the acts of 1961, 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 one million six hundred thousand dollars.

SECTION 6. 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 12, 1962.*

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**Chap. 203.** AN ACT REQUIRING THE ZONING BOARD OF APPEALS OF A CITY OR TOWN TO FILE A COPY OF ITS RULES IN THE OFFICE OF THE CITY OR TOWN CLERK.

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

Section 18 of chapter 40A of the General Laws is hereby amended by striking out the first sentence, as appearing in section 2 of chapter 368 of the acts of 1954, and inserting in place thereof the following sentence:— The board of appeals of each city or town shall adopt rules, not inconsistent with the provisions of the zoning ordinance or by-law of such city or town, for conducting its business and otherwise carrying out the purposes of this chapter, and shall file a copy of such rules in the office of the city or town clerk. *Approved March 12, 1962.*

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**Chap. 204.** AN ACT DESIGNATING THE METROPOLITAN DISTRICT COMMISSION SKATING RINK IN THE ST. MORITZ SECTION OF THE BLUE HILLS RESERVATION IN THE CITY OF QUINCY AS THE MAYOR WILLIAM T. SHEA MEMORIAL RINK.

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

SECTION 1. The skating rink to be constructed in the St. Moritz section of the Blue Hills Reservation in the city of Quincy shall, when completed, be known and designated as the Mayor William T. Shea Memorial Rink, and a suitable marker bearing said designation shall be erected at said rink by the metropolitan district commission.

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

*Approved March 12, 1962.*

**Chap. 205.** AN ACT RELATIVE TO THE GRANTING OF CONTINUANCES IN HEARINGS INVOLVING CIVIL SERVICE EMPLOYEES.

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

Paragraph (b) of section 43 of chapter 31 of the General Laws is hereby amended by striking out the second sentence, as appearing in chapter 240 of the acts of 1948, and inserting in place thereof the following sentence: — Said hearing shall be commenced in not less than three nor more than ten days, and shall be completed within thirty days, after the filing of such request, unless, in either case, both parties thereto shall otherwise agree in writing, or unless a continuance is deemed necessary or advisable in the discretion of the hearing officer, and the findings shall be reported forthwith to the commission for action.

*Approved March 12, 1962.*

**Chap. 206.** AN ACT FURTHER REGULATING THE SALE OR OFFERING FOR SALE AND ADVERTISING THE SALE OF IMPORTED GOODS, FISH AND FISH PRODUCTS.

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

Chapter 94 of the General Laws is hereby amended by striking out section 277B, as amended by chapter 92 of the acts of 1962, and inserting in place thereof the following section: — *Section 277B.* No person shall sell, or offer or expose for sale any machinery, hardware, ladders, shoes or other footwear, fabrics, suits or other wearing apparel, sporting goods or equipment, radios or parts thereof, scallops, fish or fish products, 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". The word "person" as used in this paragraph shall not be deemed to include a person owning or publishing a newspaper, owning or operating a radio or television station or other person furnishing an advertising medium for the sale of such goods, or fish or fish products by another.

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, by a fine of not less than fifty dollars nor more than five hundred dollars or by imprisonment for one month, or by both such fine and imprisonment.

*Approved March 12, 1962.*

**Chap. 207.** AN ACT RELATIVE TO THE PROCEDURE FOR ADVERTISING HEARINGS BY PLANNING BOARDS AND HEARINGS BY BOARDS OF APPEAL UNDER THE SUBDIVISION CONTROL LAW.

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

**SECTION 1.** Section 81T of chapter 41 of the General Laws is hereby amended by striking out the last sentence, as amended by section 1 of chapter 266 of the acts of 1960, and inserting in place thereof the follow-

ing sentence: — Before approval, modification and approval, or disapproval of the definitive plan is given, a public hearing shall be held by the planning board, notice of the time and place of which and of the subject matter, sufficient for identification, shall be given by the planning board by advertisement in a newspaper of general circulation in the city or town once in each of two successive weeks, the first publication being not less than fourteen days before the day of such hearing or if there is no such newspaper in such city or town then by posting such notice in a conspicuous place in the city or town hall for a period of not less than fourteen days before the day of such hearing, and by mailing a copy of such advertisement to the applicant and to all owners of land abutting upon the land included in such plan as appearing on the most recent tax list.

SECTION 2. The second paragraph of section 81AA of said chapter 41 is hereby amended by striking out the second sentence, as amended by chapter 198 of the acts of 1960, and inserting in place thereof the following sentence: — Notice of the time and place of such hearing and of the subject matter, sufficient for identification, shall be published in a newspaper of general circulation in the city or town once in each of two successive weeks, the first publication to be not less than fourteen days before the day of the hearing or if there is no such newspaper in such city or town then by posting such notice in a conspicuous place in the city or town hall for a period of not less than fourteen days before the day of such hearing.

*Approved March 12, 1962.*

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**Chap. 208.** AN ACT RELATIVE TO SHAREHOLDERS IN THE SAVINGS BANK INVESTMENT FUND.

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

SECTION 1. Section 1 of chapter 283 of the acts of 1945 is hereby amended by inserting at the end thereof the following new sentence: — As used in this act, except in the second sentence of paragraph (d) of section 4, the term “savings bank” or “savings banks” shall include the Savings Banks Employees Retirement Association formed under the provisions of section seventy-four of chapter one hundred and sixty-eight of the General Laws.

SECTION 2. The second paragraph of section 8 of said chapter 283 is hereby amended by striking out, in lines 8 to 10, inclusive, the words “, and the shareholders may use such distributions only to mark down the book value of their participation”. *Approved March 12, 1962.*

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**Chap. 209.** AN ACT DESIGNATING THE CHILDREN’S PLAY AREA ON SOLDIERS FIELD ROAD IN THE BRIGHTON DISTRICT OF THE CITY OF BOSTON AS THE RICHARD T. ARTESANI MEMORIAL PLAYGROUND.

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

The children’s play area on Soldiers Field road in the Brighton district of the city of Boston shall be designated and known as the Richard T. Artesani Memorial Playground. The metropolitan district commission is hereby authorized and directed to erect a suitable marker thereat bearing such designation.

*Approved March 12, 1962.*

- Chap. 210.** AN ACT DESIGNATING THE NURSERY BUILDING AT THE BELCHERTOWN STATE SCHOOL AS THE DR. HENRY A. TADGELL NURSERY BUILDING.

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

The nursery building constructed in the year nineteen hundred and sixty-one at the Belchertown state school shall be designated and known as the Dr. Henry A. Tadgell Nursery Building in recognition of the dedicated service of Henry A. Tadgell, former superintendent of said school, to the mentally retarded. The department of mental health shall erect a suitable plaque bearing said designation in an appropriate location at said building.

*Approved March 12, 1962.*

- Chap. 211.** AN ACT DESIGNATING THE BRIDGE OVER THE WEIR RIVER ON GEORGE WASHINGTON BOULEVARD CONNECTING THE TOWNS OF HINGHAM AND HULL, AS THE CORPORAL A. ROGER BORLAND BRIDGE.

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

The bridge over the Weir river on George Washington boulevard connecting the towns of Hingham and Hull, shall be known and designated as the Corporal A. Roger Borland bridge, in honor of the late A. Roger Borland, a deceased member of the armed forces, and a suitable marker bearing said designation shall be attached thereto by the department of public works.

*Approved March 12, 1962.*

- Chap. 212.** AN ACT RELATIVE TO THE RECORDING OF LIMITED OR CONDITIONAL ZONING VARIANCES AND SPECIAL PERMITS IN THE REGISTRY OF DEEDS.

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

Section 18 of chapter 40A of the General Laws is hereby amended by striking out the last two sentences, added by chapter 326 of the acts of 1960, and inserting in place thereof the following three sentences: — Upon the granting of a limited or conditional zoning variance or special permit, the board of appeals shall issue to the land owner a notice, certified by the chairman or clerk, containing the name and address of the land owner, identifying the land affected, and stating that a limited or conditional variance or special permit has been granted which is set forth in the decision of the board on file in the office of the clerk of the city or town in which the land is located. No such variance or permit shall take effect until such notice is recorded in the registry of deeds for the county in which the land is located. The fee for recording such notice shall be paid by the owner and the notice shall be indexed in the grantor index under the name of the owner of record.

*Approved March 12, 1962.*



**Chap. 213.** AN ACT AUTHORIZING CERTAIN SAVINGS BANKS TO INVEST IN DEBENTURE BONDS OF THE NORTHERN BERKSHIRE DEVELOPMENT CORPORATION.

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

Notwithstanding any contrary provision of law, the South Adams Savings Bank of Adams, the North Adams Hoosac Savings Bank and the Williamstown Savings Bank are hereby authorized to invest in ten year debenture bonds, bearing four per cent interest, of the Northern Berkshire Development Corporation; provided, however, that the amount of investment of any such bank in such bonds shall not exceed one tenth of one per cent of its deposits. *Approved March 12, 1962.*

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**Chap. 214.** AN ACT PROHIBITING THE TATTOOING OF ANY PERSON EXCEPT BY A QUALIFIED PHYSICIAN.

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

Chapter 265 of the General Laws is hereby amended by striking out section 34, added by chapter 76 of the acts of 1957, and inserting in place thereof the following section: — *Section 34.* Whoever, not being registered as a qualified physician under section two of chapter one hundred and twelve, or corresponding provisions of earlier laws, marks the body of any person by means of tattooing, shall be punished by a fine of not more than three hundred dollars or by imprisonment for not more than one year, or both. *Approved March 12, 1962.*

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**Chap. 215.** AN ACT RELATIVE TO THE REQUIREMENTS FOR THE FILING OF A PETITION FOR A REFERENDUM IN THE TOWN OF WINCHESTER.

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

SECTION 1. Section 8 of chapter 167 of the acts of 1928 is hereby amended by striking out the third sentence and inserting in place thereof the following sentence: — If, within said five days, a petition, signed by not less than three per cent of the registered voters of the town, containing their names and addresses as they appear on the list of registered voters, is filed with the selectmen requesting that the question or questions involved in any such vote which has not become operative as afore-said be submitted to the voters of the town at large, then the operation of such vote shall be further suspended pending its determination as hereinafter provided, and the selectmen, within ten days after the filing of the petition, shall call a special meeting, which shall be held within fourteen days after the issuing of the call, for the purpose of presenting to the voters at large the question or questions so involved.

SECTION 2. Said section 8 of said chapter 167 is hereby further amended by striking out the fifth and sixth sentences and inserting in place thereof the following two sentences: — The questions so submitted shall be determined by a majority vote of the registered voters of the town voting thereon, but no action of the representative town meeting shall be reversed unless at least twenty per cent of the registered voters of the town vote on the questions. The questions so submitted shall be

stated upon the official ballot in the following form: — "Shall the town vote to approve the action of the representative town meeting whereby it was voted (brief description of the substance of the vote)?" ; provided, however, that any referendum question with respect to a vote of the town meeting rejecting a measure shall be stated in substantially the same language and form in which it was stated when presented to said representative town meeting by the moderator as appears from the records of the said meeting.

*Approved March 12, 1962.*

**Chap. 216.** AN ACT AUTHORIZING THE NORTH DIGHTON FIRE DISTRICT IN THE TOWN OF DIGHTON TO ACQUIRE CERTAIN PROPERTY WITHIN SAID DISTRICT AND TO BORROW MONEY THEREFOR.

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

SECTION 1. Chapter 671 of the acts of 1912 is hereby amended by inserting after section 2 the following section: —

Section 2A. Said district is authorized to purchase, or take by eminent domain under chapter seventy-nine of the General Laws, all pipes, conduits, mains, and other works within the boundaries of the district or any further extension of said boundaries belonging to any person or corporation, and use the same for the purpose of supplying the inhabitants of the district with water for the extinguishment of fires and for domestic and other purposes.

SECTION 2. For the purpose of paying the necessary expenses and liabilities incurred under section two A of chapter six hundred and seventy-one of the acts of nineteen hundred and twelve, inserted by section one of this act, the North Dighton Fire District in the Town of Dighton may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, sixty thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words North Dighton Fire District Loan, Act of 1962. 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 section shall be subject to the provisions of chapter forty-four of the General Laws pertaining to such districts.

SECTION 3. This act shall take effect upon its acceptance within four years after its passage by a majority of the voters of the North Dighton Fire District in the Town of Dighton present and voting thereon at a district meeting called for the purpose.

*Approved March 13, 1962.*

**Chap. 217.** AN ACT EXEMPTING REGISTERED PHYSICIANS FROM CIVIL LIABILITY FOR EMERGENCY CARE OR TREATMENT RENDERED AT THE SCENE OF AN ACCIDENT TO PERSONS INJURED IN MOTOR VEHICLE ACCIDENTS.

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

Chapter 112 of the General Laws is hereby amended by inserting after section 12A the following section: —

Section 12B. No physician duly registered under the provisions of section two or two A who, in good faith, renders emergency care or

treatment at the scene of an accident to any person injured on the highway as the result of a motor vehicle accident, shall be liable in a suit for damages as a result of his acts or omissions, nor shall he be liable to a hospital for its expenses if, under such emergency conditions he orders a person hospitalized or causes his admission.

*Approved March 13, 1962.*

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**Chap. 218.** AN ACT AUTHORIZING CO-OPERATIVE BANKS TO INVEST IN BANK STOCKS AND FIRE INSURANCE STOCKS.

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

Subsection 2 of section 26 of chapter 170 of the General Laws, as amended by section 10 of chapter 432 of the acts of 1955, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — In the case of any such corporation having assets totalling more than five million dollars, in any of the securities named in sections forty-four to forty-eight, inclusive, of said chapter one hundred and sixty-eight, subject, however, to the provisions of said sections and to the following limitations: — not more than an amount equal to five per cent of the assets of any such corporation shall be invested in railroad bonds or other obligations referred to in said section forty-four, and not more than an amount equal to one and one-half per cent of such assets shall be invested in the bonds or other obligations of any one railroad corporation; not more than an amount equal to ten per cent of the assets of any such corporation shall be invested in bonds or other obligations of telephone companies referred to in said section forty-five, and not more than an amount equal to two per cent of such assets shall be invested in the bonds or other obligations of any one telephone company; not more than an amount equal to five per cent of the assets of any such corporation shall be invested in the bonds of gas, electric light or water companies referred to in subdivision A of said section forty-six, and not more than an amount equal to one and one-half per cent of such assets shall be invested in the bonds or other obligations of any one such company; not more than an amount equal to ten per cent of the assets of any such corporation shall be invested in bonds or other obligations of the other companies referred to in subdivision B of said section forty-six, and not more than an amount equal to two per cent of such assets shall be invested in the bonds or other obligations of any one such other company; not more than an amount equal to one half of the total of the guaranty fund and the surplus accounts of any such corporation shall, in the aggregate, be invested in bank stocks and fire insurance stocks referred to in sections forty-seven and forty-eight, and not more than an amount equal to five per cent of said aggregate amount shall be invested in any one such stock.

*Approved March 13, 1962.*

**Chap. 219.** AN ACT INCREASING THE FINE FOR THE USE BY CERTAIN PERSONS OF BEAM OR OTTER TRAWLS IN TAKING FISH FROM CERTAIN WATERS OF THE TOWNS OF CHILMARK, GAY HEAD AND GOSNOLD DURING CERTAIN MONTHS OF THE YEAR.

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

Chapter 35 of the acts of 1923 is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — Violation of this act shall be punished by a fine of not less than five hundred nor more than one thousand dollars.

*Approved March 13, 1962.*

**Chap. 220.** AN ACT DESIGNATING THE SQUARE AT THE JUNCTION OF LAKE AVENUE AND OAK BLUFFS AVENUE IN THE TOWN OF OAK BLUFFS AS THE JOSEPH A. FARLAND SQUARE.

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

The square at the junction of the state highway known as Lake avenue and Oak Bluffs avenue in the town of Oak Bluffs shall be known and designated as the Joseph A. Farland Square, in memory of Joseph A. Farland, a former chief of the fire department of said town, and a suitable marker bearing said designation shall be erected thereat by the department of public works.

*Approved March 13, 1962.*

**Chap. 221.** AN ACT AUTHORIZING THE TOWN OF DENNIS TO RECEIVE AND ADMINISTER THE PROPERTY OF THE HOWES BURIAL GROUND CEMETERY IN SAID TOWN.

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

SECTION 1. The Howes Burial Ground Cemetery Association, situated in the town of Dennis, 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 Dennis voting thereon at an annual town meeting or a special town meeting called for the purpose, but not otherwise. *Approved March 13, 1962.*

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**Chap. 222.** AN ACT REPEALING THE PROVISIONS OF LAW PROVIDING FOR THE PAYMENT OF A BOUNTY ON SEALS.

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

Section one hundred and one of chapter one hundred and thirty of the General Laws is hereby repealed. *Approved March 13, 1962.*

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**Chap. 223.** AN ACT FURTHER EXTENDING THE PRIVILEGES OF ADMIRAL SIR ISAAC COFFIN'S LANCASTERIAN SCHOOL.

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

Section 2 of chapter 1 of the acts of 1827, as amended by section 2 of chapter 165 of the acts of 1903, is hereby further amended by striking out, in line 12, the word "ten" and inserting in place thereof the word: — twenty-five, — so as to read as follows: — *Section 2. Be it further enacted,* That all lands, buildings, monies, or other property heretofore given or subscribed for the purpose of establishing the aforesaid school, or which shall hereafter be given, granted, or assigned to the said trustees, shall be confirmed to the said trustees, and their successors, in that trust forever, for the uses for which said school is established, and the said trustees shall be capable of having, holding, and taking in fee simple, by gift, grant, devise, or otherwise, any lands, tenements, or other estate, real or personal, provided that the annual income of the same shall not exceed the sum of twenty-five thousand dollars, and shall apply the interest, rents, and profits thereof, so as most to promote the design of the institution. *Approved March 13, 1962.*

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**Chap. 224.** AN ACT TO PROVIDE A PENALTY FOR INDUCING OR PERMITTING ANOTHER TO RESORT TO CERTAIN LICENSED PREMISES FOR IMMORAL PURPOSES.

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

Section 26 of chapter 272 of the General Laws, as amended by section 66 of chapter 451 of the acts of 1939, is hereby further amended by in-

serting after the word "acts", in line 10, the words: — , and any person owning, managing or controlling such place and any employee of such person who induces or knowingly suffers any person to resort to, or be in such place for the purpose of immoral solicitation or immoral bargaining.

*Approved March 13, 1962.*

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**Chap. 225.** AN ACT RELATIVE TO THE TYPE OF SIGN THAT MAY BE ERECTED TO DESIGNATE A THROUGH WAY AND FURTHER REGULATING THE STOPPING REQUIREMENTS AT THROUGH WAYS.

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

Section 9 of chapter 89 of the General Laws, as amended by chapter 416 of the acts of 1948, is hereby further amended by striking out the fourth sentence and inserting in place thereof the following two sentences: — Every driver of a vehicle, railway car or other conveyance approaching an intersection of a way with a lawful through way, where there exists facing him a sign bearing the word "Stop" or a flashing red signal indication, said sign or signal being in accordance with the requirements of the department, shall in the case of a flashing red signal, before proceeding through the intersection, bring such vehicle, railway car or other conveyance to a complete stop at the nearer line of the street intersection and, in the case of a stop sign at such point as may be clearly marked by a sign or line, or, if a point is not so marked, then at a place between the said stop sign and the nearer line of the street intersection. In the case of a line of two or more vehicles approaching such stop sign or flashing red signal indication, the drivers of the second and third vehicles in line in any group shall not be required to stop more than once before proceeding through the intersection.

*Approved March 13, 1962.*

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**Chap. 226.** AN ACT RELATIVE TO THE TERMS OF OFFICE OF CERTAIN COLONELS IN THE MILITARY FORCES OF THE COMMONWEALTH.

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

Section 26 of chapter 33 of the General Laws, as appearing in section 1 of chapter 590 of the acts of 1954, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence: — The term of office of a colonel, commanding an organization, except an air medical group or any army medical battalion, shall be seven years.

*Approved March 13, 1962.*

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**Chap. 227.** AN ACT AUTHORIZING THE TRUSTEES OF THE SOLDIERS' HOME IN MASSACHUSETTS TO TRANSFER CERTAIN LAND OWNED BY THE COMMONWEALTH TO THE CITY OF CHELSEA.

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

SECTION 1. The trustees of the Soldiers' Home in Massachusetts are hereby authorized to convey to the city of Chelsea without consideration certain land of the commonwealth located at the junction of Sum-

mit and Lafayette avenues on Powder Horn Hill, so called, in said city, and bounded and described as follows: — Northeasterly by Summit avenue, 450 feet; southeasterly by land of the commonwealth, 290.84 feet and southwesterly by Lafayette avenue, 535.81 feet; and containing approximately one and one-half acres.

Said land shall be used by the city of Chelsea for the building of a community hospital only, and in the event that said land shall cease to be used by said city for such purpose, the title to said land shall revert to the commonwealth.

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

*Approved March 14, 1962.*

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**Chap. 228.** AN ACT RELATIVE TO THE GROSS WEIGHT LOAD OF CERTAIN MOTOR VEHICLES OPERATED ON THE HIGHWAYS OF THE COMMONWEALTH.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is in part to make certain changes in the law relative to the gross weight load of certain motor vehicles operated on the highways of the commonwealth effective forthwith in order to conform with the requirements of the National System of Interstate and Defense Highways, 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 fourth paragraph of section 19A of chapter 90 of the General Laws is hereby amended by striking out the first sentence, as amended by section 2 of chapter 523 of the acts of 1961, and inserting in place thereof the following sentence: — Notwithstanding the foregoing provisions of this section, nor any contrary provision of section thirty of chapter eighty-five, a construction type motor vehicle having two axles, which vehicle with its load weighs not more than twenty-three tons, or a construction type semi-trailer unit or motor vehicle having three axles, or a semi-trailer unit or motor vehicle having three axles while carrying liquid petroleum products, which vehicle with its load weighs not more than thirty tons, may travel on a way while engaged in hauling construction materials or liquid petroleum products without a permit as required by said section thirty of chapter eighty-five; provided, that the gross weight of such vehicle as operated does not exceed the gross vehicle weight rating as established by the original manufacturer of the chassis; and provided, further, that the vehicle is duly registered in this commonwealth for such weight.

*Approved March 14, 1962.*

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**Chap. 229.** AN ACT AUTHORIZING THE CITY OF WALTHAM TO BORROW MONEY FOR THE PURPOSE OF CONSTRUCTING A MUNICIPAL SERVICE CENTER IN SAID CITY AND FOR EQUIPPING AND FURNISHING THE SAME.

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

SECTION 1. For the purpose of constructing, erecting, equipping and furnishing a municipal service center, consisting of a central fire station and drill tower, a police headquarters building, a public works building

and a central garage building, the city of Waltham may, from time to time, borrow such sums as may be necessary not exceeding in the aggregate two million dollars, and may issue bonds or notes therefor, which shall bear on their face the words, City of Waltham Municipal Service Center Loan, Act of 1962. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, and, except as provided herein, shall be subject to the provisions of chapter forty-four of the General Laws, excluding the first paragraph of section seven thereof.

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

*Approved March 15, 1962.*

**Chap. 230.** AN ACT EXTENDING THE TIME WITHIN WHICH APPLICATIONS FOR ABATEMENT OF EXCISE TAXES FOR THE YEARS NINETEEN HUNDRED AND SIXTY OR NINETEEN HUNDRED AND SIXTY-ONE ON CERTAIN MOTOR VEHICLES MAY BE MADE.

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

Notwithstanding any provision of law to the contrary, application for abatement of so much of the excise assessed for the years nineteen hundred and sixty or nineteen hundred and sixty-one, under the provisions of chapter sixty A of the General Laws, on any motor vehicle equipped with standard transmission as is excessive, by reason of the valuation of such motor vehicle being deemed to be the value, of motor vehicles equipped with automatic transmission, may be made, as respects any such excise for the year nineteen hundred and sixty, not later than September first, nineteen hundred and sixty-two or, as respects any such excise for the year nineteen hundred and sixty-one, not later than June thirtieth, nineteen hundred and sixty-three.

*Approved March 15, 1962.*

**Chap. 231.** AN ACT REQUIRING THE INCLUSION OF THE TYPE OF TRANSMISSION IN APPLICATIONS FOR THE REGISTRATION OF MOTOR VEHICLES AND THE FURNISHING OF SUCH INFORMATION TO THE COMMISSIONER OF CORPORATIONS AND TAXATION FOR THE PURPOSE OF ASSESSING MOTOR VEHICLE EXCISE TAXES.

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

SECTION 1. The first paragraph of section 2 of chapter 90 of the General Laws, as most recently amended by section 1 of chapter 73 of the acts of 1961, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:— 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, the character of the motor power, and the type of transmission.

SECTION 2. Section 2 of chapter 60A of the General Laws is hereby amended by striking out the third sentence, as appearing in section 2 of



chapter 640 of the acts of 1954, and inserting in place thereof the following sentence: — The excise shall be assessed to the owner of the motor vehicle or trailer registering the same, and the registrar of motor vehicles shall promptly transmit to the commissioner a notice of the registration of a motor vehicle or trailer subject to this excise, giving the name and residential address of the owner, if an individual, or the name and principal place of business in this commonwealth, if any, otherwise that outside the commonwealth, if a corporation, partnership or voluntary association, the municipality in which the motor vehicle or trailer is customarily to be kept if it is to be kept in the commonwealth, the name of the maker, the year of manufacture as designated by the manufacturer, the model and type of vehicle or trailer, and the type of transmission.

SECTION 3. The provisions of the first paragraph of section two of chapter ninety of the General Laws, as in effect immediately prior to the effective date of this act, shall continue to apply, after said effective date, to applications for the registration of motor vehicles and trailers for the year nineteen hundred and sixty-two.

SECTION 4. The provisions of section two of chapter sixty A of the General Laws, as in effect immediately prior to the effective date of this act, shall continue to apply, after said effective date, to notices transmitted to the registrar of motor vehicles with respect to the registration of motor vehicles for the year nineteen hundred and sixty-two.

*Approved March 15, 1962.*

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**Chap. 232.** AN ACT PERMITTING THE USE OF FACSIMILE SEALS BY COUNTIES, CITIES, TOWNS AND DISTRICTS AND THE USE OF FACSIMILE SIGNATURES AND COUNTERSIGNATURES BY COUNTIES, TOWNS AND DISTRICTS UPON THEIR BONDS, NOTES AND CERTIFICATES OF INDEBTEDNESS.

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

SECTION 1. Chapter 35 of the General Laws is hereby amended by inserting after section 39F the following two sections: —

*Section 39G.* The engraved or printed facsimile of a county seal on a bond, note or certificate of indebtedness of such county shall have the same validity and effect as though such seal were impressed thereon.

*Section 39H.* In any county a majority of the commissioners by a writing bearing their written signatures and filed in the office of the treasurer of the county, which writing shall be open to public inspection, may authorize said treasurer to cause to be engraved or printed on any bond which said county is authorized to issue, facsimiles of their signatures, and such facsimiles so engraved or printed shall have the same validity and effect as their written signatures.

SECTION 2. Chapter 44 of the General Laws is hereby amended by inserting after section 16A the following two sections: —

*Section 16B.* The engraved or printed facsimile of a city, town or district seal on a bond, note or certificate of indebtedness of such municipality shall have the same legal effect as though such seal were impressed thereon.

*Section 16C.* In any town, a majority of the selectmen, and in any district, a majority of the prudential committee or commissioners, by a writing bearing their written signatures and filed in the office of the

treasurer of such town or district, which writing shall be open to public inspection, may authorize said treasurer to cause to be engraved or printed on any bond, note or certificate of indebtedness which such town or district is authorized to issue, facsimiles of their signatures, and such facsimiles so engraved or printed shall have the same validity and effect as the written signatures of such persons.

SECTION 3. Section 16 of chapter 71 of the General Laws is hereby amended by striking out paragraph (a), as appearing in section 1 of chapter 638 of the acts of 1949, and inserting in place thereof the following paragraph: —

(a) To adopt a name and a corporate seal, and the engraved or printed facsimile of such seal on a bond or note of the district shall have the same validity and effect as though such seal were impressed thereon.

SECTION 4. Said section 16 of said chapter 71 is hereby further amended by striking out paragraph (e), as so appearing, and inserting in place thereof the following paragraph: —

(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 treasurer of the district committee, except that said chairman by a writing bearing his written signature and filed in the office of said treasurer, which writing shall be open to public inspection, may authorize said treasurer to cause to be engraved or printed on said bonds or notes a facsimile of said chairman's signature, and such facsimile so engraved or printed shall have the same validity and effect as said chairman's written signature, and each issue of bonds or notes shall be a separate loan.

*Approved March 15, 1962.*

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**Chap. 233.** AN ACT RELATIVE TO THE APPROVAL OF THE FIDELITY BONDS OF CITY AND TOWN CLERKS.

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

SECTION 1. Section 13 of chapter 41 of the General Laws, as most recently amended by section 1 of chapter 143 of the acts of 1937, is hereby further amended by striking out, in lines 5 and 6, the words "such sum as the selectmen shall approve" and inserting in place thereof the words: — a form approved by the commissioner of corporations and taxation and in such sum, not less than the amount established by said commissioner, as shall be fixed by the selectmen, — so as to read as follows: — *Section 13.* Every town clerk shall, within ten days after his election and thereafter, at intervals of not more than one year, so long as he continues to hold said office, give bond to the town for the faithful performance of his duties, in a form approved by the commissioner of corporations and taxation and in such sum, not less than the amount established by said commissioner, as shall be fixed by the selectmen. If he does not give bond as herein required the selectmen may declare the office vacant and fill the vacancy in the manner prescribed in section fourteen.

SECTION 2. Said chapter 41 is hereby further amended by striking out section 13A, inserted by section 5 of chapter 289 of the acts of 1932, and inserting in place thereof the following section: — *Section 13A.* Each city clerk, except in Boston, shall, within ten days after his qualification, give bond to his city with a surety company authorized to

transact business in the commonwealth as surety, in a form approved by the commissioner of corporations and taxation and in such sum, not less than the amount established by said commissioner, as shall be fixed by the mayor and aldermen, conditioned faithfully to account for all fees received by him for licenses and duplicates thereof for which he is required by law to account, and for the payment over in accordance with law of all such fees, less such sums, if any, as he is allowed by law to retain therefrom.

*Approved March 15, 1962.*

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**Chap. 234.** AN ACT INCREASING THE TIME FOR RECORDING OF ORDERS FOR BETTERMENT ASSESSMENTS.

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

Section 2 of chapter 80 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: — An order under section one which states that betterments are to be assessed for the improvement shall contain a description sufficiently accurate for identification of the area which it is expected will receive benefit or advantage, other than the general advantage to the community, from such improvement, and shall refer to a plan of such area, and shall contain an estimate of the betterments that will be assessed upon each parcel of land within such area; and such order, plan and estimate shall be recorded, within ninety days from the adoption of the order, or from the acceptance by a town of the laying out, relocation or alteration of a way in case such acceptance is required before the establishment thereof, in the registry of deeds of every county or district in which the benefited area is situated.

*Approved March 15, 1962.*

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**Chap. 235.** AN ACT FURTHER REGULATING MEMBERSHIP ON THE ADVISORY BOARD OF THE STATE DEPARTMENT OF PUBLIC WELFARE.

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

SECTION 1. Section 2 of chapter 18 of the General Laws is hereby amended by inserting after the first sentence, as appearing in section 2 of chapter 646 of the acts of 1954, the following sentence: — Three members shall be directors of local welfare departments or local welfare districts.

SECTION 2. Nothing in this act shall be construed to prevent the members of said board on the effective date of this act from completing their respective unexpired terms.

*Approved March 15, 1962.*

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**Chap. 236.** AN ACT PROHIBITING A PROVISIONAL APPOINTMENT OR A TEMPORARY TRANSFER TO A POSITION IN THE CIVIL SERVICE SO LONG AS ANY NAME REMAINS ON THE ELIGIBLE LIST ESTABLISHED FOR SUCH POSITION.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith that no position be filled by a provisional appointment or by a temporary transfer while there is any

name on the list established as a result of an examination for such position, except in certain cases, and thereby carry out the merit system in civil service, 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 15 of chapter 31 of the General Laws is hereby amended by inserting after the fifth paragraph, as amended by chapter 376 of the acts of 1954, the following paragraph: —

No provisional appointment or temporary transfer shall be approved or continued so long as any name remains on a list established as a result of examination for the position for which requisition is made, unless the appointing authority submits in writing to the director sound and sufficient reasons, as determined by the director, for not appointing from said list.

*Approved March 19, 1962.*

**Chap. 237.** AN ACT EXTENDING THE TIME WITHIN WHICH CONTRACTS UNDER THE ACCELERATED HIGHWAY PROGRAM MAY BE ENTERED INTO BY THE DEPARTMENT OF PUBLIC WORKS AND THE METROPOLITAN DISTRICT COMMISSION.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to extend forthwith the time within which certain contracts under the accelerated highway program may be entered into, 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 718 of the acts of 1956 is hereby amended by striking out section 11 and inserting in place thereof the following section: — *Section 11.* All contracts for the projects authorized by this act shall be entered into by the department and the commission, respectively, not later than December thirty-first, nineteen hundred and sixty-four.

SECTION 2. Chapter 32 of the acts of 1958 is hereby amended by striking out section 6 and inserting in place thereof the following section: — *Section 6.* Notwithstanding the provisions of section fourteen of chapter twenty-nine of the General Laws and section two B of chapter four hundred and two of the acts of nineteen hundred and fifty-seven, appropriations authorized by chapters three hundred and six of the acts of nineteen hundred and forty-nine, six hundred and eighty-five of the acts of nineteen hundred and fifty, five hundred and fifty-six of the acts of nineteen hundred and fifty-two, four hundred and three of the acts of nineteen hundred and fifty-four, seven hundred and eighteen of the acts of nineteen hundred and fifty-six, and by this act, shall expire as of June thirtieth, nineteen hundred and sixty-six.

SECTION 3. This act shall take effect as of December first, nineteen hundred and sixty-one.

*Approved March 19, 1962.*

**Chap. 238.** AN ACT INCREASING THE AMOUNT WHICH MAY BE INVESTED BY TRUST COMPANIES IN THE CAPITAL STOCK OF CERTAIN SMALL BUSINESS INVESTMENT COMPANIES.

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

Clause 8 of section 48 of chapter 172 of the General Laws, as appearing in section 1 of chapter 493 of the acts of 1961, is hereby amended by striking out, in line 3, the word "one" and inserting in place thereof the word: — two, — so as to read as follows: —

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 two per cent of its capital stock, surplus account and guaranty fund;.

*Approved March 19, 1962.*

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**Chap. 239.** AN ACT RELATIVE TO THE REVOCATION BY THE TOWN OF WEYMOUTH OF ITS ACCEPTANCE OF AN ACT ESTABLISHING THEREIN A BOARD OF PUBLIC WORKS.

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

Chapter 56 of the acts of 1957 is hereby amended by striking out section 6 and inserting in place thereof the following section: — *Section 6.* At any time after the expiration of three years from the date of acceptance of this act, and not less than ninety days before the date of an annual 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 said question to be placed upon the ballot at the next annual election. At said election the vote shall be taken in answer to the following question, which shall be placed upon the official ballot to be used for the election of town officers: — "Shall the acceptance by the town of Weymouth of an act passed by the General Court in the year nineteen hundred and fifty-seven, entitled 'An Act authorizing the town of Weymouth to establish a board of public works exercising the powers of certain other departments and town officials', be revoked?" If a majority of the votes cast in answer to said question is in the affirmative, this act shall cease to be operative on and after the next annual town election, and at the next annual town election held after said vote of revocation, the town shall elect such officers as are necessary to exercise and perform the powers, rights and duties transferred to the board of public works by said act. Such action shall not affect any contract or liability then created or existing. All general laws respecting town administration and town officers, and any special laws, relative to said town, the operation of which has been suspended or superseded by the acceptance of this act, shall then be in full force and effect. Any by-law inconsistent with such special or general laws shall be revoked thereby. Any subsequent vote to revoke the acceptance of this act shall not be taken more often than once in three years.

*Approved March 19, 1962.*

**Chap. 240.** AN ACT DESIGNATING A CERTAIN SQUARE IN THE CITY OF CHELSEA AS MANUEL J. WEINER SQUARE.

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

SECTION 1. The metropolitan district commission is hereby authorized and directed to redesignate the intersection of Webster and Garfield avenues and the Revere Beach parkway in the city of Chelsea as the Manuel J. Weiner Square, in memory of Manuel J. Weiner, a deceased veteran of World War II, and to place thereat a suitable marker bearing said designation, due to the fact that the Manuel J. Weiner Traffic Circle formerly located at said intersection has been eliminated by said commission in the widening and improvement of said parkway.

SECTION 2. Chapter seventeen of the acts of nineteen hundred and forty-eight is hereby repealed.

*Approved March 19, 1962.*

**Chap. 241.** AN ACT ENABLING THE CENTRAL BAPTIST CHURCH OF CHICOPEE, MASS., THE CENTRAL BAPTIST SOCIETY OF CHICOPEE, AND THE FIRST BAPTIST CHURCH IN CHICOPEE, MASS., INC. TO COMPLETE THEIR CONSOLIDATION.

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

SECTION 1. The Central Baptist Church of Chicopee, Mass., incorporated in the year nineteen hundred and seventeen, the Central Baptist Society of Chicopee existing under a change of name authorized by chapter three hundred and eighty-four of the acts of eighteen hundred and eighty-seven, and The First Baptist Church in Chicopee, Mass., Inc. incorporated in eighteen hundred and ninety-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 First Central Baptist Church 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 any 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 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 4. Said consolidated corporation shall assume and is hereby charged with the payment of all valid and existing obligations of said existing corporations.

SECTION 5. 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 6. The proceedings and votes of the Central Baptist Church of Chicopee, Mass., the Central Baptist Society of Chicopee and The First Baptist Church in Chicopee, Mass., Inc., 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, notwithstanding any informalities, errors or omissions.

SECTION 7. Upon acceptance of this act by a majority of the members of each of said corporations present and voting at meetings duly called for the purpose, certified copies of the respective votes of acceptance, sworn to by the respective clerks or recording officers of said corporations, shall be recorded in the office of the register of deeds for the county of Hampden and filed in the office of the state secretary, and thereupon said consolidation shall be complete and the persons who are then members of said Central Baptist Church of Chicopee, Mass., Central Baptist Society of Chicopee and The First Baptist Church in Chicopee, Mass., Inc. shall become members of the First Central Baptist Church.

*Approved March 19, 1962.*

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**Chap. 242.** AN ACT AUTHORIZING POLICE OFFICERS TO APPREHEND WITHOUT A WARRANT ANY MEMBER OF THE ARMED FORCES OF THE COMMONWEALTH WHO IS ABSENT WITHOUT LEAVE.

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

Section 61 of chapter 33 of the General Laws, as appearing in section 1 of chapter 590 of the acts of 1954, is hereby amended by adding at the end the following paragraph: —

(c) Any police officer authorized to make arrests within the commonwealth may apprehend without a warrant any member of the armed forces of the commonwealth absent without leave from any assembly for training under paragraph (a), meeting for instruction under paragraph (b) or training under service conditions under section sixty and keep him in custody, but for not more than twenty-four hours, until taken into custody by the armed forces of the commonwealth; provided, however, that such apprehension and such keeping in custody shall have been requested in writing by the commanding officer of any unit of said armed forces.

*Approved March 19, 1962.*

**Chap. 243.** AN ACT FURTHER DEFINING THE WORDS "SAUSAGE" OR "SAUSAGE MEAT".

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

Section 1 of chapter 94 of the General Laws is hereby amended by striking out the definition of "Sausage" or "sausage meat" and inserting in place thereof the following definition:—

"Sausage" or "sausage meat", in sections one hundred and forty-two to one hundred and forty-five, inclusive, comminuted meat from neat cattle, swine, veal, sheep, or a mixture of such meats, either fresh, salted, pickled or smoked with or without added salt, spices, cereal and the like, and with or without the addition of edible fats, blood and sugar, or subsequent smoking.

*Approved March 19, 1962.*

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**Chap. 244.** AN ACT RELATIVE TO WELFARE DISTRICTS, SO CALLED.

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

Section 44 of chapter 117 of the General Laws is hereby amended by striking out the last sentence, added by section 6 of chapter 793 of the acts of 1950, and inserting in place thereof the following sentence:— No welfare district shall be established under this section after January first, nineteen hundred and sixty-two; but any welfare district established under this section prior to said date shall have all the rights, powers, duties and obligations of districts established under section three of chapter one hundred and eighteen B. *Approved March 19, 1962.*

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**Chap. 245.** AN ACT AUTHORIZING THE BUILDING INSPECTOR OF THE TOWN OF WINTHROP TO ISSUE A PERMIT TO THE WINTHROP HOUSING AUTHORITY TO CONSTRUCT A MULTIPLE UNIT HOUSING PROJECT FOR THE ELDERLY.

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

SECTION 1. Notwithstanding the provisions of chapter forty A and chapter one hundred and forty-five of the General Laws, the building inspector of the town of Winthrop shall issue a permit to the Winthrop Housing Authority to construct a multiple unit housing project for the elderly on land in said town known as the Charles Hagman Road site, as shown on a plan entitled "Plot Plan Winthrop Housing Authority, Housing for the Elderly", dated August, 1961, Joseph F. Page, C.E., containing a total area of fifty-nine thousand five hundred and sixty-eight square feet, more or less.

SECTION 2. This act shall take effect upon the acceptance of Article 80 of the warrant for the annual town meeting of the town of Winthrop in the current year, but not otherwise. *Approved March 19, 1962.*

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**Chap. 246.** AN ACT EXTENDING TO CITIES CERTAIN PROVISIONS OF THE MUNICIPAL FINANCE LAW RELATIVE TO THE DISPOSITION AND USE OF FUNDS.

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

Chapter 44 of the General Laws is hereby amended by striking out section 53, as amended by section 3 of chapter 592 of the acts of 1960,



and inserting in place thereof the following section: — *Section 53.* All moneys received by any city, town or fire, water, light, and improvement district officer or department, except as otherwise provided by special acts and except fees provided for by statute, shall be paid by such officer or department upon their receipt into the city, town or district treasury. Any sums so paid into the city, town or district treasury shall not later be used by such officer or department without a specific appropriation thereof, except that sums allotted to cities or towns for highway purposes by the commonwealth or a county which shall be used only for the purposes specified by the officials making the allotment or to meet temporary loans issued in anticipation of such allotment as provided in section six or six A, shall be available therefor without any appropriation.

*Approved March 20, 1962.*

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**Chap. 247.** AN ACT AUTHORIZING THE CITY OF BOSTON TO REACH THE RENTS AND OTHER INCOME OF CERTAIN TAX DELINQUENT REAL ESTATE IN SAID CITY.

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

Whenever the collector-treasurer of the city of Boston shall have taken land therein pursuant to section fifty-three of chapter sixty of the General Laws, he may, in the name and behalf of said city, take immediate possession of such land and, until the tax title so acquired is redeemed, collect the rent and other income from such land, which rent and income, after the payment therefrom of all necessary expenses in the care, repair and management of such land, shall be applied on account of the taxes, assessments, rates, charges, interest and costs due said city on said land, with any balance remaining being paid to the person otherwise entitled thereto. Upon petition of any person having a right to redeem such tax title, the superior court sitting in equity within and for the county of Suffolk, if it adjudges justice and the circumstances so warrant, may, upon such terms as it shall deem equitable, enjoin a taking of possession under this section or command the surrender of a possession taken.

Neither said city nor any of its officers, agents or employees shall be liable or accountable to the owner or to any other person having an interest in such land for failure to collect rent or other income therefrom; and neither said city nor any of its officers, agents or employees shall be liable for injury or damage caused by the possession of land under this act to such land or to the person or property of any person, any provision of general or special law to the contrary notwithstanding.

*Approved March 20, 1962.*

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**Chap. 248.** AN ACT PROVIDING THAT UNCLAIMED DIVIDENDS OR DISTRIBUTIONS DUE IN LIQUIDATIONS SHALL BE TURNED OVER TO THE COMMONWEALTH AS ABANDONED PROPERTY.

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

SECTION 1. Section 5 of chapter 200A of the General Laws, as most recently amended by section 3 of chapter 470 of the acts of 1959, is hereby further amended by striking out, in line 1, the word "All" and

inserting in place thereof the words: — Except as provided in section six A, all, — so as to read as follows: — *Section 5.* Except as provided in section six A, all dividends, stocks, bonds, money, credits and claims for money and credits, and all intangible personal property, and the increments of any of them, except deposits and the increments thereon referred to in sections three and four, held by, or in the control of, any person having a residence or principal place of business in this commonwealth, other than a corporation organized under the laws of another state, but including any fiduciary appointed in this commonwealth for such a corporation, for the benefit of any person, or held by, or in the control of, a corporation organized under the laws of another state but having a place of business in this commonwealth, for the benefit of any person whose last known residence or place of business was in this commonwealth, shall be presumed abandoned unless claimed by the beneficiary or person entitled thereto within fourteen years after the date prescribed for payment or delivery. Any dividend, distribution, interest or payment on principal declared, set aside, accumulated or owed with respect to property presumed abandoned under the foregoing provisions of this section shall itself be presumed abandoned.

SECTION 2. Said chapter 200A is hereby further amended by inserting after section 6 the following section: —

*Section 6A.* In the event of the liquidation or dissolution of a domestic corporation, or dissolution or termination of a domestic trust, joint stock company, partnership, association or any other legal or commercial entity, all with transferable shares, organized and existing under the laws of the commonwealth, all unclaimed dividends or distributions due in liquidation which remain unclaimed for one year after the date of the final distribution to the shareholders, shall be presumed abandoned.

*Approved March 20, 1962.*

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**Chap. 249.** AN ACT REGULATING THE ISSUANCE OF NOMINATION PAPERS FOR USE IN CITY AND TOWN PRIMARIES AND ELECTIONS, AND PROVIDING A LIMIT TO THE NUMBER OF SUCH PAPERS OBTAINABLE.

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

SECTION 1. Chapter 53 of the General Laws is hereby amended by inserting after section 9 the following section: —

*Section 9A.* In any city or town which accepts this section, in a city by vote of the city council subject to the provisions of its charter, and in a town by vote of the town meeting, the following provisions shall apply with respect to nomination papers: —

The final date for obtaining blank nomination papers for nomination to city or town office shall be forty-eight week day hours prior to the day on which nomination papers are required to be submitted to the registrars of voters for certification.

Each candidate shall file with the city or town clerk, prior to obtaining blank nomination papers, a statement containing his name and address, and the city or town office for which he intends to be a candidate.

No candidate for city or town office shall receive more blank nomination papers than will contain the number of signatures required to place his name in nomination, multiplied by five.

SECTION 2. Section 17 of said chapter 53, as most recently amended by section 10 of chapter 334 of the acts of 1943, is hereby further amended by adding at the end the following two sentences: — The state secretary shall not supply candidates for town offices directly with blank forms for nomination. The city or town clerk shall not furnish blank forms for the nomination of candidates for city or town office to any person other than a candidate seeking such nomination or a person presenting the signed authorization of a candidate to secure said forms on his behalf.

SECTION 3. Section 58 of said chapter 53, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following sentence: — The city or town clerk shall not furnish such papers to any person other than a candidate seeking nomination or a person presenting the signed authorization of a candidate to secure said papers on his behalf.

*Approved March 20, 1962.*

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**Chap. 250.** AN ACT RELATIVE TO THE POWERS OF OFFICERS EMPOWERED TO ENFORCE THE PROVISIONS OF LAW REGULATING MOTOR-BOATS.

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

Section 13 of chapter 90B of the General Laws, as appearing in section 2 of chapter 275 of the acts of 1960, is hereby amended by adding at the end the following sentence: — Such officers may in the performance of their duties enter upon and pass through or over private lands and property whether or not covered by water. *Approved March 22, 1962.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, March 22, 1962.

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 250 of the Acts of 1962, entitled "An Act Relative to the Powers of Officers Empowered to Enforce the Provisions of Law Regulating Motorboats" and the enactment of which received my approval on March 22, 1962, 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 will prevent its immediate application especially when the season of the year will bring about the activities to which this act is intended to apply.

Respectfully submitted,

JOHN A. VOLPE,  
*Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, BOSTON, March 23, 1962.

I, Kevin H. White, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Ex-

cellency the Governor of the Commonwealth of Massachusetts at ten o'clock and fifty 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 fifty of the acts of nineteen hundred and sixty-two.

KEVIN H. WHITE,  
*Secretary of the Commonwealth.*

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**Chap. 251.** AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO CONVEY TO THE TOWN OF WELLESLEY THE UNUSED PARTS OF THE COCHITUATE AQUEDUCT AND LAND RELATING THERETO IN SAID TOWN.

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

SECTION 1. The metropolitan district commission is hereby authorized to convey to the town of Wellesley in consideration of the sum of thirty-seven thousand dollars and other considerations, as provided in section two, all the right, title and interest of whatever nature, kind or description which the said commission may have in or pertaining to all presently unused parts of the Cochituate aqueduct situated within said town and extending from Dedman's Brook Waste Weir in an easterly direction through said town to the easterly bank of the Charles river in the city of Newton and in or to any land and interest in land likewise situated and relating to any such unused part, or at any time acquired for use in connection therewith, as shown on plan entitled "Commonwealth of Massachusetts Metropolitan Water Works Cochituate Aqueduct", dated Dec. 31, 1897 and recorded with Norfolk Registry of Deeds, Plan Book 20 as plan #923 (G, H, and I). The deed conveying said premises shall contain provisions saving the commission harmless from all damages which said town may sustain from any litigation involving the use of any easements hereby conveyed.

SECTION 2. In order that the commission may continue to comply with the provisions of section one of chapter six hundred and three of the acts of nineteen hundred and fifty, the town of Wellesley at its own expense shall construct, in accordance with plans to be approved by the commission, and thereafter transfer to the commission free of all charges, suitable facilities for discharging surplus water to the Charles river from the commission's Sudbury aqueduct at Echo bridge in the town of Needham.

SECTION 3. The town of Wellesley may utilize any part of the Cochituate aqueduct or land or interest in land at any time acquired under section one of this act in any manner which may be necessary or desirable, for any general municipal purpose including but not limiting the same for municipal light plant, utilities, drainage, highway, recreation or storm drain purposes.

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

*Approved March 22, 1962.*

**Chap. 252.** AN ACT PROVIDING THAT ANY DEFENDANT FOUND GUILTY OF A MISDEMEANOR IN A DISTRICT COURT OF WORCESTER COUNTY WHO APPEALS THEREFROM TO THE SUPERIOR COURT MAY AT ANY TIME BEFORE TRIAL THEREIN CLAIM A TRIAL BY A JURY OF SIX IN THE CENTRAL DISTRICT COURT OF WORCESTER.

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

SECTION 1. Section 1 of chapter 527 of the acts of 1961 is hereby amended by inserting after the first paragraph the following paragraph: —

Any defendant found guilty in any district court of Worcester county of a violation of any of the offenses set forth in the first paragraph who appeals therefrom to the superior court may at any time before trial on such appeal claim a trial by a jury of six in the central district court of Worcester and, by so doing, shall be deemed to have waived any right to a trial by a jury in the superior court or other disposition in said superior court. When a claim for a trial by a jury of six in the central district court of Worcester has been made under the provisions of this paragraph, the clerk of the superior court shall forward forthwith to the clerk of the central district court of Worcester all the papers in the case which have been filed in the superior court.

SECTION 2. This act shall take effect on October first, nineteen hundred and sixty-two.

*Approved March 22, 1962.*

**Chap. 253.** AN ACT PROHIBITING INDUSTRIAL HOMEWORK IN THE NEEDLES TRADES.

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

Section 144 of chapter 149 of the General Laws, as appearing in section 2 of chapter 600 of the acts of 1945, is hereby amended by inserting after the word "character", in line 9, the words: — ; outergarments and undergarments of men, women, boys, girls, children and infants, except hosiery and women's millinery, — so as to read as follows: — *Section 144.* The manufacture of or work upon any of the following by industrial homework shall be unlawful, and no permit issued under section one hundred and forty-seven or certificate issued under section one hundred and forty-seven A shall be deemed to authorize such manufacture or work upon or the delivery of materials for such manufacture: tobacco; drugs and poisons; bandages and other sanitary goods; explosives, fireworks and articles of like character; outergarments and undergarments of men, women, boys, girls, children and infants, except hosiery and women's millinery; articles, the manufacture of or work upon which by industrial homework is determined by the commissioner, after investigation and hearing in the manner provided by sections one hundred and forty-five and one hundred and forty-six to be injurious to the health or welfare of the industrial homeworkers within the industry or to render unduly difficult the maintenance of existing labor standards or the enforcement of labor standards established by law or regulation for workers in the industry.

*Approved March 22, 1962.*

**Chap. 254.** AN ACT RELATIVE TO THE DISPLAY OF A BADGE OF AN ARRESTING OFFICER.

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

Section 21 of chapter 90 of the General Laws, as most recently amended by section 1 of chapter 422 of the acts of 1961, is hereby further amended by striking out, in lines 8 and 9, the words "displaying his badge of office conspicuously on his outer coat or garment" and inserting in place thereof the words: — conspicuously displaying his badge of office.

*Approved March 22, 1962.*

**Chap. 255.** AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW RELATIVE TO THE APPOINTMENT OF INSPECTORS OF ANIMALS IN TOWNS.

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

Section 15 of chapter 129 of the General Laws, as amended by chapter 162 of the acts of 1941, is hereby further amended by striking out, in lines 2 and 3, the words: — " , except as otherwise provided in section fifteen A, ".

*Approved March 22, 1962.*

**Chap. 256.** AN ACT RELATIVE TO THE MEMBERSHIP OF THE CORPORATION CALLED TRUSTEES OF CLARK UNIVERSITY.

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

SECTION 1. Chapter 133 of the acts of 1887, as most recently amended by chapter 252 of the acts of 1959, is hereby amended by striking out section 4 and inserting in place thereof the following section: — *Section 4.* (a) The corporation shall consist of not less than thirteen nor more than thirty regular members of whom not more than twelve shall be life members, six shall be alumni members, and the balance shall be term members. The regular members of the corporation shall constitute the board of trustees of Clark University.

(b) Each life member shall be elected by vote, in person or by proxy, of a majority of all the then serving regular members, at a meeting duly called for the purpose. Any alumni or term member shall be eligible for election as a life member at any time.

(c) Three alumni members shall be elected in nineteen hundred and sixty-two by and from the Clark University Alumni Association, in the manner herein provided; one to serve for a period of four years from July first in said year; one to serve for a period of five years from July first in said year; and one to serve for a period of six years from July first in said year. One alumni member shall be elected each year thereafter by and from the membership of the Clark University Alumni Association for a term of six years from July first, next following his election. No alumni member shall be eligible for re-election within one year after the expiration of his term of office, except as provided in paragraph (5) of this subsection.

(1) One of the alumni members shall always be a person who has held a graduate degree from the University for ten years, and each of the

other alumni members shall be a person who has held any earned degree from the University for ten years.

(2) Prior to February first of each year except nineteen hundred and sixty-two and for that year as near thereto as practicable the alumni council of the University shall nominate three candidates for each office of alumni member to be filled, with the approval in each case of a majority of all regular members of the corporation.

(3) A printed ballot shall be prepared for the purpose of election by the secretary of the said Alumni Association, which shall contain, in alphabetical order, the names of persons nominated under the provisions of paragraph (2) of this subsection, and shall state as to each the year of his class at Clark University, the degrees received therefrom, and his residence and occupation, and such other information as the executive committee of said Alumni Association may prescribe. The ballot shall be mailed to all members of said Association entitled to vote, not later than May first of each year, and each such member of the Alumni Association may vote for one of the three candidates for each office to be filled. The ballot, when marked, shall be signed by the voter and shall be returned to the executive committee of said Alumni Association, on or before May fifteenth of each year. The candidate for alumni member receiving the highest number of votes for the office to which he is nominated shall be declared elected thereto.

(4) All persons who have held a degree conferred in regular course by Clark University for three years, and all persons who have received an honorary degree from Clark University and no others, shall be entitled to vote.

(5) In the event of a vacancy in the number of alumni members, it shall be filled for the unexpired term by vote of a majority of the members of the alumni council of Clark University, with the approval of a majority of all regular members of the corporation. An alumni member so elected shall be eligible for re-election to a term of six years or any portion thereof immediately following the expiration of his term of office.

(d) Until the year nineteen hundred and sixty-five, each term member shall be elected by a vote, in person or by proxy, of a majority of all then serving regular members at a meeting duly called for such purpose for such terms, not in excess of six years from the July first next following his election, as the corporation may determine. Thereafter, each term member shall be elected for a term of six years from July first next following his election, by such majority vote. No term member other than one then serving as chairman of the board of trustees shall be eligible for re-election for a third term within one year after the expiration of his second term of office.

(e) In addition to regular members, one or more trustees emeriti may be elected from among the then serving or former members of the corporation, at any annual meeting by vote, in person or by proxy, of a majority of all then serving regular members. Trustees emeriti shall be invited to attend all meetings of the corporation, but shall have no vote.

(f) When any member of the corporation shall, in the judgment of the remaining regular members of the corporation, become incapable of discharging the duties of his office by reason of infirmity or otherwise or shall neglect or refuse to perform such duties, he may be removed by vote of two thirds of the remaining regular members of the corporation. Failure of any member to attend four out of any six consecutive regular

meetings without adequate cause shall constitute grounds for his removal.

SECTION 2. All members of the corporation called Trustees of Clark University, except alumni members, in office on the effective date of this act shall be life members. Each alumni member in office on said effective date shall continue in office until the expiration of his respective term.

*Approved March 22, 1962.*

**Chap. 257.** AN ACT FURTHER REGULATING INVESTMENTS OF TRUST FUNDS HELD BY CITIES AND TOWNS.

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

Section 54 of chapter 44 of the General Laws, as most recently amended by chapter 47 of the acts of 1954, is hereby further amended by inserting after the first sentence the following sentence: — Cities and towns having such funds in the custody of the treasurer in an aggregate amount in excess of two million dollars may also invest such funds 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 not more than fifteen per cent of any such trust funds shall be invested in bank stocks and insurance companies stocks, nor shall more than one and one-half per cent of such funds be invested in the stock of any one bank or insurance company.

*Approved March 22, 1962.*

**Chap. 258.** AN ACT AUTHORIZING THE BOARD OF TRUSTEES OF THE BRADFORD DURFEE COLLEGE OF TECHNOLOGY TO ESTABLISH AND MANAGE THE RESEARCH FOUNDATION OF THE BRADFORD DURFEE COLLEGE OF TECHNOLOGY.

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

Chapter 74 of the General Laws is hereby amended by striking out section 46B, inserted by chapter 409 of the acts of 1957, and inserting in place thereof the following section: — *Section 46B.* The Bradford Durfee College of Technology and the New Bedford Institute of Technology may establish and manage, under such regulations as the board of trustees of said college and of said institute, respectively may from time to time prescribe, the Research Foundation of Bradford Durfee College of Technology and the Research Foundation of New Bedford Institute of Technology, for the purpose of promoting research at said college and institute by obtaining, administering or disposing of patents of inventions resulting from such research or otherwise and devoting the income therefrom to further research, beneficial to the college or institution and to the commonwealth. Said research foundation may (1) receive and hold in separate custody gifts, bequests and devises of real or personal property; (2) receive and hold in separate custody compensation or reimbursement resulting from inventions, patents, contractual or other research, the conducting of tests for outside agencies or other funds that may be acceptable to the research foundation; (3) disburse funds so acquired for purposes of instruction, research, tests, invention, discovery, development or engineering consistent herewith; (4) obtain, administer and dispose of patents, assignments, grants,



licenses, or other rights and hold the same in separate custody; (5) make assignments, grants, licenses, or other disposal, equitably in the public interest, of any rights owned, acquired or controlled by the research foundation in or to inventions, discoveries, patent applications or patents, and to charge therefor and collect and to incorporate in funds in the custody of the research foundation reasonable compensation in such form as the board of trustees may determine; and (6) execute contracts with employees or others for the purpose of carrying out the provisions hereof and permitting such employees or others to share in the net proceeds of such contracts as the board of trustees shall determine.

The funds of each research foundation shall be subject to annual audit by the state auditor. No activities, specified in the foregoing, shall be undertaken by said research foundation which in the opinion of the board of trustees will be likely to interfere with the regular, efficient and proper exercise of the functions of said college or institute. In conducting contractual or other research, tests or similar activities, such research foundation shall give preference to citizens of and to corporations organized under the laws of the commonwealth.

The boards of trustees shall prescribe and enforce such regulations as they may deem necessary, with regard to the ownership of inventions developed with the use of facilities of the college and institute by students, research fellows, staff members, faculty or other persons, the transfer of such inventions, or patent applications or patents resulting therefrom, to the foundation, the amount of the respective shares of the inventor, the college or institute, and the foundation in the proceeds therefrom, and the arbitrating of any and all disagreements involving the same.

*Approved March 22, 1962.*

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**Chap. 259.** AN ACT DESIGNATING THE BRIDGE OVER THE BLACKSTONE RIVER CONNECTING MAIN AND ST. PAUL STREETS IN THE TOWN OF BLACKSTONE AS THE VETERANS MEMORIAL BRIDGE.

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

The bridge over the Blackstone river connecting Main and St. Paul streets in the town of Blackstone shall be known and designated as the Veterans Memorial bridge in honor of the veterans of all wars, and a suitable marker bearing said designation shall be attached thereto by the town of Blackstone.

*Approved March 22, 1962.*

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**Chap. 260.** AN ACT FURTHER REGULATING THE MEMBERSHIP OF BOARDS OF REGISTRARS OF VOTERS.

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

Section 19 of chapter 51 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: — If, upon written complaint to the mayor or to the selectmen, it shall appear, after notice and hearing, that the city or town clerk, when a member of the board of registrars, and two registrars are of the same political party, the mayor or selectmen, as the case may be, shall remove from office the one of such two registrars having the shorter term remaining.

*Approved March 22, 1962.*

**Chap. 261.** AN ACT REQUIRING THE SUSPENSION OF A LICENSE TO OPERATE FOLLOWING CONVICTION IN ANOTHER STATE OR COUNTRY OF THE OFFENSE OF OPERATING A MOTOR VEHICLE UNDER THE INFLUENCE OF NARCOTIC DRUGS.

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

Section 22 of chapter 90 of the General Laws is hereby amended by inserting after the first paragraph the following paragraph: —

If the registrar shall receive official notice that any resident has been convicted in another state or country of operating under the influence of narcotic drugs and has had his right to operate in such state or country suspended, the registrar shall forthwith suspend his license, if any, or his right to operate in this commonwealth, and shall not reinstate or renew said license or reinstate his right to operate until the registrar has been officially informed that said person's right to operate in the other state or country has been restored.

*Approved March 22, 1962.*

**Chap. 262.** AN ACT AUTHORIZING A DEFENDANT IN A DISTRICT COURT TO WITHDRAW A PLEA OF GUILTY BEFORE SENTENCE IS IMPOSED IF HE WAS NOT REPRESENTED BY COUNSEL WHEN SUCH PLEA WAS ENTERED.

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

SECTION 1. Chapter 278 of the General Laws is hereby amended by inserting after section 29A, inserted by section 1 of chapter 167 of the acts of 1959, the following section: —

*Section 29B.* A defendant in any criminal proceeding in a district court who, not being represented by counsel, has entered a plea of guilty, may withdraw such plea as a matter of right at any time prior to imposition of sentence by the court.

SECTION 2. This act shall take effect on September first, nineteen hundred and sixty-two.

*Approved March 22, 1962.*

**Chap. 263.** AN ACT PRESERVING CERTAIN RIGHTS OF THE NATIONAL LANCERS AND PROVIDING THAT THEY MAY PARADE AND DRILL WITH FIREARMS AND MAINTAIN A PRIVATE ARMORY.

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

SECTION 1. Chapter 33 of the General Laws is hereby amended by striking out section 129, as appearing in section 1 of chapter 590 of the acts of 1954, and inserting in place thereof the following section: —

*Section 129.* Except as provided in section one hundred and thirty, no body of men shall maintain an armory or associate together as a company or organization for drill or parade with firearms, or so drill or parade, except the armed forces of the United States, the armed forces of the commonwealth, the Ancient and Honorable Artillery Company of Massachusetts, and the National Lancers; provided, that any veteran association composed wholly of past members of the militia of the commonwealth may maintain an armory for the use of the organizations of the militia to which its members belonged.

SECTION 2. Said chapter 33 is hereby further amended by inserting after section 132 the following section: —

*Section 132A.* This chapter shall not affect the right of the National Lancers to maintain its organization as a military company and its constitution and by-laws in so far as the same are not repugnant to the laws of the commonwealth or of the United States.

*Approved March 22, 1962.*

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**Chap. 264.** AN ACT FURTHER REGULATING 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 amended by chapter 263 of the acts of 1961, 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 third day following a primary or preliminary election, or on or before five o'clock in the afternoon on the seventh day 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 22, 1962.*

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**Chap. 265.** AN ACT RELATIVE TO THE PERSONS WHO MAY SIGN CERTIFICATES ON APPLICATIONS, BECAUSE OF PHYSICAL DISABILITY, FOR ABSENT VOTING REGISTRATION.

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

The first paragraph of section 42A of chapter 51 of the General Laws is hereby amended by striking out the caption preceding the form of certificate, as amended by chapter 130 of the acts of 1961, and inserting in place thereof the following caption: — CERTIFICATE OF PHYSICIAN, HOSPITAL SUPERINTENDENT, ATTENDING REGISTERED NURSE, ATTENDING LICENSED PRACTICAL NURSE, ORDAINED MINISTER, PRIEST, RABBI, OR CHRISTIAN SCIENCE PRACTITIONER.

*Approved March 22, 1962.*

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**Chap. 266.** AN ACT PERTAINING TO THE APPOINTMENT OF ELECTION OFFICERS IN TOWNS.

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

Section 12 of chapter 54 of the General Laws, as most recently amended by section 1 of chapter 431 of the acts of 1960, is hereby further amended by striking out the first two paragraphs and inserting in place thereof the following two paragraphs: —

The selectmen of every town shall annually, not earlier than July fifteenth nor later than August fifteenth, appoint as election officers for

each voting place or precinct, one warden, one deputy warden, one clerk, one deputy clerk, two inspectors and two deputy inspectors, who shall be enrolled voters of the town. They may, in like manner, appoint two inspectors and two deputy inspectors in addition, and such number of tellers as may be necessary to count the ballots cast. Said tellers shall be appointed for the counting of said ballots at the close of the polls. In the event that the selectmen fail to appoint such election officers on or before August fifteenth, the board of registrars of voters shall forthwith appoint said officers.

The chairman of the town committee of each political party may, not later than June first in each year, file with the selectmen a list of enrolled members of such party who desire appointment as election officers, and a duplicate of such list with the board of registrars of voters. The lists submitted by town committees shall contain not more than eight names for each office to be filled. Supplemental lists may be filed with the selectmen and registrars by the said chairman at any time before the appointments are made, for the purpose of filling vacancies which may occur in the original lists. No person shall be appointed as an election officer until he is found qualified to act as such as herein provided. Appointments shall be made from the original list before any names are taken from any supplemental list.

*Approved March 22, 1962.*

**Chap. 267.** AN ACT RELATIVE TO THE FORM OF ENVELOPE FOR ABSENT VOTER BALLOTS.

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

SECTION 1. The first paragraph of the first affidavit of subsection (c) of section 87 of chapter 54 of the General Laws, as most recently amended by section 1 of chapter 685 of the acts of 1960, is hereby further amended by striking out, in line 5, the words "precinct , ward ,;" and inserting in place thereof the words: — ward , precinct ;.

SECTION 2. The first paragraph of the second affidavit of said subsection (c) of said section 87 of said chapter 54, as appearing in section 2 of chapter 404 of the acts of 1936, is hereby amended by striking out, in lines 4 and 5, the words "precinct , ward ,;" and inserting in place thereof the words: — ward , precinct ,.

*Approved March 22, 1962.*

**Chap. 268.** AN ACT AUTHORIZING THE BOARD OF DIRECTORS OF A CREDIT UNION TO DECLARE DIVIDENDS.

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

SECTION 1. Section 13 of chapter 171 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the third paragraph and inserting in place thereof the following paragraph: —

The members at each annual meeting shall fix the maximum amount to be loaned to any one member.

SECTION 2. Section 16 of said chapter 171 is hereby amended by striking out the second sentence, as amended by section 1 of chapter 286 of the acts of 1949, and inserting in place thereof the following sentence:

— It shall act upon all applications for membership and upon the expulsion of members; determine the rate of interest on loans subject to the limitations contained in this chapter; shall decide on all applications for real estate mortgage loans after receipt of the certification by the credit committee of the application in the manner hereinafter provided; shall determine the rate of interest to be paid on deposits which shall not, however, exceed six per cent per annum; may declare dividends as provided in section twenty-five, and shall fill vacancies in the board of directors and committees until the next annual election.

SECTION 3. Section 25 of said chapter 171 is hereby amended by striking out the first paragraph, as amended by section 2 of said chapter 286, and inserting in place thereof the following paragraph: — Dividends may be declared in May and November each year by the board of directors, and paid from the earnings which have actually been collected during the dividend period next preceding and which remain after the deduction of all expenses, interest on deposits and the amounts required to be set apart to the guaranty fund and to the reserve fund, or such dividend may be declared in whole or in part from the undivided earnings of preceding years remaining after the aforesaid deductions for said years.

*Approved March 22, 1962.*

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**Chap. 269.** AN ACT PERTAINING TO NOMINATION PAPERS FOR USE IN CITY AND TOWN PRIMARIES.

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

SECTION 1. Section 59 of chapter 53 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the fifth sentence and inserting in place thereof the following two sentences: — In towns, nomination papers shall not contain a larger number of names of candidates than there are persons to be elected. In cities, nomination papers shall not contain the name of more than one candidate.

SECTION 2. Said chapter 53 of the General Laws is hereby further amended by striking out section 60, as so appearing, and inserting in place thereof the following section: — *Section 60.* Section forty-five shall apply to nomination papers for city and town primaries, except that in towns such nomination papers may contain the names of candidates for any or all of the offices to be filled at the town election, but the number of names of candidates on such paper for any one office shall not exceed the number to be elected thereto. *Approved March 22, 1962.*

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**Chap. 270.** AN ACT RELATIVE TO HEARINGS BY THE CIVIL SERVICE COMMISSION ON CERTAIN APPEALS UNDER THE CIVIL SERVICE LAWS.

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

Paragraph (b) of section 2 of chapter 31 of the General Laws, as appearing in section 1 of chapter 725 of the acts of 1945, is hereby amended by striking out the second sentence and inserting in place thereof the following two sentences: — Except in cases of appeals by persons whose papers have been marked ineligible because of the failure of such per-

sons to meet entrance requirements stated in notices of examinations, no hearings on appeals from markings of examination papers shall be held before less than a majority of the commission. Hearings on any other appeal, including appeals by persons whose papers have been marked ineligible because of the failure of such persons to meet entrance requirements as aforesaid, may be held before less than a majority of the commission, or the chairman may assign a member or members to hold such hearings and to report his or their findings of fact and recommendations to the commission for action.

*Approved March 22, 1962.*

**Chap. 271.** AN ACT RELATIVE TO GIFTS OF LIFE OR ENDOWMENT INSURANCE POLICIES AND ANNUITY CONTRACTS TO MINORS.

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

SECTION 1. Subsection (c) of section 1 of chapter 201A of the General Laws, as appearing in chapter 724 of the acts of 1957, is hereby amended by inserting after the word "securities", in line 1 and in lines 7 and 8, in each instance, the words: —, life or endowment insurance policies, annuity contracts, — so as to read as follows: —

(c) "Custodial property", includes (1) all securities, life or endowment insurance policies, annuity contracts and money under the supervision of the same custodian for the same minor as a consequence of a gift or gifts made to the minor in a manner prescribed in this chapter; (2) the income from the custodial property; and (3) the proceeds, immediate and remote, from the sale, exchange, conversion, investment, reinvestment or other disposition of such securities, life or endowment insurance policies, annuity contracts, money and income.

SECTION 2. Said section 1 of said chapter 201A is hereby further amended by adding at the end the following subsection: —

(d) "Life or endowment insurance policies" and "annuity contracts", shall be deemed to include only life or endowment insurance policies and annuity contracts on the life of the minor or a member of the minor's family.

SECTION 3. Subsection (a) of section 2 of said chapter 201A, as so appearing, is hereby amended by inserting after the word "security", in line 2, the words: —, a life or endowment insurance policy, an annuity contract, — and by adding at the end the following clause: —

(4) if the subject of the gift is a life or endowment insurance policy or an annuity contract, such policy or contract shall be assigned to the custodian in his own name, followed, in substance, by the words: — "as custodian for . . . . . under the Massachusetts Uni-

(Name of minor)  
form Gifts to Minors Act". Such policy or contract shall be delivered to the person who has been designated as custodian thereof.

If a custodian invests his ward's funds in life or endowment insurance or in an annuity contract, application therefor shall be made by the custodian in his own name, followed, in substance, by the words: — "as custodian for . . . . . under the Massachusetts

(Name of minor)  
Uniform Gifts to Minors Act".

SECTION 4. Section 3 of said chapter 201A, as so appearing, is hereby amended by inserting after the word "security", in line 3, the words: —,

life or endowment insurance policy, annuity contract, — so as to read as follows: — *Section 3.* A gift made in a manner prescribed in this chapter shall be irrevocable and shall convey to the minor an indefeasible legal title to the security, life or endowment insurance policy, annuity contract or money given, but no guardian of the minor shall have any right, power, duty or authority with respect to the custodial property except as otherwise provided in this chapter.

SECTION 5. Subsection (e) of section 4 of said chapter 201A, as so appearing, is hereby amended by adding at the end the following sentence: — Without limiting the generality of the foregoing powers with respect to investments, the custodian may invest the income or principal of the custodial property in policies of life or endowment insurance or annuity contracts, issued by a life insurance company duly authorized to transact business in the commonwealth under chapter one hundred and seventy-five, on the life of the minor whose property he holds as custodian or on the life of a person in which life such minor has an insurable interest.

SECTION 6. Said section 4 of said chapter 201A is hereby further amended by adding at the end the following subsection: —

(j) If the subject of the gift is a life or endowment insurance policy or an annuity contract or if the custodian shall invest the funds of the minor in such insurance or contracts, the custodian shall have all the incidents of ownership in such policies and contracts which he may hold as custodian to the same extent as if he were the owner thereof, except that the designated beneficiary of any such policy or contract held by a custodian shall always be the minor or, in the event of his death, the minor's estate.

*Approved March 22, 1962.*

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**Chap. 272.** AN ACT RELATIVE TO THE ARRANGEMENT AND FORM OF BALLOTS IN PRELIMINARY ELECTIONS.

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

Section 34 of chapter 53 of the General Laws is hereby amended by striking out the seventh paragraph, as amended by chapter 261 of the acts of 1961, 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, and preliminary elections except where city charters provide otherwise, 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, and preliminary elections except where city

charters provide otherwise, 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 22, 1962.*

**Chap. 273.** AN ACT RELATIVE TO THE RIGHTS OF ADOPTED CHILDREN UNDER THE LAPSED LEGACY LAW.

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

Section 22 of chapter 191 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following sentence: — The word "issue" as used in this section shall include adopted children.

*Approved March 22, 1962.*

**Chap. 274.** AN ACT RELATIVE TO COMPETITIVE PROMOTIONAL EXAMINATIONS TO POSITIONS IN THE OFFICIAL SERVICE OF THE SAME DEPARTMENT BY EMPLOYEES IN THE LABOR SERVICE.

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

Chapter 31 of the General Laws is hereby amended by striking out section 15B, as most recently amended by chapter 51 of the acts of 1958, and inserting in place thereof the following section: — *Section 15B.* An employee in the classified civil service of a department may, upon requisition made by the appointing officer, be appointed or promoted to a position in the lowest grade, as determined by the director, of the official service of such department upon certification from an eligible list established as a result of an examination open only to permanent employees in the classified civil service of such department who have been employed therein after certification for at least one year. The word "department", as used in this section, shall mean a department, board or commission, or any division, institutional unit or other unit of a department in case such a unit is established by law, ordinance or by-law or under authority thereof.

*Approved March 22, 1962.*

**Chap. 275.** AN ACT AUTHORIZING CREDIT UNIONS TO ACCEPT A NON-MEMBER AS A CO-MAKER ON A NOTE, AND PERMITTING CERTAIN CREDIT UNIONS TO INCREASE THE MAXIMUM AMOUNT OF CERTAIN PERSONAL LOANS.

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

SECTION 1. The second paragraph of subdivision (A) of section 24 of chapter 171 of the General Laws is hereby amended by striking out lines 1 through 8, as appearing in section 2 of chapter 158 of the acts of 1959, and inserting in place thereof the following: —

A member may act as co-maker for another member provided that the liability of such co-maker shall not at any one time exceed an amount equal to two thousand dollars plus the amount of his shares and deposits,



if any, pledged to secure said obligation and minus the amount of any loans remaining unpaid made to him under the provisions of paragraph 1, 2 or 3, except that if the credit union has assets of more than five hundred thousand dollars, the liability of such co-maker may equal but not exceed forty-five hundred dollars determined as provided above.

A credit union may accept as co-maker or endorser on a note one who is not a member provided, however, that no one such co-maker or endorser shall be liable at any one time for more than two thousand dollars except that if the credit union has assets of more than five hundred thousand dollars, such liability may equal but not exceed three thousand dollars.

The maximum amount of a loan or loans made to a member in excess of his shares and deposits, and in excess of the shares and deposits of the co-maker, if any, pledged to secure the same shall be limited as follows except that where satisfactory collateral is pledged additional loans may be made under the provisions of paragraph 1, 2 or 3 provided that the total of such additional loans does not exceed the limits contained in paragraph 3: —

SECTION 2. Said subdivision (A) of said section 24 of said chapter 171 is hereby further amended by striking out paragraph 3, as appearing in chapter 84 of the acts of 1950, and inserting in place thereof the following paragraph: —

3. To an amount not exceeding one thousand dollars when the assets of the credit union are five hundred thousand dollars or less and fifteen hundred dollars when said assets are more than five hundred thousand dollars if evidenced by the note of the borrower with two or more responsible endorsers or co-makers thereon, or with satisfactory collateral pledged to secure the same.

*Approved March 22, 1962.*

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**Chap. 276.** AN ACT CHANGING THE DATE ON WHICH THE ANNUAL REPORT OF THE ACTIVITIES OF THE WOODS HOLE, MARTHA'S VINEYARD AND NANTUCKET STEAMSHIP AUTHORITY SHALL BE FILED.

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

Section 13 of chapter 701 of the acts of 1960 is hereby amended by striking out, in line 1, the words "thirtieth day of January" and inserting in place thereof the words: — first day of April.

*Approved March 22, 1962.*

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**Chap. 277.** AN ACT PROVIDING FOR LEAVES OF ABSENCE TO PUBLIC SCHOOL TEACHERS FOR STUDY OR RESEARCH.

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

Chapter 71 of the General Laws is hereby amended by inserting after section 41 the following section: —

*Section 41A.* A school committee may grant a leave of absence for study or research to any teacher, principal or supervisor serving at discretion which would increase his professional ability, such leave to be for a period not exceeding one year at full or partial pay; provided, that prior to the granting of such leave said teacher, principal or supervisor shall enter into a written agreement with the school committee that upon

termination of such leave he will return to service in the public schools of such city or town for a period equal to twice the length of such leave and that, in default of completing such service, he will refund to the city or town an amount equal to such proportion of salary received by him while on leave as the amount of service not actually rendered as agreed bears to the whole amount of service agreed to be rendered.

*Approved March 22, 1962.*

**Chap. 278.** AN ACT RELATIVE TO THE EXAMINATION OF CERTAIN PERSONS FOR LICENSES AS PRACTICAL NURSES.

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

Chapter 371 of the acts of 1956 is hereby amended by striking out section 2, as amended by section 4 of chapter 415 of the acts of 1959, and inserting in place thereof the following section: — *Section 2.* Notwithstanding any contrary provision of section seventy-four A of chapter one hundred and twelve of the General Laws, any person of good moral character, who is at least nineteen years of age and who furnishes satisfactory proof that he was a student in an approved school for nurses located within the commonwealth and was at the time of his withdrawal therefrom in good standing and that he received therein theoretical instruction and clinical experience equivalent to that required for graduation from schools for practical nurses which are approved by the board of registration in nursing shall, upon application and upon the payment of ten dollars, be examined by said board, and, if found qualified, shall be licensed as a practical nurse as provided in said section seventy-four A.

*Approved March 22, 1962.*

**Chap. 279.** AN ACT PROVIDING THAT THE CHAIRMAN OF THE WATER RESOURCES COMMISSION OR HIS DESIGNEE SHALL BE THE MEMBER OF THE NORTHEASTERN RESOURCES COMMISSION REPRESENTING THE COMMONWEALTH.

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

Chapter 621 of the acts of 1959 is hereby amended by striking out section 2 and inserting in place thereof the following section: — *Section 2.* The chairman of the water resources commission or a person designated by him shall be the member of the Northeastern Resources Commission representing the commonwealth.

*Approved March 22, 1962.*

**Chap. 280.** AN ACT PROVIDING LIFE TENURE FOR ALEXANDER SMITH, INCUMBENT OF THE OFFICE OF CITY AUDITOR OF THE CITY OF QUINCY.

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

SECTION 1. The tenure of office of Alexander Smith, incumbent of the office of city auditor of the city of Quincy, 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 of Quincy.

*Approved March 22, 1962.*

**Chap. 281.** AN ACT EXEMPTING VETERANS OF WORLD WAR I FROM THE PAYMENT OF A POLL TAX.

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

Section 5 of chapter 59 of the General Laws is hereby amended by striking out clause Twenty-third, as most recently amended by section 2 of chapter 534 of the acts of 1949, and inserting in place thereof the following clause: —

Twenty-third, Soldiers and sailors who served in the military or naval service of the United States in the war of the rebellion, in the Spanish war, in the Philippine insurrection, in the Chinese relief expedition or in World War I and were discharged or released in any manner other than dishonorably therefrom, shall be assessed for, but shall be exempt at their request from the payment of, a poll tax. *Approved March 22, 1962.*

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**Chap. 282.** AN ACT RELATIVE TO THE POWERS OF THE LICENSING BOARD FOR THE CITY OF BOSTON TO TRANSFER CERTAIN LICENSES TO SELL ALCOHOLIC BEVERAGES FROM PREMISES TAKEN FOR THE GOVERNMENT CENTER PROJECT.

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

SECTION 1. In the case of any license granted under section fifteen of chapter one hundred and thirty-eight of the General Laws to do business on premises located within five hundred feet, measured along public ways, of a church or school, as defined in section sixteen C of said chapter one hundred and thirty-eight, which have been taken by the Boston Redevelopment Authority for the purposes of the Government Center Project by instrument dated October twenty-fifth, nineteen hundred and sixty-one and recorded with Suffolk Registry of Deeds Book 7600, Page 3, the licensing board for the city of Boston in addition to any and all other powers which it may have to transfer any such license, may transfer any such license to any other premises located within five hundred feet, measured along public ways, of the same church or school, notwithstanding the limitations of section sixteen C of said chapter one hundred and thirty-eight.

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

*Approved March 26, 1962.*

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**Chap. 283.** AN ACT PROVIDING THAT RECLAMATION DISTRICTS MAY PROVIDE INSURANCE TO INDEMNIFY ITS EMPLOYEES AGAINST LIABILITY FOR INJURIES OR PROPERTY DAMAGE.

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

Chapter 252 of the General Laws is hereby amended by inserting after section 6 the following section: —

Section 6A. Any district established under this chapter may pay a proper charge for effecting insurance providing an indemnity or protection of any officer or employee of such district, whose services as such is approved by the commissioners thereof, against loss by reason of his liability to pay damages to others for bodily injuries, including death at any time resulting therefrom, or for damage to property caused by any act of his which is within the scope of his official duties or employ-

ment including the operation of any motor or other vehicle equipment or vessel owned or leased by such district to an amount not exceeding twenty-five thousand dollars on account of injury to or death of one person and not exceeding one hundred thousand dollars for any one accident and not exceeding five thousand dollars on account of damage to property, and to pay the proper charge for effecting insurance to cover the district's liability to pay workmen's compensation and to pay the proper charge to prevent loss by reason of destruction or damage to buildings or personal property by fire or other causes normally covered by fire insurance policies, and to pay the proper charge for effecting insurance to prevent loss by reason of damage to motor vehicles owned by such district.

*Approved March 26, 1962.*

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**Chap. 284.** AN ACT DESIGNATING THE BRIDGE OVER PILGRIMS HIGHWAY ON SMITH'S LANE IN THE TOWN OF KINGSTON AS KINGSTON'S KOREAN WAR MEMORIAL BRIDGE.

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

The bridge over Pilgrims Highway on Smith's Lane in the town of Kingston shall be known as Kingston's Korean War Memorial Bridge and a suitable marker bearing said designation shall be attached thereto by the department of public works.

*Approved March 26, 1962.*

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**Chap. 285.** AN ACT REPEALING CERTAIN OBSOLETE PROVISIONS OF LAW.

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

SECTION 1. Section ten of chapter two hundred and sixty-four of the General Laws is hereby repealed.

SECTION 2. Sections six, seven, eight, thirty-one and thirty-three of chapter two hundred and sixty-five of the General Laws are hereby repealed.

SECTION 3. Sections one hundred and thirty-four and one hundred and thirty-six of chapter two hundred and sixty-six of the General Laws are hereby repealed.

SECTION 4. Sections thirty-seven and ninety-seven of chapter two hundred and seventy-two of the General Laws are hereby repealed.

*Approved March 26, 1962.*

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**Chap. 286.** AN ACT PROVIDING THAT THE LAW REGULATING INTEREST ON CERTAIN HOME MORTGAGES SHALL APPLY TO DWELLING HOUSES HAVING AN ASSESSED VALUE OF NOT MORE THAN TWENTY-FIVE THOUSAND DOLLARS AND SIX OR LESS HOUSEHOLDS.

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

Section 90A of chapter 140 of the General Laws is hereby amended by striking out the first sentence, as amended by chapter 446 of the acts of 1960, and inserting in place thereof the following sentence: — No person shall directly or indirectly charge, take or receive for a loan of more than fifteen hundred dollars secured wholly or partially by a mortgage of real estate having an assessed value of not over twenty-five thousand dollars, having thereon a dwelling house with accommodations for six or less

separate households and occupied in whole or in part at the time the loan is made as a home by any obligor on the mortgage debt or by any person granting or releasing any interest under said mortgage, a greater rate of interest than an amount equivalent to one and one-half per cent a month computed on unpaid balances before default and for six months after continuing default and for a period after the expiration of six successive months of continuing default a greater rate of interest than a sum equivalent to one per cent a month computed on unpaid balances.

*Approved March 26, 1962.*

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**Chap. 287.** AN ACT RELATIVE TO THE TIME FOR FILING CLAIMS FOR REPORTS TO THE APPELLATE DIVISIONS OF THE DISTRICT COURTS OF RULINGS ON EVIDENCE.

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

The third paragraph of section 108 of chapter 231 of the General Laws is hereby amended by striking out the second sentence, as amended by section 1 of chapter 255 of the acts of 1933, and inserting in place thereof the following sentence: — The request for such a report shall be filed with the clerk of any district court within five days after notice of the finding or decision and, when the objection is to the admission or exclusion of evidence, the claim for a report shall also be made known at the time of the ruling and shall be reduced to writing in a summary manner and filed with the clerk, in the municipal court of the city of Boston, within two days, and in any other district court, within five days, after the hearing of all evidence.

*Approved March 26, 1962.*

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**Chap. 288.** AN ACT TO EXEMPT CERTAIN FREIGHT ELEVATORS FROM THE PROVISIONS OF THE REVISED ELEVATOR AND ESCALATOR REGULATIONS (ELV-1 REVISED) MADE BY THE BOARD OF ELEVATOR REGULATIONS.

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

Freight elevators installed prior to the effective date of this act in compliance with existing law shall, except as hereinafter provided, be exempt from the provisions of the revised elevator and escalator regulations (ELV-1 Revised) made by the board of elevator regulations in accordance with the provisions of section sixty-nine of chapter one hundred and forty-three of the General Laws, provided such freight elevators are (1) subject to annual inspection by the local building inspector or by an inspector of the division of inspection in the state department of public safety, (2) confined within the walls of a building, (3) housed in premises from which the public is excluded, (4) operated only by employees of the owner or lessee of such premises, (5) locked or protected by an alarm system when not in use, and (6) equipped with emergency stop switches in accordance with Division B — Part 6, Section 1, paragraph e (ELV-1 Revised).

The exemptions from said revised rules and regulations (ELV-1 Revised) provided herein shall continue only so long as the premises in which such freight elevators are located continue to be used for the same purposes for which they were used immediately prior to the effective date of this act.

*Approved March 28, 1962.*

**Chap. 289.** AN ACT DIRECTING THE COUNTY COMMISSIONERS OF HAMPDEN COUNTY TO MAKE CERTAIN EXPENDITURES IN ANTICIPATION OF THE COUNTY APPROPRIATION ACT FOR THE CURRENT YEAR FOR THE PURPOSE OF EFFECTING ADJUSTMENTS IN THE SALARY OF THE JUSTICE OF THE DISTRICT COURT OF HOLYOKE.

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

SECTION 1. Notwithstanding any contrary provision of chapter thirty-five of the General Laws, the county commissioners of Hampden county, shall, 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 Holyoke, as provided in chapter four hundred and eighty-three of the acts of nineteen hundred and sixty-one, and any money so expended shall be included in the appropriations for the current year for said county in items 14 and 27, respectively.

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

*Approved March 28, 1962.*

**Chap. 290.** AN ACT PROVIDING THAT THE LAW REQUIRING PUBLIC BIDS ON LEASES TO THE COMMONWEALTH SHALL NOT APPLY TO LEASES OF PREMISES OWNED BY OR UNDER THE CONTROL OF THE UNITED STATES GOVERNMENT OR OF ANY POLITICAL SUBDIVISION OF THE COMMONWEALTH.

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

Section 10A of chapter 8 of the General Laws is hereby amended by striking out the fourth paragraph, added by section 1 of chapter 620 of the acts of 1960, and inserting in place thereof the following paragraph: —

Before executing a lease for any such premises, except premises owned by or under the control of the United States government or of any political subdivision of the commonwealth, the commonwealth shall cause a notice to be posted conspicuously in the office of the superintendent for a period of at least thirty days prior to the execution of such lease, specifying the area, term and other requirements of the proposed lease and inviting proposals for such lease. Such notice shall state the method, time and place for the submission of such proposals, the time and place for the opening thereof and shall reserve the right to reject any or all such proposals. After the execution of a lease referred to in any such notice, all proposals relating thereto shall be retained by said superintendent and shall be open to inspection by the public until the expiration of such lease or of six months from the date thereof, whichever occurs first, and may thereafter be destroyed by him.

*Approved March 28, 1962.*

**Chap. 291.** AN ACT PERMITTING TIME OFF WITHOUT LOSS OF PAY FOR DELEGATES TO CERTAIN CONVENTIONS OF FIRE FIGHTERS.

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

Chapter 48 of the General Laws is hereby amended by inserting after section 57B, inserted by section 1 of chapter 285 of the acts of 1959, the following section: —

*Section 57C.* Members of the fire department in any city or town accepting the provisions of this section may be excused from duty for not more than two days in any year without loss of pay while in attendance as an official delegate to the convention of the Massachusetts Permanent Firemen's Association or the Massachusetts State Firemen's Association held within the commonwealth; provided, however, that any such member who attends both such conventions as an official delegate may be excused from duty for not more than four days in any year.

*Approved March 28, 1962.*

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**Chap. 292.** AN ACT REVIVING RUBY ASSOCIATES.

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

Ruby Associates, a corporation dissolved by decree of the supreme judicial court on December fifteenth, nineteen hundred and forty-eight, is hereby revived with the same powers, duties and obligations as if said decree had not been entered.

*Approved March 28, 1962.*

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**Chap. 293.** AN ACT PROVIDING FOR REBATES IN A RETAIL INSTALMENT SALES OF MOTOR VEHICLES CONTRACT.

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

Chapter 255B of the General Laws is hereby amended by striking out section 17, as appearing in section 1 of chapter 674 of the acts of 1958, and inserting in place thereof the following section: — *Section 17.* The holder of an instalment sale contract may, upon agreement with the buyer, defer the scheduled payment of all or part of any unpaid instalment payment or payments, or renew the unpaid time balance of such contract. The agreement for such deferment or renewal shall be in writing and signed by the parties thereto.

For such renewal the holder may contract for and collect a refinance charge. Such refinance charge shall be computed on the amount obtained by adding to the unpaid time balance of the contract the insurance cost incidental to refinancing, and by deducting any rebate computed in accordance with the provisions of section sixteen which may be due to the buyer for prepayment incidental to refinancing, at the rate of the finance charge in the original contract, for the term of the renewal contract, and subject to the provisions of this chapter governing computation of the original finance charge; provided, however, that the holder shall not be allowed the acquisition cost of twelve dollars and fifty cents.

For such deferment the holder may contract for and collect a deferment charge. Such deferment charge shall not exceed an amount equal to one per cent per month simple interest on the amount of the instalment or instalments, or part thereof, deferred for the period of deferment. Such period shall not exceed the period from the date when such deferred instalment or instalments, or part thereof, would have been payable in the absence of such deferment, to the date when such instalment or instalments, or part thereof, are made payable under the agreement for deferment; except that a minimum charge of one dollar for the period of deferment may be made in any case where the deferment charge, when computed at such rate, amounts to less than one dollar.

Such agreement may also provide for the payment by the buyer of the additional cost to the holder of the contract of premiums for continuing in force, until the end of such period of deferment, any insurance coverages provided for in the contract. No deferment charge shall be made on any instalment for which a default charge has been made unless the default charge on such instalment is rebated in full. If a contract is prepaid in full during a deferment period the buyer shall receive, in addition to the refund required under section sixteen, the refund of that portion of the deferment charge applicable to any unexpired months of the deferment period.

*Approved March 28, 1962.*

**Chap. 294.** AN ACT RELATIVE TO THE AWARDED OF CERTAIN CONTRACTS BY THE CITY OF WESTFIELD.

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

SECTION 1. Section 27 of chapter 294 of the acts of 1920, as amended by section 1 of chapter 113 of the acts of 1927, is hereby further amended by striking out, in line 5, the words "five hundred" and inserting in place thereof the words: — one thousand.

SECTION 2. Section 28 of said chapter 294 is hereby amended by striking out, in line 2, the word "two" and inserting in place thereof the word: — five.

SECTION 3. This act shall take effect upon its acceptance by the city of Westfield.

*Approved March 28, 1962.*

**Chap. 295.** 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 five thousand dollars, may grant to New England Power Company, an electric company organized and existing under the laws of the commonwealth, easements for the construction, maintenance and operation of towers, poles and wires for the transmission of electricity on, over and across certain portions of lands of the commonwealth in the towns of Wilbraham, Newbury and Rowley, respectively, which lands are under the control and custody of said division of fisheries and game. Said easements shall be in such form and at such locations as the said director may approve and deem proper.

*Approved March 28, 1962.*

**Chap. 296.** AN ACT AUTHORIZING NORWOOD HOSPITAL TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

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

Notwithstanding the provisions of section nine of chapter one hundred and eighty of the General Laws, Norwood Hospital, a corporation duly organized under the laws of the commonwealth, is hereby authorized to



acquire by gift, grant, bequest, devise or otherwise, real and personal estate to an amount not exceeding ten million dollars, and to hold, manage, and from time to time invest and reinvest the same or the proceeds of any sale thereof, for the purposes set forth in its charter.

*Approved March 28, 1962.*

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**Chap. 297.** AN ACT AUTHORIZING THE CITY OF MALDEN TO CONVEY CERTAIN PARK LAND TO THE METROPOLITAN DISTRICT COMMISSION AND PROVIDING FOR THE POLICING THEREOF.

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

SECTION 1. The city of Malden shall convey to the metropolitan district commission that certain parcel of park land in said city known as Coytemore Lee playground. Said land shall be used by said commission for recreational purposes.

SECTION 2. Notwithstanding the provisions of section one or of any law to the contrary, said commission is hereby authorized to assign the policing of the aforementioned area to the police department of the city of Malden.

SECTION 3. This act shall take effect upon its acceptance by the city of Malden.

*Approved March 28, 1962.*

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**Chap. 298.** AN ACT AUTHORIZING THE APPROPRIATION OF CERTAIN FUNDS OF THE CITY OF LOWELL, PREVIOUSLY RAISED BY BOND ISSUE.

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

Notwithstanding the provisions of section twenty of chapter forty-four of the General Laws, the city of Lowell may, by a two thirds vote of all members of the city council, appropriate sums, not exceeding five hundred and fifty-five thousand dollars, in the aggregate, from the proceeds of a loan issued November first, nineteen hundred and sixty, under authority of clause (2A) of section seven of chapter forty-four of the General Laws, which proceeds are not presently necessary for the purposes specified in the authorization of said loan, for the purpose of the construction of an incinerator or of constructing and originally equipping and furnishing new elementary school buildings and constructing additions thereto.

*Approved March 28, 1962.*

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**Chap. 299.** AN ACT PROVIDING THAT CERTAIN OFFICES IN THE CITY OF CHELSEA SHALL NOT BE HELD AT THE SAME TIME BY THE SAME PERSON.

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

In the city of Chelsea, if nomination papers are filed for any person as a candidate at the preliminary election for the offices of member of the school committee and member of the board of aldermen, the name of such person shall not be printed on the official ballot to be used at said election as a candidate for either of said offices unless, on or before the last day for withdrawals, such person withdraws as a candidate for one of said offices.

In the city of Chelsea, no member of the school committee shall at the same time be a member of the board of aldermen; but the qualification of any member of said school committee as a member of said board of aldermen shall operate as a resignation of his office as a member of said school committee, and the vacancy so created shall be filled in the manner provided by law.

*Approved March 29, 1962.*

**Chap. 300.** AN ACT AUTHORIZING THE COMMISSIONER OF MENTAL HEALTH TO SELL CERTAIN LAND OF THE COMMONWEALTH IN THE CITY OF WORCESTER TO THE CHILD GUIDANCE ASSOCIATION OF WORCESTER.

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

SECTION 1. The commissioner of mental health in the name and on behalf of the commonwealth, is hereby authorized and directed to sell and convey to the Child Guidance Association of Worcester, a charitable corporation organized under the laws of the commonwealth, a parcel of land located on the grounds of the Worcester state hospital, as hereinafter described, to be used by said corporation for the construction thereon of a building to be used as a center for the diagnosis and treatment of behavior disorders of childhood and adolescence, subject to the condition that the cost of said building to be constructed shall be at least three hundred and fifty thousand dollars. The area of the land to be sold and conveyed shall not exceed one and one half acres, and the location thereof and the type and principles of construction relative to said building shall be determined by said commissioner.

SECTION 2. The jurisdiction in and over and the title to the parcel of land authorized to be sold and conveyed in section one shall revert to and revest in the commonwealth whenever said parcel of land shall cease to be used by the Child Guidance Association of Worcester for a child guidance center, as provided in section one.

*Approved March 29, 1962.*

**Chap. 301.** AN ACT RELATIVE TO THE TEACHING, CONDUCT AND SUPERVISION OF PHYSICAL EDUCATION IN PUBLIC SCHOOLS AND AUTHORIZING CITIES AND TOWNS TO APPROPRIATE MONEY TO PURCHASE UNIFORMS FOR CHEERLEADERS.

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

SECTION 1. The second sentence of section 1 of chapter 71 of the General Laws, as appearing in chapter 137 of the acts of 1953, is hereby amended by striking out, in lines 6 and 7, the words "good behavior, indoor and outdoor games and athletic exercise" and inserting in place thereof the words: — physical education, and good behavior.

SECTION 2. Section 3 of said chapter 71, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 1, the words "The exercises" and inserting in place thereof the words: — Physical education, and by striking out, in line 7, the word "exercises" and inserting in place thereof the words: — physical education.

SECTION 3. The third sentence of section 47 of said chapter 71, as appearing in chapter 271 of the acts of 1954, is hereby amended by

striking out, in lines 2 and 3, and in line 10, the words "training and exercises" and inserting in place thereof, in each instance, the word: — education.

SECTION 4. Said section 47 of said chapter 71 is hereby further amended by striking out the fourth sentence, as amended by chapter 113 of the acts of 1959, and inserting in place thereof the following sentence: — Cities and towns may appropriate for the employment of coaches to supervise in public schools physical education, athletics, sports, games and play, and for the transportation and expenses of public school athletic teams, coaches, cheerleaders, bands and any other groups composed of public school pupils which bear the school name and are under the control of the school committee, within and without the commonwealth, to places where athletic contests or physical education, sports, games, play, musical festivals, competition or other events are held, and for the purchase of band and cheerleaders' uniforms and musical instruments for the members of bands composed of public school pupils and bearing the school name and under the control of the school committee.

*Approved March 29, 1962.*

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**Chap. 302.** AN ACT AUTHORIZING THE RELEASE OF A CERTAIN RESTRICTION AND REVERSIONARY CLAUSE IMPOSED BY A DEED OF THE COMMONWEALTH ON CERTAIN LAND IN THE CITY OF WORCESTER.

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

The armory commission and the commission on administration and finance, acting as a joint board, subject to approval of the governor and council, are hereby authorized to release from the operation and effect of the use restriction and reversionary clause hereinafter described, a certain parcel of land situated in the city of Worcester, and bounded and described as follows: —

Beginning at an iron rod at a corner of the lot herein described the point of beginning being the northwesterly corner of the northerly terminus of Brackett Court; thence running N 84° 48' W by land of the Brauer Realty Corp. 63.0 feet to a stone bound; thence running N 19° 21' 40" E, 18.0 feet to an iron pipe; thence running N 79° 09' 20" E, 70.39 feet to an iron pipe; thence running S 87° 55' 10" E, 66.93 feet to an iron pipe; thence running S 18° 58' 40" W, 18.0 feet to an iron pipe; the last four above-described lines being by land of the Roman Catholic Bishop of Worcester; thence running S 77° 20' 50" W by land of the George Motor Co. 40.0 feet to an iron pipe at the northeasterly corner of the northerly terminus of Brackett Court; thence running S 77° 20' 50" W by the northerly terminus of Brackett Court 35.23 feet to the point of beginning. Said lot contains 3,502 square feet of land.

Said above-described land being a portion of the premises described in a deed from the commonwealth to the Roman Catholic Bishop of Springfield as authorized by chapter three hundred and forty-nine of the acts of nineteen hundred and forty-seven, which deed restricted the use of said land to religious, educational or recreational purposes, otherwise the land was to revert to the commonwealth.

*Approved March 29, 1962.*

**Chap. 303.** 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:*

Chapter 195 of the acts of 1961 is hereby amended by striking out section 1 and inserting in place thereof the following section: — *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 established in said city for club licenses. *Approved March 29, 1962.*

**Chap. 304.** AN ACT PROVIDING THAT THE COURT OFFICER FOR THE PROBATE COURT FOR PLYMOUTH COUNTY SHALL BE FURNISHED WITH A UNIFORM AT THE EXPENSE OF SAID COUNTY.

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

Section 30 of chapter 217 of the General Laws, as most recently amended by section 1 of chapter 575 of the acts of 1960, is hereby further amended by striking out, in line 20, the words: — , except in Plymouth county,. *Approved March 29, 1962.*

**Chap. 305.** AN ACT FURTHER REGULATING THE TRANSFER OF CASES FROM THE SUPERIOR COURT TO THE DISTRICT COURT.

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

The first paragraph of section 102C of chapter 231 of the General Laws, as appearing in section 3 of chapter 369 of the acts of 1958, is hereby amended by striking out, in line 4, the word "one" and inserting in place thereof the word: — two. *Approved March 29, 1962.*

**Chap. 306.** AN ACT INCREASING THE MINIMUM AND MAXIMUM DAMAGES RECOVERABLE IN ACTIONS FOR DEATH.

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

**SECTION 1.** Section 2 of chapter 229 of the General Laws, as most recently amended by section 1 of chapter 238 of the acts of 1958, is hereby amended by striking out, in line 11, the word "two" and inserting in place thereof the word: — three, — and by striking out, in said line 11, the word "twenty" and inserting in place thereof the word: — thirty.

**SECTION 2.** This act shall take effect on January first, nineteen hundred and sixty-three, and shall apply only to actions for death resulting from injuries sustained or accidents occurring on or after said date. The provisions of law applicable to actions for death, as in effect from time to time prior to the effective date of this act, shall continue to be applicable to such actions resulting from injuries which were sustained or accidents which occurred prior to the effective date of this act, in accordance with such provisions as in effect at the time the injury was sustained or the accident occurred. *Approved March 29, 1962.*

**Chap. 307.** AN ACT GRANTING TO THE GOVERNOR CERTAIN EMERGENCY POWERS RELATIVE TO THE CONTINUED OPERATION OF THE METROPOLITAN TRANSIT AUTHORITY IN THE EVENT OF THE INTERRUPTION OF PUBLIC TRANSPORTATION IN VIOLATION OF AN INJUNCTION.

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

SECTION 1. Chapter 544 of the acts of 1947 is hereby amended by inserting after section 19 the following section:—

*Section 19A.* Notwithstanding any contrary provision of law, whenever there exists a continued interruption, stoppage, or slowdown of transportation of passengers on any vehicle or line of the authority, or a strike causing the same, and which is in violation of an injunction, a temporary injunction, a restraining order, or other order of a court of competent jurisdiction, and which threatens the availability of essential services of transportation to such an extent as to endanger the health, safety or welfare of the community, the governor may declare that an emergency exists. During such emergency he may take possession of, and operate in whole or in part, the lines and facilities of the authority in order to safeguard the public health, safety and welfare. Such power and authority may be exercised through any department or agency of the commonwealth or through any person or persons and with the assistance of such public or private instrumentalities as may be designated by him. Such lines and facilities shall be operated for the account of the authority. The powers hereby granted to the governor shall expire forty-five days after his proclamation that a state of emergency exists.

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

*Approved March 31, 1962.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, March 31, 1962.

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 public convenience requires that the law being Chapter 307 of the Acts of 1962, entitled "An Act Granting to the Governor Certain Emergency Powers Relative to the Continued Operation of the Metropolitan Transit Authority in the Event of the Interruption of Public Transportation in Violation of an Injunction" and the enactment of which received my approval on March 31, 1962 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 restoration of service of the Metropolitan Transit Authority.

Very truly yours,

JOHN A. VOLPE,  
*Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, BOSTON, March 31, 1962.

I, Edward T. Sullivan, Deputy Secretary, Acting 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 fifty-nine minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter three hundred and seven of the acts of nineteen hundred and sixty-two.

EDWARD T. SULLIVAN,  
*Deputy Secretary, Acting Secretary of the Commonwealth.*

**Chap. 308.** AN ACT RELATIVE TO THE SALARIES OF CERTAIN JUSTICES OF THE SUPERIOR COURT.

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

SECTION 1. Notwithstanding the provisions of section four of chapter seven hundred and thirty-three of the acts of nineteen hundred and fifty-five, any justice of the superior court who was appointed to said office between the sixteenth day of December, nineteen hundred and sixty, and the effective date of this act, both dates inclusive, shall receive such salary as is provided by section twenty-seven of chapter two hundred and twelve of the General Laws, said salary to be effective as of the date of his appointment.

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

*Approved April 2, 1962.*

**Chap. 309.** AN ACT PROVIDING FOR REBATES IN CERTAIN INSTALMENT PAYMENT TRANSACTIONS.

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

Chapter 255 of the General Laws is hereby amended by adding after section 12C the following section: —

*Section 12D.* In any transaction for services rendered or to be rendered to a retail consumer for personal, family or household purposes, wherein a finance charge is made, the debtor may pay in full, at any time before maturity, the debt involved in such transaction, and in so paying such debt shall receive a credit thereon. The amount of such credit shall represent at least as great a proportion of the finance charge, after first deducting from such finance charge the cost of any insurance included therein and an acquisition cost of five dollars, as the sum of the periodical time balances after the month in which the debt is paid in full, bears to the sum of all periodical time balances under the schedule of payments in the transaction. When the amount of the credit for anticipation of payment is less than one dollar no refund need be made.

The provisions of this section shall not apply to any transaction which is insured under Federal Housing Administration regulations.

*Approved April 2, 1962.*

**Chap. 310.** AN ACT TO EXTEND THE POWER OF THE SUPERIOR COURT TO REVOKE OR REVISE SENTENCES.

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

SECTION 1. Section 29 of chapter 278 of the General Laws is hereby amended by striking out the first sentence, as amended by chapter 302 of the acts of 1957, and inserting in place thereof the following sentence: — The superior court may, at the sitting in which a complaint or indictment is tried, or within one year thereafter, upon motion in writing of the defendant, grant a new trial for any cause for which by law a new trial may be granted, or if it appears to the court that justice has not been or cannot be done, and upon such terms or conditions as the court shall order.

SECTION 2. Said chapter 278 is hereby further amended by inserting after section 29B, inserted by section 1 of chapter 262 of the acts of 1962, the following section: —

*Section 29C.* If it appears to the superior court that justice has not been done or cannot be done, it may within sixty days after a sentence has been imposed, upon such terms and conditions as it shall order, revise or revoke any sentence imposed: if such sentence was imposed without trial after a plea of guilty or nolo contendere the court may in the event of such revocation permit the withdrawal of the plea upon which the sentence was imposed.

*Approved April 2, 1962.*

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**Chap. 311.** AN ACT AUTHORIZING THE ATLANTIC AMPHIBIAN AIRWAYS, INC. TO FILE A PETITION AGAINST THE COMMONWEALTH FOR THE ASSESSMENT OF DAMAGES RESULTING FROM CERTAIN LAND TAKING.

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

Notwithstanding the provisions of section sixteen of chapter seventy-nine of the General Laws, the Atlantic Amphibian Airways, Inc. may, within six months after the effective date of this act, file a petition against the commonwealth for the assessment of damages under section fourteen of said chapter seventy-nine by reason of the taking by eminent domain of approximately eight acres of land owned by said corporation in the city of Revere.

*Approved April 2, 1962.*

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**Chap. 312.** AN ACT RELATIVE TO THE REIMBURSEMENT OF ONE COUNTY BY ANOTHER FOR THE SERVICES OF CERTAIN COURT STENOGRAPHERS.

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

Section 90A of chapter 221 of the General Laws is hereby amended by striking out the last sentence, as most recently amended by chapter 82 of the acts of 1951, and inserting in place thereof the following sentence: — At the conclusion of his assignment he shall send a statement of the dates when he rendered service in such county, attested by the clerk of the court for such county, to the treasurer of such county and also to the treasurer of the county for which he is appointed, whereupon the county in which he rendered such service shall pay to the county for which he is appointed a sum which represents the per diem rate then in effect in the county for which he is appointed for each day's service so rendered.

*Approved April 2, 1962.*

**Chap. 313.** AN ACT PROVIDING THAT CERTAIN ENDORSEMENTS OF THE PLANNING BOARD OR CERTIFICATES BY THE CLERK OF THE CITY OR TOWN BE FINAL AND CONCLUSIVE ON ALL PARTIES.

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

Section 81X of chapter 41 of the General Laws is hereby amended by inserting after the first paragraph, as amended by chapter 189 of the acts of 1960, the following paragraph: —

The contents of any such endorsement of the planning board or certificate by the clerk of the city or town shall be final and conclusive on all parties, subject to the provisions of section eighty-one W.

*Approved April 2, 1962.*

**Chap. 314.** AN ACT AUTHORIZING THE CITY OF BOSTON TO ENACT ORDINANCES FOR THE PURPOSE OF PREVENTING OR REMEDYING IN SAID CITY CONDITIONS WHICH MAY TEND TO CAUSE FIRES OR TO BECOME FIRE HAZARDS, AND VALIDATING AND CONFIRMING THE BOSTON FIRE PREVENTION CODE.

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

SECTION 1. Upon the written recommendation of the fire chief of the city of Boston, the city council of said city, with the approval of the mayor of said city, may from time to time make, amend and repeal ordinances for the purpose of preventing or remedying in said city any condition in or about any building, structure or other premises or on any ship or vessel which may tend to cause a fire or to become a fire hazard, with penalties for the violation thereof not exceeding a fine of fifty dollars for any one offence or, in the case of a continuing offence, by a fine of not more than ten dollars for every day during any portion of which the violation continues; provided, however, that if any provision of any such ordinance is inconsistent with any general or special law applicable in or to said city, or with any rule or regulation made by any agency, as defined in section one of chapter thirty A of the General Laws, or with any provision of the Boston Building Code, such provision of such ordinance shall be inoperative.

Said chief shall not make, under section twenty-eight of chapter one hundred and forty-eight of the General Laws, any order or rule inconsistent with any such ordinance.

The superior court shall have jurisdiction in equity, upon application of the fire chief of said city, to enforce any such ordinance.

SECTION 2. Chapter three of the Ordinances of 1959 of the city of Boston establishing the Boston Fire Prevention Code, as amended by section one of chapter eight of the Ordinances of 1960, except sections 1.24 and 1.25 of Article 1 thereof, is hereby validated and confirmed to the same extent as though section one of this act had been in effect at the time said ordinance and amendment was adopted.

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

*Approved April 2, 1962.*



**Chap. 315.** AN ACT ESTABLISHING CONGRESSIONAL DISTRICTS.

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

SECTION 1. Chapter 57 of the General Laws is hereby amended by striking out section 1, as amended by chapter 556 of the acts of 1941, and inserting in place thereof the following section: — *Section 1.* For the purpose of electing representatives in the Congress of the United States, until otherwise provided by law, the commonwealth is divided into the following twelve districts, each of which shall elect one representative:

Number One, — Consisting of the cities and towns in Berkshire county; the towns in Franklin county; the cities of Holyoke and Westfield and the towns of Blandford, Chester, Granville, Montgomery, Russell, Southwick and Tolland, all in Hampden county; the city of Northampton and the towns of Amherst, Chesterfield, Cummington, Easthampton, Goshen, Hadley, Hatfield, Huntington, Middlefield, Pelham, Plainfield, Southampton, Westhampton, Williamsburg and Worthington, all in Hampshire county; and the towns of Athol, Petersham, Phillipston, Royalston and Templeton, all in Worcester county.

Number Two, — Consisting of the cities of Chicopee and Springfield and the towns of Agawam, Brimfield, East Longmeadow, Hampden, Holland, Longmeadow, Ludlow, Monson, Palmer, Wales, West Springfield and Wilbraham, all in Hampden county; the towns of Belchertown, Granby, South Hadley and Ware, all in Hampshire county; and the towns of Brookfield, East Brookfield, North Brookfield, Sturbridge, Warren and West Brookfield, all in Worcester county.

Number Three, — Consisting of the city of Marlborough and the towns of Acton, Ashby, Ayer, Boxborough, Dunstable, Groton, Holliston, Hudson, Littleton, Maynard, Natick, Pepperell, Sherborn, Shirley, Stow, Townsend, Tyngsborough and Westford, all in Middlesex county; the towns of Bellingham, Franklin, Medway and Millis, all in Norfolk county; and the cities of Fitchburg, Gardner and Leominster and the towns of Ashburnham, Barre, Berlin, Blackstone, Bolton, Charlton, Clinton, Douglas, Dudley, Hardwick, Harvard, Hopedale, Hubbardston, Lancaster, Leicester, Lunenburg, Mendon, Milford, Millbury, Millville, New Braintree, Northbridge, Oakham, Oxford, Paxton, Princeton, Rutland, Southbridge, Spencer, Sterling, Sutton, Upton, Uxbridge, Webster, Westminster and Winchendon, all in Worcester county.

Number Four, — Consisting of the city of Waltham and the towns of Ashland, Framingham, Hopkinton, Sudbury, Watertown, Wayland and Weston, all in Middlesex county; the city of Worcester and the towns of Auburn, Boylston, Grafton, Holden, Northborough, Shrewsbury, Southborough, Westborough, and West Boylston, all in Worcester county.

Number Five, — Consisting of the city of Lawrence and the town of Andover, both in Essex county; and the cities of Lowell, Melrose and Woburn and the towns of Bedford, Billerica, Burlington, Carlisle, Chelmsford, Concord, Dracut, Lexington, Lincoln, North Reading, Reading, Stoneham, Tewksbury, Wilmington and Winchester, all in Middlesex county.

Number Six, — Consisting of the cities of Beverly, Gloucester, Haverhill, Lynn, Newburyport, Peabody and Salem and the towns of Ames-

bury, Boxford, Danvers, Essex, Georgetown, Groveland, Hamilton, Ipswich, Manchester, Marblehead, Merrimac, Methuen, Middleton, Nahant, Newbury, North Andover, Rockport, Rowley, Salisbury, Swampscott, Topsfield, Wenham and West Newbury, all in Essex county.

Number Seven, — Consisting of the towns of Lynnfield and Saugus, both in Essex county; the cities of Everett, Malden and Medford and the towns of Arlington, Belmont and Wakefield, all in Middlesex county; and the cities of Chelsea and Revere and the town of Winthrop, all in Suffolk county.

Number Eight, — Consisting of the cities of Cambridge and Somerville, both in Middlesex county; the town of Brookline in Norfolk county; and wards numbered 1, 2, 3, 21 and 22 in the city of Boston in Suffolk county.

Number Nine, — Consisting of wards numbered 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19 and 20 in the city of Boston in Suffolk county.

Number Ten, — Consisting of the cities of Attleboro, Fall River and Taunton and the towns of Berkley, Dighton, Easton, Freetown, Mansfield, North Attleborough, Norton, Raynham, Rehoboth, Seekonk, Somerset and Swansea, all in Bristol county; the city of Newton in Middlesex county; and the towns of Dover, Foxborough, Medfield, Needham, Norfolk, Plainville, Walpole, Wellesley, Westwood and Wrentham, all in Norfolk county.

Number Eleven, — Consisting of the city of Quincy and the towns of Avon, Braintree, Canton, Dedham, Holbrook, Milton, Norwood, Randolph, Sharon, Stoughton and Weymouth, all in Norfolk county; the city of Brockton in Plymouth county; and ward numbered 18 in the city of Boston in Suffolk county.

Number Twelve, — Consisting of the towns in Barnstable county; the city of New Bedford and the towns of Acushnet, Dartmouth, Fairhaven and Westport, all in Bristol county; the towns in Dukes county; the town of Nantucket in Nantucket county; the town of Cohasset in Norfolk county; and the towns in Plymouth county.

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

*Approved April 3, 1962.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, April 3, 1962.

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 315 of the Acts of 1962, entitled "An Act Establishing Congressional Districts" and the enactment of which received my approval on April 3, 1962, 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 immediately provide for the establishment of Congressional Districts.

Very truly yours,

JOHN A. VOLPE,  
*Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, BOSTON, April 4, 1962.

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 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 three hundred and fifteen of the acts of nineteen hundred and sixty-two.

KEVIN H. WHITE,  
*Secretary of the Commonwealth.*

**Chap. 316.** AN ACT AUTHORIZING THE POLICE OF THE CITY OF NEWTON TO REMOVE FROM PRIVATE PROPERTY MOTOR VEHICLES PARKED THEREON WITHOUT PERMISSION OF THE OWNER.

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

SECTION 1. Any officer in charge of a police station in the city of Newton, 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 Newton 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 upon 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 charges for removal shall not exceed eight dollars, and that the charges for storage shall not exceed one dollar and a half for any twenty-four hour period or one dollar for any lesser period.

SECTION 2. This act shall take effect upon its acceptance by the city of Newton.

*Approved April 3, 1962.*

**Chap. 317.** AN ACT PROHIBITING THE SALE, DELIVERY OR POSSESSION OF ALCOHOLIC BEVERAGES IN PUBLIC SCHOOL BUILDINGS OR ON ANY PREMISES USED FOR PUBLIC SCHOOL PURPOSES.

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

Chapter 272 of the General Laws is hereby amended by inserting after section 40 the following section: —

*Section 40A.* Whoever gives, sells, delivers or has in his possession any alcoholic beverage, except for medicinal purposes, in any public

school building, or on any premises used for public school purposes and under the charge of a school committee or other public board or officer, shall be punished by imprisonment for not more than thirty days or by a fine of not more than one hundred dollars, or both.

*Approved April 3, 1962.*

**Chap. 318.** AN ACT PROVIDING THAT CERTAIN POLICE OFFICERS SHALL BE GIVEN AN ADDITIONAL DAY OFF OR AN ADDITIONAL DAY'S PAY WHEN THEIR REGULAR DAY OFF FALLS ON A HOLIDAY WHICH OCCURS ON SATURDAY.

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

Chapter 147 of the General Laws is hereby amended by striking out section 17A, as amended by chapter 200 of the acts of 1961, and inserting in place thereof the following section: — *Section 17A.* If any police officer of a city or town is required to work on January first, February twenty-second, April nineteenth, May thirtieth, July fourth, the first Monday of September, October twelfth, November eleventh, Thanksgiving day or Christmas day, or the day following when any of the five days first mentioned, or October twelfth, November eleventh or Christmas day, occurs on Sunday, he shall be given an additional day off, or, if such additional day off cannot be given because of personnel shortage or other cause, he shall be entitled to an additional day's pay; provided, that, in the case of a police officer who works five or more days a week, and whose regular day off falls on any of the aforementioned holidays, an additional day shall be allowed, or payment in lieu of one day shall be allowed. 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. This section shall take effect in a city having a Plan E charter when accepted by the affirmative vote of a majority 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 3, 1962.*

**Chap. 319.** AN ACT PROVIDING FOR THE ANNUAL SUBMISSION BY THE METROPOLITAN TRANSIT AUTHORITY OF A REPORT TO THE ADVISORY BOARD OF SAID AUTHORITY STATING ANTICIPATED INCOME AND EXPENSES.

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

Chapter 544 of the acts of 1947 is hereby amended by inserting after section 4 the following section: —

*Section 4A.* Not later than November first of each year the trustees shall prepare and submit to the advisory board of the authority a detailed estimate of the income and expenditures of the authority during the next calendar year, which shall include all anticipated expenditures for administration, operation, maintenance, required interest and principal payments on indebtedness, and all anticipated capital expenditures.

*Approved April 3, 1962.*

**Chap. 320.** AN ACT RELATIVE TO THE TERM OF OFFICE OF THE MODERATOR OF THE TOWN OF FALMOUTH.

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

Section 6 of chapter 349 of the acts of 1935 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — A moderator shall be elected by ballot at each annual town meeting for a term of one year, and shall serve as moderator of all town meetings, except as otherwise provided by law, until a successor is elected and qualified; provided, however, that if at any town meeting the town votes that the term of the moderator shall be three years, a moderator shall be elected at the next annual town meeting, and at each third annual town meeting thereafter, for a term of three years, such three year term to commence with the annual town meeting next following such election.

*Approved April 4, 1962.*

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**Chap. 321.** AN ACT PROVIDING FOR THE PAYMENT OF OVERTIME COMPENSATION OWED TO A POLICE OFFICER AT THE TIME OF HIS DEATH OR RETIREMENT.

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

SECTION 1. Chapter 147 of the General Laws is hereby amended by inserting after section 17D, inserted by section 2 of chapter 246 of the acts of 1961, the following section: —

*Section 17E.* Whenever the employment of any police officer subject to section one hundred and eleven H of chapter forty-one or sections seventeen A, seventeen B, and seventeen C of this chapter is terminated during a year by dismissal through no fault or delinquency on his part or by resignation, retirement or death, without his having received the compensation to which he is entitled under such sections, he, or in case of his death, his estate, shall be paid the full amount of such compensation, provided that no monetary or other allowance has already been made therefor. The official head of the department in which the police officer was last employed shall enter on the departmental payroll all amounts payable under this section.

SECTION 2. Section 111 I of chapter 41 of the General Laws, as amended by section 3 of chapter 562 of the acts of 1954, is hereby further amended by inserting after the letter "F", in line 6, the words: — or section seventeen E of chapter one hundred and forty-seven.

*Approved April 4, 1962.*

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**Chap. 322.** AN ACT PROVIDING FOR THE APPOINTMENT BY THE MAYOR OF THE CITY OF BOSTON OF THE POLICE COMMISSIONER FOR SAID CITY.

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

SECTION 1. Chapter 291 of the acts of 1906 is hereby amended by striking out sections 7, 8, 9, 10, 11, 12, 13 and 14, as amended, and inserting in place thereof the following sections: —

*Section 7.* There shall be in the city of Boston a department, known as the police department, which shall be under the charge of an officer,

known as the police commissioner, appointed by the mayor for a term of five years commencing on May first of the year in which he is appointed, except that any vacancy in said office shall be filled for the balance of the unexpired term. Such officer shall at the time of his appointment have had at least ten years' experience as a member of a federal, state or local police force or law enforcement agency. Notwithstanding the provisions of section fourteen of chapter four hundred and eighty-six of the acts of nineteen hundred and nine such officer may, after notice and hearing, be removed by the mayor of said city for cause. Such officer shall not engage in any other business, and shall receive an annual salary of fifteen thousand dollars or such other sum as may from time to time be fixed by the city council with the approval of the mayor.

*Section 8.* In case of the absence or disability of the police commissioner or of vacancy in his office without a temporary police commissioner having been appointed under section sixty-one A of chapter forty-one of the General Laws, the superintendent of police hereinafter provided for or, in case of his absence or disability or vacancy in his office, the next ranking officer of the police force or, where there are two such officers of equal rank, the senior officer in date of appointment, shall be acting police commissioner. An acting police commissioner shall receive no extra compensation for his services as such.

*Section 9.* The police commissioner shall appoint a secretary, who shall be exempt from the civil service laws and rules, shall be sworn to the faithful performance of his duties, shall serve at the pleasure of the police commissioner, and shall keep such records, issue such notices and attest such papers and orders as the police commissioner shall direct. Such secretary shall receive such annual salary as shall be fixed by the police commissioner with the approval of the mayor.

*Section 10.* The police commissioner shall have authority to appoint, establish and organize the police of said city, and shall appoint from said police, and as a part thereof, a superintendent of police, who shall receive such annual salary as shall from time to time be fixed by the police commissioner with the approval of the mayor.

The police commissioner shall appoint from said police and as a part thereof such number of deputy superintendents, captains and other officers as he may from time to time deem proper. The police commissioner with the approval of the mayor shall establish, and may from time to time revise, a compensation plan for the deputy superintendents, captains and other officers and members of said police, who shall be compensated in accordance therewith; provided, however, that a deputy superintendent shall not receive as an annual salary less than ninety-eight hundred and forty dollars, nor a captain less than eight thousand dollars, nor a lieutenant less than sixty-nine hundred and sixty dollars, nor a sergeant less than sixty-two hundred and eighty dollars, nor a patrolman after the second year of service less than fifty-five hundred dollars or in the second year of service less than five thousand and thirty dollars or in the first year of service less than forty-eight hundred and eighty dollars; and provided, further, that lieutenant detectives shall receive an annual salary three hundred dollars in excess of the annual salary of lieutenants, and sergeant detectives shall receive an annual salary three hundred dollars in excess of the annual salary of sergeants, and first grade detectives, second grade detectives and third grade detectives shall receive an annual salary five hundred

dollars, four hundred dollars and three hundred dollars, respectively, in excess of the maximum annual salary of patrolmen.

No person shall be appointed to said police unless at the time of his appointment he is, and for at least two years immediately prior thereto has been, a resident of said city, except that this requirement shall not apply to any appointment of a police commissioner. Women shall be eligible for appointment to said police in the discretion of the police commissioner; and a separate list of women shall be established by the division of civil service.

The civil service laws and rules shall not apply to the appointment of the superintendent of police or any deputy superintendent; nor shall said laws and rules apply to the removal of a superintendent of police or of a deputy superintendent if, upon such removal, he is transferred back to the rank held by him immediately prior to his appointment as superintendent of police or deputy superintendent.

*Section 11.* The police commissioner shall have cognizance and control of the government, administration, disposition and discipline of the department, and of the police force of the department and shall make all needful rules and regulations for the efficiency of said police; provided, however, that no such rule or regulation shall forbid any officer or member of said police from organizing or belonging to any organization composed solely of officers or members, or both, of said police and not affiliated with any outside organization other than the Massachusetts Police Association, and having among its objects the improvement of their conditions of employment, including leaves of absence, hours of labor and compensation. Officers and members of said police shall, whether on or off duty, be subject to the rules and regulations made under this section.

Any officer or member of said police shall have the right to petition the general court or the city council of said city and to appear before any committee thereof; provided, that this paragraph shall not authorize any officer or member to absent himself from duty without permission.

*Section 12.* The police commissioner shall from time to time appoint a trial board, consisting of three captains, to hear the evidence in such complaints against officers or members of said police as said commissioner may deem it advisable to refer to said board. Said board shall report its findings to said commissioner, who may review the same and take such action thereon as he may deem advisable.

*Section 13.* The police commissioner shall also have the powers and perform the duties from time to time conferred or imposed on him by statute. All licenses issued by said commissioner shall be signed by him and recorded in his office; and he may, in his discretion, at any time without a hearing and for any cause deemed satisfactory to him, suspend for such period as he may deem proper any license issued by him.

*Section 14.* The superintendent of police and the other officers and members of said police shall have the powers and perform the duties from time to time conferred or imposed upon the chief and other police officers of cities by section ninety-eight of chapter forty-one of the General Laws, except that they shall when on duty carry such weapons as the police commissioner shall determine. The superintendent of police and the other officers and members of said police shall also have the powers and perform the duties from time to time conferred or imposed on police

or police officers in this commonwealth by general laws applicable to Boston.

SECTION 2. All the powers and duties conferred or imposed upon the police commissioner of the city of Boston by statutory provisions in force immediately prior to the taking effect of this act, except the provisions, so in force, of sections seven to fourteen, inclusive, of chapter two hundred and ninety-one of the acts of nineteen hundred and six, are hereby conferred and imposed upon the police commissioner provided for by this act. All officers and members of the police of said city in office on the effective date of this act and all persons holding, on said date, by appointment of said police commissioner employment subject to the civil service laws and rules shall continue to hold their several offices or employment until their resignation, retirement or removal in accordance with law; and the rules and regulations of the police commissioner of said city in force immediately prior to the taking effect of this act shall continue in force until otherwise ordered by the police commissioner provided for by this act.

SECTION 2A. The office of police commissioner of the city of Boston as an office filled by appointment of the governor with the advice and consent of the council, as provided by section seven of chapter two hundred and ninety-one of the acts of nineteen hundred and six, as amended by section one of chapter three hundred and seventy-seven of the acts of nineteen hundred and thirty eight, and as in effect immediately prior to the effective date of this act, shall be abolished, and the term of office of any incumbent thereof shall terminate upon the qualification of the police commissioner initially appointed by the mayor under the provisions of section seven of chapter two hundred and ninety-one of the acts of nineteen hundred and six, as amended by section one of this act; and upon such qualification such incumbent, or, if there be no incumbent, the acting police commissioner, shall forthwith deliver all books, records and papers in his custody to the police commissioner so appointed.

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

*Approved April 5, 1962.*

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**Chap. 323.** AN ACT RELATIVE TO THE ISSUANCE OF BONDS OR NOTES BY THE CITY OF CHICOPEE FOR THE PURPOSE OF AIDING IN THE CONSTRUCTION AND WORK FOR THE IMPROVEMENT OF CERTAIN STREAMS.

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

SECTION 1. The first sentence of section 1 of chapter 636 of the acts of 1960 is hereby amended by striking out, in line 9, the words "one year" and inserting in place thereof the words: — five years.

SECTION 2. The authorization of the issuance of bonds or notes by the city of Chicopee under chapter six hundred and thirty-six of the acts of nineteen hundred and sixty prior to the passage of this act shall be treated as having been made under said chapter six hundred and thirty-six, as amended by section one of this act. The note for two hundred fifty thousand dollars issued by the city of Chicopee on September fifth, nineteen hundred and sixty under said chapter six hundred and



thirty-six shall be deemed to have been issued pursuant to section seventeen of chapter forty-four of the General Laws in anticipation of the issue of bonds under said chapter six hundred and thirty-six as amended by section one of this act, except that the time during which said note is outstanding shall not affect the time within which bonds are to be made payable under said chapter six hundred and thirty-six as so amended.

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

*Approved April 5, 1962.*

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**Chap. 324.** AN ACT AUTHORIZING THE WATER RESOURCES COMMISSION TO CONSTRUCT RESERVOIRS FOR FLOOD CONTROL AND OTHER PURPOSES IN THE WATERSHED OF THE POWDERMILL BROOK IN THE CITY OF WESTFIELD.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the construction of flood control and other works of improvement within the watershed area of the Powdermill Brook in the City of Westfield and immediately to authorize agreements with the federal government and the City of Westfield to provide for the payment of the cost of such construction by the federal government and the city, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

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

SECTION 1. The water resources commission, hereinafter called the commission, in order to facilitate the performance of its duties, powers and obligations, is hereby authorized and directed to enter into and execute with the United States Department of Agriculture an agreement or contract, in accordance with the provisions of the Watershed Protection and Flood Prevention Act, for the construction of certain works of improvement in the watershed area of the Powdermill Brook in the city of Westfield for the purposes of flood prevention and related purposes, including water resources utilization, which project shall be designated as the Powdermill Brook Watershed Project.

SECTION 2. The commission, acting on behalf of the commonwealth, may enter into agreements providing for the construction of the following reservoirs for the storage of flood waters and other water resources utilization in said watershed area: —

1. Reservoir on Arm Brook, north of the Massachusetts Turnpike, in the city of Westfield.

2. Reservoir on Powdermill Brook, upstream from the New York, New Haven and Hartford Railroad right-of-way, in the city of Westfield.

SECTION 3. The commission, acting for and in behalf of the commonwealth, may enter into an agreement with the city of Westfield for the commission to be the contracting authority to construct the works of improvement described in section two, provided, however, that the city shall provide all lands, water rights, rights-of-way, and easements, public or private, necessary for accomplishing any purpose mentioned in this act and shall deposit funds in advance with the state treasurer to the credit of the commission for payment of all non-federal costs of the

projects authorized under this act. Funds so deposited shall be held in a special account and expended by the commission without further appropriation. Any unexpended balances remaining in the special account upon the completion of the works authorized shall be returned to the city of Westfield.

SECTION 4. The city of Westfield shall be responsible for any damages or costs incurred as a result of the acquisition of the lands, water rights, rights-of-way, or other easements, public or private, and the ownership of the property and rights so acquired shall remain in the name of the city of Westfield.

SECTION 5. Upon completion of each structure named in section two of this act, the city of Westfield shall assume the responsibility for the maintenance and operation of the works in a manner satisfactory to the commission.

*Approved April 9, 1962.*

**Chap. 325.** AN ACT NAMING CERTAIN BRIDGES AND A ROTARY CIRCLE IN THE TOWN OF MIDDLEBOROUGH.

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

SECTION 1. The following bridges and rotary circle in the town of Middleborough shall be designated as follows: — The tri-level bridge on state highway Route 25 over South Main street, and over the New York, New Haven and Hartford tracks, the Middleborough Veterans of Foreign Wars Memorial Bridge; the bridge on Harding street over said Route 25, the P. F. C. Albert B. Lang Memorial Bridge; the bridge on state highway Route 18 over said Route 25, the Seaman 1st Class Leonard W. MacDonald Memorial Bridge; the bridge on said Route 25 over the New York, New Haven and Hartford Railroad tracks, the Lt. Robert A. Crozier Memorial Bridge; the bridge on said Route 25 over Nemasket river, the Pvt. Vernon A. Porter Memorial Bridge; the bridge on Wood street over said Route 25, the Pvt. Earl L. Casey Memorial Bridge; the bridge on Cherry street over said Route 25, the Pvt. Harry C. Martins Memorial Bridge; the bridge on Miller street over said Route 25, the P. F. C. Vincent A. Galfre Memorial Bridge; the bridge on said Route 25 over state highway Route 28, the Sgt. Robert B. Stuart Memorial Bridge; the rotary circle at the intersection of said Route 28 and said Route 18, the Middleborough American Legion Memorial Circle. Suitable markers bearing said designations shall be erected on said bridges and at said circle by the department of public works.

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

*Approved April 9, 1962.*

**Chap. 326.** AN ACT AUTHORIZING THE MASSACHUSETTS AUDUBON SOCIETY INC. TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

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

The Massachusetts Audubon Society Inc., an educational and scientific charitable corporation, organized under general laws, is hereby authorized to take and receive by gift, grant, bequest, devise or otherwise, any lands, tenements or other estate, real or personal, in an amount

not to exceed fifteen million dollars, and to have and to hold the same upon the terms and for the purposes specified in the agreement of association and the articles of organization, as amended, of said corporation; and upon such terms and for such purposes as may be expressed in any deed or instrument of conveyance or gift made to said corporation, provided the same shall not be inconsistent with the terms and purposes of the aforesaid agreement of association and articles of organization, as amended.

*Approved April 9, 1962.*

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**Chap. 327.** AN ACT PROVIDING THAT ZONING REGULATIONS WHICH PERMIT A CHANGE OF BOUNDARY LINES OF ZONING DISTRICTS OR ZONES WITHOUT THE NECESSITY OF THE ADOPTION OF AN AMENDMENT TO A ZONING ORDINANCE OR BY-LAW SHALL NOT BE VALID.

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

Section 6 of chapter 40A of the General Laws, as most recently amended by section 1 of chapter 201 of the acts of 1962, is hereby further amended by adding at the end the following sentence: — No provision of a zoning ordinance or by-law shall be valid which sets apart zoning districts or zones by establishing between them a boundary line which may subsequently be changed without the adoption of an amendment to a zoning ordinance or by-law so changing such line.

*Approved April 9, 1962.*

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**Chap. 328.** AN ACT AUTHORIZING THE SUPERIOR COURT TO ISSUE SEARCH WARRANTS RETURNABLE IN A DISTRICT COURT.

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

Section 3A of chapter 276 of the General Laws, inserted by chapter 247 of the acts of 1934, is hereby amended by inserting after the word "thereon", in line 4, the words: — ; provided, however, that a justice of the superior court may at any time receive complaints and issue search warrants returnable in seven days before a district court named in such warrant and in that event the officer shall make his return to such district court as directed.

*Approved April 9, 1962.*

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**Chap. 329.** AN ACT AUTHORIZING THE CITY OF GLOUCESTER TO SELL CERTAIN PARK LAND AT PUBLIC AUCTION.

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

SECTION 1. The city of Gloucester is hereby authorized to sell at public auction a certain parcel of land with the buildings thereon held for park purposes, bounded and described as follows: — Beginning at a drill hole in a stone bound at the junction of a Right of Way and Western Avenue 190.54 feet easterly of a Massachusetts Highway Bound on Western Avenue and proceeding on a line S 5° 51' 25" E 129.90 feet along a Right of Way to an iron rod; thence proceeding on the same course 18.46 feet along the above mentioned Right of Way to the corner of a stone wall; thence turning and running generally along a stone wall S 79° 54' 14" W 65.40 feet by land of Millard E. Collins et ux to a point; thence turning and running S 3° 55' 45" W 29.00 feet by land of said

Collins to a point; thence turning and running S 71° 58' 33" W 15.00 feet by land of said Collins and Henry M. Garvey et ux to a point; thence turning and running N 2° 45' 48" W 182.90 feet by land of Raymond L. Morrison et ux and Thomas J. Curcuru et ux to a spike; thence turning and running N 82° 24' 25" E 75.00 feet by Western Avenue to the point of beginning; containing approximately 12,340 square feet, more or less. The proceeds from the sale of said land shall be used to purchase additional park or playground land in said city.

SECTION 2. This act shall take effect upon its acceptance by the city of Gloucester.

*Approved April 9, 1962.*

**Chap. 330.** AN ACT AUTHORIZING THE CITY OF BOSTON TO SELL CERTAIN PARK LAND IN THE WEST ROXBURY DISTRICT OF SAID CITY TO THE ROMAN CATHOLIC ARCHBISHOP OF BOSTON, A CORPORATION SOLE.

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

SECTION 1. Notwithstanding any contrary provisions of general or special law, the city of Boston acting by and through its parks and recreation commission, with the approval of the mayor, is hereby authorized to sell and convey to the Roman Catholic Archbishop of Boston, a corporation sole, the whole or any part of a certain parcel of land now held for park purposes and containing approximately 9.25 acres, bounded and described as follows: — Beginning at a point on the northerly sideline of the Veterans of Foreign Wars Parkway, said point being the southwesterly corner of the herein described parcel; thence northerly 485 feet to a stone bound; thence easterly by a curve to the left, radius = 70.57 feet, 90 feet to a stone bound; thence northerly 465.84 feet to a point, said point being the most northerly corner of the herein described parcel; thence southeasterly 809.08 feet to a point, said point being the most easterly corner of the herein described parcel; thence southeasterly 166.85 feet to a point, said point being on the northerly sideline of the Veterans of Foreign Wars Parkway; thence by the northerly sideline of the Veterans of Foreign Wars Parkway 672 feet to the point of beginning, all of said measurements being more or less. Said land is a portion of the land taken by eminent domain by the board of park commissioners of said city on the twenty-second day of October in the year eighteen hundred and ninety-four, as evidenced by the instrument recorded in Suffolk County Registry of Deeds, Book 2244, page 545.

SECTION 2. This act shall take effect upon its acceptance by the city of Boston.

*Approved April 10, 1962.*

**Chap. 331.** AN ACT PROVIDING THAT MEETINGS OF THE TRUSTEES OF THE METROPOLITAN TRANSIT AUTHORITY AND OF THE BOARD OF MANAGERS OF THE SOUTH SHORE TRANSPORTATION DISTRICT SHALL BE SUBJECT TO THE PROVISIONS OF THE OPEN MEETING LAW.

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

Section 11A of chapter 30A of the General Laws is hereby amended by striking out the last paragraph, as appearing in section 2 of chapter 626 of the acts of 1958, and inserting in place thereof the following paragraph: —

The provisions of this section shall not apply to the executive council, bodies of the judicial branch, committees of the general court, recess commissions or the governing board or body of any authority established by the general court to serve a public purpose in the commonwealth or any part thereof, except the trustees of the Metropolitan Transit Authority, established by section two of chapter five hundred and forty-four of the acts of nineteen hundred and forty-seven, and the board of managers of the South Shore Transportation District, established by section two of chapter four hundred and fifty-two of the acts of nineteen hundred and sixty-one, whether such authority is within or without the formal structure of the state government, or to any meeting of a quasi-judicial board or commission held for the sole purpose of making a decision required in an adjudicatory proceeding brought before it, or of the board of bank incorporation, the state tax commission, the small loans regulatory board or the General Insurance Guaranty Fund.

*Approved April 10, 1962.*

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**Chap. 332.** AN ACT AUTHORIZING BANKS AND OTHER LENDING INSTITUTIONS TO OFFER RELIEF TO CERTAIN MORTGAGORS WHOSE TAXES HAVE BEEN INCREASED AS A RESULT OF A GENERAL REASSESSMENT OF THE REAL ESTATE IN THE TOWN WHERE THE PROPERTY IS LOCATED.

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

SECTION 1. Where the terms of a note or mortgage require a proportionate part of the real estate taxes to be included in a periodic payment of principal, interest and taxes, the terms may be revised, notwithstanding any provision of law to the contrary, when said tax payment is increased at least twenty-five per cent as a result of a general reassessment of the real estate in the towns wherein the mortgaged premises are located, in order to provide for an extension of the term sufficient to amortize said mortgage in such additional period so that said periodic payments continue to be approximately equal to the payments being made at the time of such increase, through a reduction in the principal payments in an amount approximately equal to such tax increase and the application of such amount to the tax account.

SECTION 2. This act shall become inoperative on June thirtieth, nineteen hundred and sixty-seven.

*Approved April 10, 1962.*

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**Chap. 333.** AN ACT REPEALING THE PROVISIONS OF LAW PROHIBITING THE SALE OF ALCOHOLIC BEVERAGES BY ALIENS.

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

Section thirty-one of chapter one hundred and thirty-eight of the General Laws is hereby repealed.

*Approved April 10, 1962.*

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**Chap. 334.** AN ACT RELATIVE TO THE ESTABLISHMENT OF A RIGHT OF WAY IN THE TOWNS OF LITTLETON AND ACTON FOR PUBLIC ACCESS TO FORT POND.

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

SECTION 1. Section 1 of chapter 195 of the acts of 1952 is hereby amended by striking out the first sentence and inserting in place thereof

the following sentence:— The county commissioners of Middlesex county are hereby authorized and directed to lay out in the towns of Littleton and Acton, or the town of Littleton only, a right of way for public access to Fort pond, in accordance with plans to be approved by the department of public works and showing the location and dimensions of such right of way.

SECTION 2. Said chapter 195 is hereby further amended by striking out section 2 and inserting in place thereof the following section:—

*Section 2.* The selectmen of the towns of Littleton and Acton from time to time may make specific repairs on or improve any portion of such right of way located within their respective towns to such extent as they may deem necessary, but neither the county of Middlesex nor any city or town therein, shall be required to keep such right of way in repair, nor shall they be liable for injury sustained by persons travelling thereon; provided, that sufficient notice to warn the public is posted where such way enters upon or unites with an existing public way.

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

*Approved April 11, 1962.*

**Chap. 335.** AN ACT DESIGNATING A CERTAIN FOOTBRIDGE IN THE CITY OF BOSTON AS THE HUGH FARREN FOOTBRIDGE.

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

The footbridge crossing Old Colony avenue and Columbia road in the vicinity of the Old Harbor Village Housing Project in the South Boston district of the city of Boston is hereby designated and shall hereafter be known as the Hugh Farren footbridge, in memory of Hugh Farren, a member of the United States Navy, who was killed in action during the assault on the Gilbert Islands, in the Pacific, during World War II. A suitable marker bearing said designation shall be erected on said footbridge by the metropolitan district commission.

*Approved April 13, 1962.*

**Chap. 336.** AN ACT RELATIVE TO GRANTING PERMITS TO BLIND PERSONS TO OPERATE VENDING STANDS IN PUBLIC BUILDINGS.

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

Chapter 69 of the General Laws is hereby amended by striking out section 24A, as most recently amended by chapter 477 of the acts of 1956, and inserting in place thereof the following section:— *Section 24A.* The officer, board or other authority in charge of any building or property of the commonwealth, or any county, city or town thereof, shall grant to a blind person, duly licensed therefor by the division of the blind, authority to operate in such building or on such property a stand for the vending of newspapers, periodicals, confections, tobacco products and such other articles as such officer, board or other authority approves, wherever a vending stand may be properly and satisfactorily operated by a blind person.

*Approved April 13, 1962.*

**Chap. 337.** AN ACT PROHIBITING PILING SNOW ON FIRE HYDRANTS SO AS TO CONCEAL THE SAME OR COVER THEIR OUTLETS.

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

Chapter 148 of the General Laws is hereby amended by inserting after section 27A the following section:—

*Section 27B.* No person other than an employee in the service of the commonwealth or any political subdivision thereof or in the service of an independent contractor acting for the commonwealth or any such subdivision shall pile, push or plow snow or ice on or against any fire hydrant or other similar device used for fire protection which is located in any public or private way so as to conceal such hydrant or device or cover any outlet thereof. Whoever violates this section shall be punished by a fine of not more than one hundred dollars.

*Approved April 13, 1962.*

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**Chap. 338.** AN ACT CHANGING THE NAME OF THE TRAFFIC DEPARTMENT IN THE CITY OF BOSTON TO THE TRAFFIC AND PARKING DEPARTMENT, AND CONFERRING AND IMPOSING ON THE COMMISSIONER OF TRAFFIC AND PARKING ADDITIONAL POWERS AND DUTIES WITH RESPECT TO PUBLIC OFF-STREET PARKING FACILITIES IN SAID CITY.

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

SECTION 1. Chapter 263 of the acts of 1929 is hereby amended by striking out section 1, as most recently amended by section 1 of chapter 755 of the acts of 1960, and inserting in place thereof the following section:— *Section 1.* There shall be in the city of Boston, hereinafter called the city, a department, known as the traffic and parking department, which shall be under the charge of a board, known as the traffic and parking commission, hereinafter called the commission, consisting of an officer, known as the commissioner of traffic and parking, appointed by the mayor for a term expiring on the first Monday of the January following the next biennial municipal election at which a mayor is elected, who shall be chairman of the commission, and four other officers, known as associate commissioners of traffic and parking. The police commissioner, the fire commissioner, the commissioner of public works and the commissioner of real property of the city shall be, ex officio, the associate commissioners of traffic and parking.

The commissioner of traffic and parking shall receive such annual salary as shall from time to time be fixed by the city council with the approval of the mayor. The associate commissioners of traffic and parking shall receive no compensation for their services as associate commissioners of traffic and parking.

SECTION 2. Section 1A of said chapter 263, inserted by section 1 of chapter 253 of the acts of 1957, is hereby amended by striking out, in line 1, the words "traffic commissioner" and inserting in place thereof the words:— commissioner of traffic and parking, — and by inserting after the word "traffic", in line 7, the words:— and parking.

SECTION 3. Section 1B of said chapter 263, inserted by section 1 of said chapter 253, is hereby amended by striking out, in line 1, the words "traffic commissioner" and inserting in place thereof the words:— commissioner of traffic and parking.

SECTION 4. Section 2 of chapter 263 of the acts of 1929 is hereby amended by striking out the first sentence, as amended by section 2 of said chapter 253, and inserting in place thereof the following sentence: — For the purpose of conserving the public convenience in the use of the streets, ways, highways, roads and parkways under the control of the city, the commission shall have exclusive authority to adopt, amend, alter and repeal rules, which shall be reasonable and not repugnant to law, regulating the time, place and manner of parades, processions, and other organized formations of persons or vehicles, other than funeral processions and picket lines, in or upon all or any such streets, ways, highways, roads and parkways, and prescribing that no person shall take part in any parade, procession or other organized formation of persons or vehicles, other than a funeral procession or a picket line, in or upon any such street, way, highway, road or parkway unless the commissioner of traffic and parking has granted a permit for such parade, procession or formation; provided, however, that no rule prescribing a permit shall be valid unless it also requires the issuance of the permit in all cases except where the time, place and manner are not in conformity with rules adopted hereunder and except where the permit would conflict as to time or place with a permit previously issued; and provided, further, that, notwithstanding anything to the contrary in chapter two hundred and twenty-two of the acts of nineteen hundred and forty-nine, no fee shall be charged for any such permit.

SECTION 5. Section 2A of said chapter 263, as appearing in section 1 of chapter 84 of the acts of 1960, is hereby amended by striking out, in line 2, the words "traffic commissioner" and inserting in place thereof the words: — commissioner of traffic and parking, — and by inserting after the word "traffic", in line 15, the words: — and parking.

SECTION 6. Said chapter 263 is hereby further amended by striking out section 2B, inserted by section 5 of chapter 253 of the acts of 1957, and inserting in place thereof the following section: — *Section 2B.* Whenever the traffic and parking commission is not in session, the commissioner of traffic and parking shall have all authority of the commission under section two notwithstanding that the matter may admit of delay; provided, that any rule or regulation promulgated by said commissioner in exercising the power vested in him by this section may be amended or repealed at any time by the commission.

SECTION 7. Said chapter 263 is hereby further amended by striking out section 2C, as amended by chapter 7 of the acts of 1958, and inserting in place thereof the following section: — *Section 2C.* Within thirty days after the filing with the traffic and parking commission by twenty-five registered voters of the city a petition for a public hearing relative to any rule or regulation adopted or proposed to be adopted by the commission or promulgated by the commissioner of traffic and parking under section two B, the commission shall hold such a hearing on such rule or regulation; and final action on such rule or regulation shall be determined only by vote of a majority of the entire membership of the commission.

No rule or regulation adopted by the traffic and parking commission or promulgated by the commissioner of traffic and parking under section two B shall take effect until published in the City Record.

Neither this section nor section two of chapter eighty-five of the General Laws shall apply to any rule or regulation adopted by the traffic



and parking commission under section two or promulgated by the commissioner of traffic and parking under section two B which, by its terms, is to be operative for less than sixty-one days.

SECTION 8. Section 2D of said chapter 263, inserted by said section 5 of chapter 253 of the acts of 1957, is hereby amended by striking out, in line 2, the words "traffic commissioner" and inserting in place thereof the words: — commissioner of traffic and parking.

SECTION 9. Section 1 of chapter 140 of the acts of 1934 is hereby amended by inserting after the word "traffic", in line 1, the words: — and parking.

SECTION 10. Section 1 of chapter 474 of the acts of 1946 is hereby amended by striking out, in line 5, the word "board" and inserting in place thereof the words: — commissioner of traffic and parking of the city.

SECTION 11. Said section 1 is hereby further amended by striking out clause (a) and inserting in place thereof the following clause: —

(a) The power to acquire by eminent domain under chapter seventy-nine or chapter eighty A of the General Laws or by purchase, gift, devise or otherwise, but not by lease, and to hold, property, real or personal, or any interest therein except a leasehold estate for the purposes of this act; provided, that the board shall have no power to acquire, except by gift or devise, any property privately held and operated as a garage, which term shall not be construed to include a parking space; provided, further, that the board shall have no power to acquire by eminent domain or by purchase any real estate other than that which the board, with the approval of the commissioner of traffic and parking of the city and the Boston Redevelopment Authority shall have determined should be devoted to the purposes of this act; and provided, further, that no purchase and no award, settlement or agreement for judgment in eminent domain proceedings hereunder shall be made by the city or in its behalf, unless the terms of the proposed purchase, award, settlement or agreement, together with all pertinent facts, shall first have been submitted to the Boston Finance Commission not less than ten days before such purchase, award, settlement or agreement;

SECTION 12. Said section 1 is hereby further amended by striking out clause (c) and inserting in place thereof the following clause: —

(c) The power to clear, grade, surface and resurface any property acquired or used for the purposes of this act, and to construct and maintain thereon such structures and facilities for parking as the board with the approval of the commissioner of traffic and parking of the city shall determine;

SECTION 13. Clause (e) of said section 1, as appearing in section 2 of chapter 612 of the acts of 1948, is hereby amended by inserting after the word "board", in line 25, the words: — and approved by the commissioner of traffic and parking of the city.

SECTION 14. Section 1 of chapter 203 of the acts of 1959 is hereby amended by striking out, in line 8, the words "traffic commissioner" and inserting in place thereof the words: — commissioner of traffic and parking.

SECTION 15. Section 2 of said chapter 203 is hereby amended by striking out, in line 4, the words "traffic commissioner" and inserting in place thereof the words: — commissioner of traffic and parking.

SECTION 16. The first sentence of section 22A of chapter 40 of the General Laws, as appearing in section 1 of chapter 442 of the acts of 1947, is hereby amended by striking out, in line 11, the words "the Boston Traffic Commission" and inserting in place thereof the words: — its traffic and parking commission, or promulgated by its commissioner of traffic and parking, , — and by striking out, in lines 16 and 17, the words "the Boston Traffic Commission" and inserting in place thereof the words: — the traffic and parking commission of said city.

SECTION 17. Section 17A of chapter 45 of the General Laws, as most recently amended by chapter 1 of the acts of 1955, is hereby amended by striking out, in line 3, the words "the chairman of its traffic commission" and inserting in place thereof the words: — its commissioner of traffic and parking.

SECTION 18. The first paragraph of section 18 of chapter 90 of the General Laws, as appearing in chapter 341 of the acts of 1960, is hereby amended by inserting after the word "traffic", in line 1, the words: — and parking.

SECTION 19. The last paragraph of said section 18 of said chapter 90, added by chapter 135 of the acts of 1955, is hereby amended by inserting after the word "traffic", in lines 5 and 10, in each instance, the words: — and parking.

SECTION 20. The second sentence of the second paragraph of section 20A of said chapter 90, as amended by section 1 of chapter 233 of the acts of 1961, is hereby further amended by striking out, in line 14, the words "Boston traffic commission or" and inserting in place thereof the words: — traffic and parking commission of the city of Boston or by.

SECTION 21. Said section 20A is hereby further amended by striking out the fifth paragraph, as amended by section 6 of chapter 455 of the acts of 1961, and inserting in place thereof the following paragraph: —

The traffic and parking commission of the city of Boston shall from time to time establish, with the approval of the city council of said city, 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 said city; provided, however, that said commission shall not establish under the provisions of this paragraph any fine exceeding fifteen dollars.

SECTION 22. Section 56 of chapter 148 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 1 of chapter 168 of the acts of 1962, and inserting in place thereof the following sentence: — In any city or town which accepts the provisions of this section, no person shall engage in the business of conducting or maintaining an open-air parking space without a license therefor granted, in the city of Boston, by its commissioner of traffic and parking, and in any other city or town, by the local licensing authority, approved in all cases by the head of the fire department.

SECTION 23. Section fifty-six of chapter one hundred and forty-eight of the General Laws, as amended by section twenty-two of this act, shall be applicable to each city or town which has accepted the provisions of section fifty-six of said chapter one hundred and forty-eight, as in effect prior to the effective date of this act, or corresponding provisions of earlier laws.

SECTION 24. This act shall take effect on July first, nineteen hundred and sixty-two.

*Approved April 13, 1962.*

**Chap. 339.** AN ACT AUTHORIZING BANKS TO ACCEPT AND DISBURSE INSURANCE PREMIUMS RELATING TO EDUCATIONAL SAVINGS PROGRAMS.

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

Chapter 167 of the General Laws is hereby amended by inserting after section 56 the following section: —

*Section 56A.* Any bank may establish, participate in, and act as trustee in an educational savings program approved by the commissioner whereby any person may purchase a specific plan in such program designed to provide for the education of a child upon his attaining college age. Such bank may purchase group life insurance on the lives of the debtors participating in such program. The premium for such insurance, or the premium on an individual life insurance policy held to cover the indebtedness, may be added to the payments required of any such debtor and the proceeds of any such insurance, dividends or premium refunds shall be applied by the bank for the sole benefit of the debtors in the manner provided in section fifty-six. No trustee, director, officer or employee of such bank shall benefit financially, directly or indirectly, from the sale of such insurance.

*Approved April 13, 1962.*

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**Chap. 340.** AN ACT PROVIDING THAT CERTAIN ZONING ORDINANCES OR BY-LAWS SHALL NOT PROHIBIT THE EXPANSION OF CERTAIN NON-CONFORMING STRUCTURES OR LAND USED FOR AGRICULTURAL PURPOSES.

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

Section 5 of chapter 40A of the General Laws, as appearing in section 2 of chapter 368 of the acts of 1954, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — Such an ordinance or by-law may regulate non-use of non-conforming buildings and structures so as not to unduly prolong the life of non-conforming uses; provided, that no such ordinance or by-law shall so regulate the non-use of non-conforming land used for agriculture, horticulture or floriculture where such non-use has existed for less than five years; and provided, further, that no such ordinance or by-law shall prohibit the alteration, rebuilding or expansion within applicable setback requirements of non-conforming buildings, except greenhouses located in residential areas, or the expansion of land, used primarily for agriculture, horticulture or floriculture. *Approved April 13, 1962.*

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**Chap. 341.** AN ACT RELATIVE TO CRIMINAL PROSECUTIONS FOR FAILURE TO PAY MINIMUM WAGES.

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

Paragraph (2) of section 19 of chapter 151 of the General Laws, as most recently amended by section 3 of chapter 134 of the acts of 1962, is hereby further amended by striking out, in lines 1 and 2, the word "knowingly".

*Approved April 13, 1962.*

**Chap. 342.** AN ACT REQUIRING CERTAIN RATING ORGANIZATIONS AND INSURANCE COMPANIES TO FURNISH RATING INFORMATION RELATING TO WORKMEN'S COMPENSATION RISKS AND PROVIDING FOR HEARING AND APPEAL PROCEDURE IN CONNECTION THEREWITH.

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

Section 52D of chapter 152 of the General Laws, as appearing in section 2 of chapter 619 of the acts of 1947, is hereby amended by adding at the end the following paragraph: —

Every rating organization and every insurer which makes its own rates shall, within a reasonable time after receiving written request therefor and upon payment of such reasonable charge as it may make, furnish to any insured affected by a rate made by it, or to the authorized representative of such insured, all pertinent information as to such rate. Every rating organization and every insurer which makes its own rates shall provide within the commonwealth reasonable means whereby any person aggrieved by the application of its rating system may be heard, in person or by his authorized representative, on his written request to review the manner in which such rating system has been applied in connection with the insurance afforded him. If the rating organization or insurer fails to grant or reject such request within thirty days after it is made, the applicant may proceed in the same manner as if his application had been rejected. Any party affected by the action of such rating organization or such insurer on such request may, within thirty days after written notice of such action, appeal to the commissioner, who, after a hearing held upon not less than ten days' written notice to the appellant and to such rating organization or insurer, may affirm or reverse such action.

*Approved April 13, 1962.*

**Chap. 343.** AN ACT REDUCING THE PERIOD OF TIME DURING WHICH CERTAIN VOTING LISTS SHALL BE PRESERVED BY REGISTRARS OF VOTERS.

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

Section 109 of chapter 54 of the General Laws, as amended by section 23 of chapter 411 of the acts of 1943, is hereby further amended by striking out, in line 15, the word "five" and inserting in place thereof the word: — two, — so as to read as follows: — *Section 109.* City and town clerks shall retain in their custody the envelopes or containers containing the ballots cast, without examining them or permitting them to be examined by any person except as required by law, and upon the expiration of the period fixed for their preservation shall cause such ballots to be destroyed.

City and town clerks shall retain in their custody the voting lists and ballots not cast as long as they retain the ballots cast. They shall then transmit such voting lists to the registrars of voters, and shall destroy the ballots marked "Spoiled", without examining them or permitting them to be examined, and may make such disposition of the undistributed ballots as they may deem proper. Such voting lists shall be preserved by the registrars of voters for reference for two years after the expiration of which they may be destroyed.

*Approved April 13, 1962.*

**Chap. 344.** AN ACT AUTHORIZING THE BOARD OF DIRECTORS OF A CREDIT UNION TO DELEGATE CERTAIN LENDING POWERS TO ONE OR MORE LOAN OFFICERS.

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

Chapter 171 of the General Laws is hereby amended by striking out section 22, as amended by chapter 88 of the acts of 1952, and inserting in place thereof the following section: — *Section 22.* The credit committee shall:

- (a) Hold meetings at least once in each month;
- (b) Act on all applications for loans;
- (c) Approve in writing all personal loans granted and the security, if any, pledged therefore, except as hereinafter provided; and
- (d) Submit to the board of directors all applications for loans to be secured by mortgages of real estate, with their recommendations thereon, which shall include a certificate as to their best judgment of the value of the real estate involved.

No personal loan shall be made unless all of the members of the credit committee who are present when the application is considered, which number shall constitute at least two thirds of the members of said committee, approve said loan. No loan shall be granted unless the members of said committee are satisfied that the loan promises to be of benefit to the borrower.

Notwithstanding the provisions of this section, the board of directors may delegate to one or more loan officers, not members of the credit committee, appointed pursuant to the provisions of section fifteen, the power to make unsecured loans of not more than five hundred dollars in excess of the shares and deposits of the maker, or co-maker, if any, pledged to secure the same and to make all loans secured by satisfactory collateral. Any loan made by a loan officer shall be reported to the credit committee within seven days from the date of the note.

The members of the credit committee may receive reimbursement for actual expenses incurred in the performance of their duties as the board may authorize, subject to the approval of the members at the next annual meeting or at a special meeting called for the purpose.

*Approved April 13, 1962.*

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**Chap. 345.** AN ACT PROHIBITING THE USE OF FIRE FIGHTERS DURING LABOR DISPUTES.

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

Section 88 of chapter 48 of the General Laws, added by chapter 367 of the acts of 1959, is hereby amended by adding at the end the following sentence: — No fire fighter shall, in connection with any industrial or labor dispute, perform the duties of a police officer or any duties other than those regularly performed by him. *Approved April 16, 1962.*

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**Chap. 346.** AN ACT REQUIRING LIGHTS AND OTHER EQUIPMENT ON BICYCLES FOR SAFETY PURPOSES.

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

Section 11B of chapter 85 of the General Laws, inserted by section 4 of chapter 518 of the acts of 1961, is hereby amended by striking out the

third sentence and inserting in place thereof the following three sentences: — Every bicycle operated during the period from one half an hour after sunset to one half an hour before sunrise shall display on the front a white light which shall be visible for not less than five hundred feet in the direction toward which the bicycle is proceeding or facing, and on the rear a red reflector visible for not less than three hundred feet to the rear when in the upper beams of the headlamps of a motor vehicle, and shall display on the lower portion of the rear fender and on the upper portion of both sides of the front fork, on an area of about five square inches in each case, a marking of white or reflectorized paint or reflectorized tape. No bicycle shall be operated unless equipped with a suitable bell, horn or other device capable of giving a signal audible for at least one hundred feet, except that no bicycle shall be equipped with nor shall any person use upon a bicycle a siren or whistle. Every bicycle shall be equipped with an adequate brake which will enable the operator to stop the bicycle quickly and evenly.

*Approved April 16, 1962.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, April 16, 1962.

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 346 of the Acts of 1962, entitled "An Act Requiring Lights and Other Equipment On Bicycles For Safety Purposes" and the enactment of which received my approval on April 16, 1962, 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 protect the lives and safety of bicyclists and other users of our highways.

Very truly yours,

JOHN A. VOLPE,  
*Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, BOSTON, April 17, 1962.

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 fifteen minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter three hundred and forty-six of the acts of nineteen hundred and sixty-two.

KEVIN H. WHITE,  
*Secretary of the Commonwealth.*

**Chap. 347.** AN ACT DESIGNATING THE METROPOLITAN DISTRICT COMMISSION PARK LAND IN THE TOWN OF NEEDHAM AS CUTLER PARK, IN HONOR OF LESLIE B. CUTLER OF NEEDHAM.

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

SECTION 1. The metropolitan district commission park land in the town of Needham, now known as the metropolitan district commission water lands and being situated in the general area bounded by Great Plain avenue, state highway Route 128, Kendrick street and the Charles river, shall be known and designated as Cutler Park, in honor of Leslie B. Cutler of Needham. A suitable marker bearing said designation shall be erected at the main entrance to the park by said commission.

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

*Approved April 16, 1962.*

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**Chap. 348.** AN ACT ESTABLISHING THE OFFICE OF CODE ENFORCEMENT INSPECTOR IN THE CITY OF MALDEN.

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

SECTION 1. There is hereby established in the city of Malden the office of code enforcement inspector, which office shall be classified under chapter thirty-one of the General Laws, provided, however, that the provisions of section five of said chapter thirty-one shall not apply to such office. The mayor and city council of said city shall appoint and remove such officer subject to said chapter thirty-one, and shall fix his compensation. The code enforcement inspector shall inspect real estate in the city of Malden in accordance with the codes which he shall be delegated to enforce and shall make and maintain proper records of violations of such codes, and shall perform such other appropriate duties as may be required. In connection with such inspections said inspector or his agent may enter, examine or survey at any reasonable time such places as may be necessary in the furtherance of his official duties. Said inspector may, subject to appropriation, employ clerical assistance and assistant inspectors.

SECTION 2. This act shall take effect upon its acceptance by the city of Malden.

*Approved April 16, 1962.*

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**Chap. 349.** AN ACT AUTHORIZING THE TOWN OF WEYMOUTH TO PAY A SUM OF MONEY TO THOMAS J. DONELAN FOR DAMAGES RESULTING FROM CERTAIN LAND TAKING BY SAID TOWN.

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

SECTION 1. Notwithstanding any provision of law to the contrary and in order to discharge a moral obligation, the town of Weymouth is hereby authorized to pay to Thomas J. Donelan the sum of eight hundred dollars as damages by reason of the taking by said town by eminent domain for the widening of Commercial street in said town of a parcel of land on said street owned by said Thomas J. Donelan, and shown as Lot 1, Block 203, Sheet 16 on the Town of Weymouth Assessment Plan, the time having expired within which a petition could legally be brought for the assessment of damages because of such land taking.

SECTION 2. No payment shall be made hereunder until there has been filed with the board of selectmen of said town an agreement signed by said Thomas J. Donelan that the amount, if any, paid or to be paid for legal or other services rendered in connection with the passage of this act shall not exceed ten per cent of said sum.

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

*Approved April 17, 1962.*

**Chap. 350.** AN ACT REQUIRING THE DIRECTOR OF CIVIL DEFENSE TO ESTABLISH STANDARDS FOR FALLOUT SHELTERS AND EX-EMPTING SHELTERS CONSTRUCTED IN ACCORDANCE THEREWITH FROM ZONING LAWS AND CERTAIN PROVISIONS OF BUILDING CODES.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to facilitate further the immediate construction of shelters as protection against the effects of enemy attack, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.

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

Chapter 639 of the acts of 1950 is hereby amended by inserting after section 2 the following section: —

*Section 2A.* The director shall establish standards for the construction of fallout shelters designed to protect the members of a family unit from the effects of enemy attack and shall file the same with the inspector of buildings in each city and town. As used in this section the term "family unit" shall mean a group of persons living together and sharing at least in part their living quarters and accommodations.

A fallout shelter built in accordance with such standards in any location upon any residential property shall be deemed to be an accessory use to such property and, as long as it shall be used exclusively as a fallout shelter, shall not be deemed to violate any provisions of any zoning ordinance or by-law. Such a shelter shall not be deemed to violate the provisions of any building code with respect to the materials or method of construction used, but shall be subject to all administrative provisions of any applicable building code, including, without limiting the generality of the foregoing, any provisions relating to application for and issuance of permits, fees, inspection, appeals, penalties and enforcement. The inspector of buildings of the city or town where any such fallout shelter is to be built may waive any provisions of any applicable building code requiring the employment of a licensed builder, provided, he is satisfied that the proposed shelter can be constructed by an unlicensed person without serious danger to himself or others.

Said director shall also establish standards for shelters other than those designed to protect members of a family unit, and inspectors of buildings may grant deviations from the applicable building codes pending the establishment of such standards. *Approved April 17, 1962.*



**Chap. 351.** AN ACT INCREASING THE PENALTIES FOR CHARGING MORE THAN THE ESTABLISHED MAXIMUM RATE FOR SMALL LOANS AND FOR ENGAGING IN THE SMALL LOANS BUSINESS WITHOUT A LICENSE.

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

SECTION 1. Chapter 140 of the General Laws is hereby amended by striking out section 103, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 103.* Whoever, being duly licensed as provided in section ninety-six, violates any provision of sections ninety-seven, ninety-eight, one hundred and one, one hundred and two, one hundred and four or one hundred and nine, or any regulation, rule or order made by the commissioner under sections ninety-seven or one hundred and six, shall be punished by a fine of not more than five hundred dollars, and his license may be suspended or revoked by the commissioner.

Whoever, being so licensed, violates the provisions of section one hundred shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both, and his license may be suspended or revoked by the commissioner. Any loan made by any person so licensed in violation of said section one hundred may be declared void by the supreme judicial or superior court in equity upon petition by the person to whom the loan was made.

SECTION 2. The first sentence of section 110 of said chapter 140, as so appearing, is hereby amended by striking out, in lines 7 and 8, the word "hundred" and inserting in place thereof the word: — thousand, — and by striking out, in line 8, the word "months" and inserting in place thereof the word: — years.

*Approved April 17, 1962.*

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**Chap. 352.** AN ACT AUTHORIZING BRADFORD JUNIOR COLLEGE TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

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

Chapter 329 of the acts of 1869 is hereby amended by striking out section 1, as amended by chapter 210 of the acts of 1958, and inserting in place thereof the following section: — *Section 1.* Bradford Junior College, formerly known as Bradford Academy, is hereby authorized to hold by gift, grant, devise or otherwise for the purposes of education, real and personal estate to an amount not exceeding seventeen million dollars.

*Approved April 17, 1962.*

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**Chap. 353.** AN ACT EXTENDING THE TIME WITHIN WHICH MELVIN L. HARRIS MAY BRING A CERTAIN PETITION AGAINST THE COMMONWEALTH.

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

Chapter 662 of the acts of 1960 is hereby amended by striking out, in line 1, the words "six months" and inserting in place thereof the words: — two years.

*Approved April 17, 1962.*

**Chap. 354.** AN ACT PROHIBITING THE PROCUREMENT OF ALCOHOLIC BEVERAGES FOR MINORS.

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

Section 34 of chapter 138 of the General Laws, as most recently amended by section 15 of chapter 542 of the acts of 1943, is hereby further amended by inserting after the word "age", in line 16, the words: — or whoever procures any such beverages or alcohol for a minor who is not his child, ward or spouse. *Approved April 17, 1962.*

**Chap. 355.** AN ACT AUTHORIZING THE CITY OF MARLBOROUGH TO BORROW MONEY FOR THE PURPOSE OF SEWERAGE CONSTRUCTION IN SAID CITY.

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

SECTION 1. For the purpose of sewerage construction in the city of Marlborough, said city 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, five million dollars and may issue bonds or notes therefor which shall bear on their face the words, Marlborough Sewerage Loan, Act of 1962. Said funds shall be used for the purpose for which they were borrowed, within ten years from the passage of this act. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit but shall, except as provided herein, be subject to chapter forty-four of the General Laws, excluding the limitation contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its acceptance during the current year by the city of Marlborough. *Approved April 17, 1962.*

**Chap. 356.** AN ACT RELATIVE TO THE SURRENDER OF PRINCIPAL BEFORE DEFAULT BY BAIL IN CRIMINAL CASES.

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

Section 68 of chapter 276 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — They shall deliver to the jailer their principal, and he shall be received and detained by the jailer, but may again be bailed in the same manner as if committed for not finding sureties to recognize for him.

*Approved April 17, 1962.*

**Chap. 357.** AN ACT REPEALING CERTAIN PROVISIONS OF THE LAW RELATIVE TO THE USE OF CERTAIN FUNDS PROVIDED FOR THE HOSPITAL DEPARTMENT OF THE CITY OF BOSTON.

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

Section three of chapter six hundred and sixty-eight of the acts of nineteen hundred and fifty-eight is hereby repealed.

*Approved April 17, 1962.*

**Chap. 358.** AN ACT PLACING THE OFFICE OF ATTORNEY GENERAL BEFORE THE OFFICE OF SECRETARY OF STATE ON BALLOTS AND VOTING MACHINE LABELS USED AT STATE PRIMARIES AND ELECTIONS.

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

Section 43A of chapter 54 of the General Laws is hereby amended by striking out the first paragraph, as amended by chapter 298 of the acts of 1959, and inserting in place thereof the following paragraph: — At state elections and primaries at which any of the following offices are to be voted for, such offices shall appear on ballots and on ballot labels on voting machines in the following order consecutively: — Presidential elector, senator in congress, governor, lieutenant governor, attorney general, secretary of state, treasurer and receiver general, auditor, congressman, councillor, senator, and representative in the general court; all other offices to be voted for shall immediately follow said offices consecutively, in such order as the secretary of state may determine; and on ballots, and on ballot labels on voting machines on which the names of the candidates of each political party are arranged in a vertical row, questions to the voters shall follow all of said offices, in such order as the secretary of state may determine.

*Approved April 17, 1962.*

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**Chap. 359.** AN ACT GRANTING THE CONSENT OF THE COMMONWEALTH TO A PETITION BY THERESA NAPOLI.

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

Theresa Napoli of Salem 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 March twenty-first, nineteen hundred and sixty, on Margin street, in the city of Salem, at the entrance to the Riley Parking Plaza. If such injuries were sustained by reason of a defect or want of repair in or upon a location under the jurisdiction or control of the commonwealth 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 Napoli would not have barred her from recovery in an action at law, find and determine her damages and order entry of judgment therefor.

*Approved April 17, 1962.*

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**Chap. 360.** AN ACT AUTHORIZING THE SELECTMEN OF THE TOWN OF FRAMINGHAM TO CONVEY CERTAIN LAND OWNED BY SAID TOWN AND LOCATED IN THE TOWN OF NATICK.

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

SECTION 1. Notwithstanding any contrary provision of section fifteen of chapter forty of the General Laws, or of any other general or special law to the contrary, the selectmen of the town of Framingham are

hereby authorized to convey at any time within two years after the effective date of this act to Stephen P. Mugar of Belmont and John T. Brennan of Waltham, for the consideration contained in a vote of the town meeting of said town taken on March twenty-eighth, nineteen hundred and sixty-one, all of the right, title and interest of said town in and to a certain parcel of land known as the Framingham Sewer Beds Land containing sixty-three and sixty-three one hundredths (63.63) acres more or less located on Worcester street and Speen street in the town of Natick and shown on a plan prepared by Richard T. Mackey, Chief Engineer, dated April, nineteen hundred and fifty-nine, on file in the records of the town of Framingham.

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

*Approved April 23, 1962.*

**Chap. 361.** AN ACT EXEMPTING PROFESSIONAL GENEALOGISTS FROM THE PROVISIONS OF LAW REQUIRING PERSONS ENGAGED IN CERTAIN BUSINESSES TO BE LICENSED AS PRIVATE DETECTIVES.

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

Section 23 of chapter 147 of the General Laws, as appearing in section 1 of chapter 802 of the acts of 1960, is hereby amended by adding after clause 9 the following clause: —

10. A person engaged in earning his livelihood by genealogical work and the compilation of family history while so engaged.

*Approved April 24, 1962.*

**Chap. 362.** AN ACT CONCERNING THE POWERS OF RAILROAD, RAILWAY, RAILWAY EXPRESS AND STEAMBOAT POLICE.

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

Section 93 of chapter 159 of the General Laws, as most recently amended by section 4 of chapter 24 of the acts of 1951, is hereby amended by adding at the end the following sentence: — In addition to the aforementioned powers, said railroad, railway, railway express or steamboat police officers shall possess and exercise such other powers to arrest without a warrant on the premises, cars, vehicles, vessels and boats of such corporation or company and at the wharves and landing places owned or used by such carrier by water, as are conferred on police officers of the cities and towns of the commonwealth.

*Approved April 24, 1962.*

**Chap. 363.** AN ACT PROVIDING THAT THE LAW REGULATING OVERTIME RATES SHALL NOT BE CONSTRUED AS EXEMPTING CERTAIN EMPLOYEES FROM CERTAIN PROVISIONS OF MINIMUM WAGE ORDERS APPLICABLE TO SUCH EMPLOYEES.

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

Chapter 576 of the acts of 1961 is hereby amended by inserting after section 1 the following section: —

Section 1A. Section one A of chapter one hundred and fifty-one of the General Laws shall not be construed as making any provision of a

mandatory order, as defined in section two of said chapter one hundred and fifty-one, relative to overtime rates, inapplicable to any employee to whom said section one A is inapplicable.

*Approved April 24, 1962.*

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**Chap. 364.** AN ACT CHANGING THE DATE FOR NON-PARTISAN MUNICIPAL PRELIMINARY ELECTIONS IN THE CITY OF CHICOPEE.

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

SECTION 1. Section 1 of chapter 271 of the acts of 1941 is hereby amended by striking out, in line 1, the word "third" and inserting in place thereof the word: — fourth.

SECTION 2. Section 3 of said chapter 271 is hereby amended by striking out, in line 10, the word "sixth" and inserting in place thereof the word: — seventh.

SECTION 3. Section 4 of said chapter 271 is hereby amended by striking out, in line 10, the word "fifth" and inserting in place thereof the word: — sixth.

SECTION 4. This act shall take effect upon its acceptance by the city of Chicopee.

*Approved April 24, 1962.*

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**Chap. 365.** AN ACT RELATIVE TO THE ESTABLISHMENT OF CERTAIN EDUCATIONAL QUALIFICATIONS FOR APPLICANTS FOR CERTAIN POSITIONS IN THE DEPARTMENT OF MENTAL HEALTH.

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

Chapter 19 of the General Laws is hereby amended by inserting after section 4A the following section: —

Section 4B. Notwithstanding the provisions of section six A of chapter thirty-one, the director of civil service shall establish the following educational requirements for taking an examination for the following positions in the department: —

An applicant for director of psychological research shall have a doctoral degree in psychology from an accredited college or university.

An applicant for principal psychologist shall have a minimum of a master's degree in psychology from an accredited college or university.

An applicant for head psychiatric social worker shall have a master's degree in social work from an accredited college or university.

An applicant for head occupational therapist shall have a bachelor's degree with a major concentration in occupational therapy from an accredited college or university, or a bachelor's degree and completion of a post degree course in occupational therapy in an accredited college or university for which a certificate or diploma is granted.

*Approved April 24, 1962.*

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**Chap. 366.** AN ACT PLACING THE APPOINTIVE POWER OF THE MEMBERS OF THE MASSACHUSETTS DEFENDERS COMMITTEE IN THE JUSTICES OF THE SUPREME JUDICIAL COURT.

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

SECTION 1. Chapter 221 of the General Laws is hereby amended by striking out section 34D, inserted by section 1 of chapter 565 of the acts of 1960, and inserting in place thereof the following section: — *Section*

34D. There shall be a Massachusetts defenders committee consisting of eleven persons to be appointed by the justices of the supreme judicial court, each of whom shall hold office during the term for which he is appointed and until his successor in office has qualified. Upon completion of a term of a member of said committee his successor shall be appointed for a term of four years. Vacancies shall be filled by the justices of the supreme judicial court for the unexpired term. Members of said committee may be removed by the justices of the supreme judicial court. No member of the committee shall receive any compensation for his services but each member shall be reimbursed for actual traveling expenses incurred by him in attending the committee meetings.

The committee shall provide counsel at any stage of a criminal proceeding, other than capital, in any court of the commonwealth provided the laws of the commonwealth or the rules of the supreme judicial court require that the defendant in such proceeding be represented by counsel, and provided, further, that such defendant is unable to obtain counsel by reason of his inability to pay.

Said committee may accept gifts, grants or contributions from any source, whether public or private, and may expend the same with the approval of the justices of the supreme judicial court.

The committee shall adopt such rules and regulations as may be necessary for the conduct of its affairs and may from time to time amend or revise the same. Said rules and amendments thereof shall be subject to the approval of the justices of the supreme judicial court. The committee shall appoint an executive secretary who shall carry out such duties as the committee may authorize, including the certification of payments under section twenty of chapter twenty-nine. Said committee shall also appoint such professional, clerical and other assistants as may be necessary to carry out its duties, and shall provide suitable accommodations throughout the commonwealth. The counsel and other employees appointed by the committee shall not be subject to the provisions of chapter thirty-one.

SECTION 2. Nothing in this act shall affect the terms of office of members of the Massachusetts defenders committee holding office on the effective date thereof by appointment of the judicial council. All rules and regulations made by the committee with the approval of the judicial council prior to the effective date of this act shall remain in force and effect until amended or revised by said committee with the approval of the supreme judicial court.

*Approved April 24, 1962.*

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**Chap. 367.** AN ACT PROHIBITING THE DISPOSAL OF HOUSEHOLD GARBAGE AND REFUSE IN TRASH BARRELS PLACED ON PUBLIC HIGHWAYS FOR THE CONVENIENCE OF THE TRAVELING PUBLIC.

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

Chapter 270 of the General Laws is hereby amended by adding after section 16 the following section: —

Section 17. Whoever disposes of household garbage or refuse by placing it in a trash barrel placed on a public highway by the commonwealth, or by any political subdivision thereof for the convenience of the traveling public shall be punished by a fine of not less than fifty dollars.

*Approved April 24, 1962.*

**Chap. 368.** AN ACT AUTHORIZING THE CITY OF LYNN TO SELL A CERTAIN PARCEL OF PARK LAND IN SAID CITY.

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

SECTION 1. The city of Lynn, by its proper authorities, may sell and convey to Joseph L. Mazza, a certain parcel of park land in said city, containing ten hundred eighty square feet, more or less, bounded and described as follows: — Beginning at a point on Lynnfield street at the intersection of land of Mazza and City of Lynn park department and running easterly twenty-four feet by Lynnfield street; thence turning and running northeasterly sixty-seven feet by land of City of Lynn park department; thence turning and running westerly forty feet by land of City of Lynn park department; thence turning and running in an irregular line being the old water line of Sluice Pond, a distance of thirty-eight feet by land of Mazza; thence turning and running southwesterly fifty-nine feet by land of Mazza to the point of beginning.

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

*Approved April 24, 1962.*

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**Chap. 369.** AN ACT AUTHORIZING THE CITY OF QUINCY TO SELL CERTAIN PARK LAND TO THOMAS J. McCANN.

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

The city of Quincy is hereby authorized to sell and convey, with the approval of its board of park commissioners and with the approval of the city council and the mayor of said city, to Thomas J. McCann of said city, in consideration of the payment of such sum as shall be determined by said city council, a certain parcel of park land consisting of approximately eighteen hundred square feet located on the westerly side of Hawthorne street in said city, bounded and described as follows: — Northerly by land of Thomas J. McCann et ux, ninety feet; easterly by Hawthorne street, twenty feet; southerly by land of the city of Quincy known as the LaBrecque playground, ninety feet; and westerly by land of the city of Quincy, twenty feet. *Approved April 24, 1962.*

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**Chap. 370.** AN ACT PROVIDING THAT SUMS RECOVERED IN DEATH ACTIONS SHALL BE SUBJECT TO REASONABLE COSTS AND EXPENSES OF SUIT.

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

Chapter 229 of the General Laws is hereby amended by striking out section 6A, as most recently amended by section 6 of chapter 238 of the acts of 1958, and inserting in place thereof the following section: — *Section 6A.* All sums recovered under section one, two, two B or five A shall, if and to the extent that the assets of the estate of the deceased shall be insufficient to satisfy the same, be subject to the charges of administration and funeral expenses of said estate, to all medical and hospital expenses necessitated by the injury which caused the death, to reasonable attorneys' fees and reasonable costs and expenses of suit incurred in such recovery.

*Approved April 24, 1962.*

**Chap. 371.** AN ACT PROVIDING CRIMINAL AND OTHER PENALTIES FOR FAILURE TO PAY STATUTORY OVERTIME RATES OF COMPENSATION.

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

Chapter 151 of the General Laws is hereby amended by inserting after section 1A the following section: —

*Section 1B.* Any employer or the officer or agent of any corporation who pays or agrees to pay to any employee less than the overtime rate of compensation required by section one A shall be punished by a fine of not less than fifty nor more than two hundred dollars or by imprisonment for not less than ten nor more than ninety days, or by both such fine and imprisonment, and each week in which such employee is paid less than such overtime rate of compensation and each employee so paid less, shall constitute a separate offense. In addition, if any person is paid by an employer less than such overtime rate of compensation, such person may recover in a civil action the full amount of such overtime rate of compensation less any amount actually paid to him or her by the employer, together with costs and such reasonable attorney's fees as may be allowed by the court, and any agreement between such person and the employer to work for less than such overtime rate of compensation shall be no defense to such action. At the request of any employee paid less than such overtime rate of compensation, the commissioner may take an assignment of such wage claim in trust for the assigning employee and may bring any legal action necessary to collect such claim, and the employer shall be required to pay the costs and such reasonable attorney's fees as may be allowed by the court. The commissioner shall not be required to pay a filing fee in connection with any such action.

*Approved April 24, 1962.*

**Chap. 372.** AN ACT PROVIDING THAT CERTAIN COMMUNICATIONS TO PRIESTS, RABBIS, MINISTERS AND CHRISTIAN SCIENCE PRACTITIONERS SHALL BE PRIVILEGED.

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

Chapter 233 of the General Laws is hereby amended by inserting after section 20 the following section: —

*Section 20A.* A priest, rabbi or ordained or licensed minister of any church or an accredited Christian Science practitioner shall not, without the consent of the person making the confession, be allowed to disclose a confession made to him in his professional character, in the course of discipline enjoined by the rules or practice of the religious body to which he belongs; nor shall a priest, rabbi or ordained or licensed minister of any church or an accredited Christian Science practitioner testify as to any communication made to him by any person in seeking religious or spiritual advice or comfort, or as to his advice given thereon in the course of his professional duties or in his professional character, without the consent of such person.

*Approved April 24, 1962.*



**Chap. 373.** AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND SIXTY-TWO, TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS AND FOR CERTAIN NEW ACTIVITIES AND PROJECTS.

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

SECTION 1. To provide for supplementing certain appropriations previously made, and for certain new activities and projects, the sums set forth in this act are hereby made available from the funds designated, to be in addition to any amounts otherwise available for the purpose, subject to the provisions of law regulating the disbursement of public funds and the approval thereof and the conditions pertaining to said appropriations in chapter four hundred and ninety-five of the acts of nineteen hundred and sixty-one.

SECTION 2.

**GENERAL FUND.**

**STATE PURPOSES APPROPRIATIONS.**

**Legislature.**

*Senate.*

Item		
0101-02	For the salary of the clerk of the senate . . . . .	\$575
0101-04	For clerical assistance to the clerk of the senate, including not more than two permanent positions . . . . .	1,000
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 . . . . .	10,000

*House of Representatives.*

0102-07	For clerical and other assistance to the house committee on rules, including not more than fourteen permanent positions, prior appropriation continued . . . . .	\$7,000
0102-52	For expenses of the committee on rules on the part of the house of representatives, prior appropriation continued . . . . .	5,000
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 . . . . .	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 . . . . .	\$40,000
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 . . . . .	13,462
0103-06	For the salaries of clerks employed in the legislative document room, including not more than three permanent positions . . . . .	5,670
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 . . . . .	7,130

*Legislative Research Council.*

Item		
0104-01	For expenses of the legislative research council, prior appropriation continued	\$3,000
0104-02	For personal services and other expenses of the legislative research bureau	3,000

*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	\$65,000
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	15,000
0110-11	Item 0110-11 of section two of chapter five hundred and forty-three of the acts of nineteen hundred and sixty-one is hereby amended by inserting after the word "laws", in line two, the following: —, including the re-printing of laws passed during the nineteen hundred and fifty-five session	5,000
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
0110-21	For printing a descriptive pamphlet of the murals, house of representatives	800
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

**Judiciary.**

*Judicial Council.*

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	\$12,500
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*Probate and Insolvency Courts.*

For the salaries of judges of probate, registers of probate, assistant registers and clerical assistance to registers of the several counties:

Norfolk:		
0331-04	Clerical assistance to register, including not more than fifteen permanent positions	\$306
Suffolk:		
0333-04	Clerical assistance to register, including not more than fifty permanent positions	2,000

**Executive.**

*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	\$42,000
0405-50	For the purpose of compiling, printing and binding the official papers of a former governor, to be in addition to any amount heretofore available for the purpose	7,400

**Boards and Commissions serving under Governor and Council.***Commission on Administration and Finance.*

Item		
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	\$11,492
0446-01	For the division of building construction, including not more than forty-eight permanent positions	18,500

*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; for the year nineteen hundred and sixty-two and previous years	\$5,865
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*Commissioner of Veterans' Services.*

0485-03	For the payment of annuities to certain disabled veterans, as authorized by sections six A to six C, inclusive, of chapter one hundred and fifteen of the General Laws, prior appropriation continued	\$3,500
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**Treasurer and Receiver-General.***State Board of Retirement.*

0604-03	Item 0604-03 of section two of chapter four hundred and ninety-five of the acts of nineteen hundred and sixty-one is hereby amended by striking out, in lines four and five, the words "two hundred" and inserting in place thereof the words: — three hundred and five	\$900,000
0604-04	Item 0604-04 of section two of chapter four hundred and ninety-five of the acts of nineteen hundred and sixty-one is hereby amended by striking out, in line ten, the words "four thousand" and inserting in place thereof the words: — thirty-four thousand eight hundred	140,000
0604-06	For the compensation of certain prison officers and instructors formerly in the service of the commonwealth, now retired	2,000
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	33,000
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	9,000
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	31,000

**Department of Agriculture.***Division of Markets.*

0908-01	For the service of the division, including not more than twelve permanent positions	\$2,000
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**Department of Natural Resources.**

*Division of Forests and Parks.*

- | Item    |   |          |
|---------|---|----------|
| 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 . . . . . | \$25,000 |

*Division of Law Enforcement.*

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|---------|--|---------|
| 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 . . . . . | \$5,700 |
|---------|--|---------|

*Division of Marine Fisheries.*

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|---------|---|-------|
| 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 . . . . . | \$500 |
| 1004-71 | For the operation of a shellfish treatment plant as authorized by chapter five hundred and six of the acts of nineteen hundred and sixty-one, prior appropriation continued . . . . .       | 2,700 |

**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 . . . . . | \$2,400 |
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**Department of Corporations and Taxation.**

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|---------|--|----------|
| 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 . . . . . | \$54,000 |
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*Division of Accounts.*

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|---------|---|---------|
| 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 . . . . . | \$7,500 |
|---------|---|---------|

**Department of Education.**

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|---------|---|--|
| 1301-03 | Item 1301-03 of section two of chapter four hundred and ninety-five of the acts of nineteen hundred and sixty-one is hereby amended by striking out, in line twelve, the word "four" and inserting in place thereof the word: — five. |  |
|---------|---|--|

- Item
- 1301-10 For the service of the state building on Newbury street, Boston, including not more than five permanent positions. \$4,652
- 1301-34 For a science program as authorized by Public Law 85-875 in accordance with contract number SAE9277, including certain liabilities previously incurred; provided, that all expenditures made from this item shall be reimbursed by transfer to the General Fund from available federal funds, appropriation expires June thirtieth, nineteen hundred and sixty-three 4,500

*School Lunch and Commodity Distribution Program.*

- 1305-05 Item 1305-05 of section two of chapter four hundred and ninety-five of the acts of nineteen hundred and sixty-one is hereby amended by inserting after the word "act", in line seven, 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-two \$25,920

*Division of Immigration and Americanization.*

- 1315-01 For the service of the division, including not more than seventeen permanent positions \$779

*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 \$5,000

*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 the 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 forty-three of the acts of nineteen hundred and sixty-one is hereby amended by striking out, in line two, the word "thirty-six" and inserting in place thereof the word: — thirty-eight.
- 1330-21 State college at Bridgewater, boarding hall, including not more than thirty-eight permanent positions \$16,000
- 1331-01 Item 1331-01 of section two of chapter four hundred and ninety-five of the acts of nineteen hundred and sixty-one is hereby amended by striking out, in line one, the word "ten" and inserting in place thereof the word: — sixteen.
- 1331-21 State college at Fitchburg, boarding hall, including not more than nineteen permanent positions 14,200
- 1332-01 Item 1332-01 of section two of chapter four hundred and ninety-five of the acts of nineteen hundred and sixty-one is hereby amended by striking out, in line two, the word "one" and inserting in place thereof the word: — three 12,500
- 1333-01 Item 1333-01 of section two of chapter five hundred and forty-three of the acts of nineteen hundred and sixty-one is hereby amended by striking out, in line one, the word "seventy-one" and inserting in place thereof the word: — seventy-four.
- 1334-01 Item 1334-01 of section two of chapter four hundred and ninety-five of the acts of nineteen hundred and sixty-one is hereby amended by striking out, in line one, the word "forty-nine" and inserting in place thereof the word: — fifty-three.
- 1335-01 Item 1335-01 of section two of chapter five hundred and forty-three of the acts of nineteen hundred and sixty-one is hereby amended by striking out, in line one, the word "eleven" and inserting in place thereof the word: — twenty-one.

- Item  
1336-01 Item 1336-01 of section two of chapter five hundred and forty-three of the acts of nineteen hundred and sixty-one is hereby amended by striking out, in line one, the word "sixty-five" and inserting in place thereof the word: — sixty-seven.
- 1337-01 Item 1337-01 of section two of chapter four hundred and ninety-five of the acts of nineteen hundred and sixty-one is hereby amended by striking out, in line one, the word "ninety-five" and inserting in place thereof the words: — one hundred and one.
- 1338-01 Item 1338-01 of section two of chapter four hundred and ninety-five of the acts of nineteen hundred and sixty-one is hereby amended by striking out, in lines one and two, the word "twenty-five" and inserting in place thereof the words: — thirty-seven.

*For the maintenance of and for certain improvements at the following institute 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 the institute in a position approved for use at the institute in position titles designated with the prefix "Commonwealth":*

- 1342-01 Item 1342-01 of section two of chapter five hundred and forty-three of the acts of nineteen hundred and sixty-one is hereby amended by striking out, in line one, the word "sixty-one" and inserting in place thereof the word: — sixty-four . . . . . \$5,600

*Lowell Technological Institute of Massachusetts.*

- 1345-01 Item 1345-01 of section two of chapter five hundred and forty-three of the acts of nineteen hundred and sixty-one is hereby amended by striking out, in lines two and three, the words "one hundred and eighty-six" and inserting in place thereof the words: — two hundred and one.

*University of Massachusetts.*

- 1350-01 Item 1350-01 of section two of chapter five hundred and forty-three of the acts of nineteen hundred and sixty-one is hereby amended by striking out, in lines two and three, the words "two hundred and eighty-seven" and inserting in place thereof the words: — three hundred and seventeen; and said item is hereby further amended by adding at the end thereof the following: — ; and, provided further, that the inventory of supplies relating to the boarding hall operation, on hand as of September first, nineteen hundred and sixty, shall be transferred without cost to the University trust fund established for the purpose of the operation of boarding halls . . . . . \$28,750

*Massachusetts Board of Regional Community Colleges.*

- 1361-00 Item 1361-00 of section two of chapter five hundred and forty-three of the acts of nineteen hundred and sixty-one is hereby amended by striking out, in lines one and two, the word "thirty-one" and inserting in place thereof the word: — fifty-one.
- 1362-00 Item 1362-00 of section two of chapter five hundred and forty-three of the acts of nineteen hundred and sixty-one is hereby amended by striking out, in line one, the word "eleven" and inserting in place thereof the word: — twenty . . . . . \$3,680
- 1363-00 Item 1363-00 of section two of chapter five hundred and forty-three of the acts of nineteen hundred and sixty-one is hereby amended by striking out, in line one, the word "eleven" and inserting in place thereof the word: — twenty . . . . . 5,380
- 1364-00 Item 1364-00 of section two of chapter four hundred and ninety-five of the acts of nineteen hundred and sixty-one is hereby amended by striking out, in line one, the word "twenty" and inserting in place thereof the word: — twenty-one . . . . . 3,880

## Item

- 8262-15 Item 8262-15 of section two of chapter five hundred and forty-four of the acts of nineteen hundred and sixty-one is hereby amended by striking out the wording and inserting in place thereof the following: —

For establishing regional community colleges in the Boston, Greenfield, Springfield and Worcester 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.

*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 \$41,000

*For the maintenance of and for certain improvements at the institutions within the division:*

- 1382-01 Industrial school for girls, including not more than ninety-five permanent positions \$4,000  
 1383-01 Lyman school for boys, including not more than one hundred and forty-nine permanent positions 18,000  
 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 4,000  
 1385-01 For the operation of the institute of juvenile guidance, including not more than fifty-four permanent positions 1,500  
 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 3,400  
 1387-01 For the operation of a detention center in Hampden county, including not more than eighteen permanent positions 5,420  
 1389-01 For the operation of a detention center in Worcester county, including not more than nineteen permanent positions 900  
 1390-01 For the maintenance of the Stephen L. French Youth Forestry Camp 3,800

**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 \$50,000

*Division of Registration.*

- 1403-02 For the service of the division, including not more than forty-nine permanent positions \$1,200

*For the service of the following agency in the division:*

- 1412-01 Board of registration of professional engineers and land surveyors \$3,000

**Department of Labor and Industries.***Division of Industrial Accidents.*

- 1651-01 Item 1651-01 of section two of chapter four hundred and ninety-five of the acts of nineteen hundred and sixty-one is hereby amended by striking out, in line two, the word "eleven" and inserting in place thereof the word "twelve"; and said item is hereby further amended by adding at the end thereof the following: — for the year nineteen hundred and sixty-two and the previous year \$57,795

- |         |   |
|---------|---|
| Item    |   |
| 1651-06 | Item 1651-06 of section two of chapter four hundred and ninety-five of the acts of nineteen hundred and sixty-one is hereby amended by striking out, in line five, the word "fifty" and inserting in place thereof the word: — eighty-five <span style="float: right;">\$100,000</span> |

**Department of Mental Health.**

- |         |   |
|---------|---|
| 1701-02 | For administration, including community nurseries for retarded children, the division of mental hygiene, psychiatric services to the courts and other state departments, therapy and outpatient treatment of sexual offenders including those incarcerated in institutions within the commonwealth, and for the transportation and medical examination of patients and certain feeble-minded persons, including not more than three hundred and fifty-eight permanent positions <span style="float: right;">\$35,990</span> |
|         | <i>For the maintenance of and for certain improvements at the following institutions under the control of the department of mental health:</i>  |

- |         |  |
|---------|--|
| 1726-00 | Paul A. Dever state school, including not more than six hundred and nineteen permanent positions <span style="float: right;">\$90,000</span> |
| 1727-00 | Cushing hospital, including not more than three hundred and thirty-three permanent positions <span style="float: right;">80,000</span>       |

**Department of Correction.**

*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 <span style="float: right;">\$30,200</span> |
| 1818-01 | Correctional institution at Norfolk, including not more than two hundred and fifty-five permanent positions <span style="float: right;">14,000</span>     |

**Department of Public Welfare.**

- |         |   |
|---------|---|
| 1906-04 | For the care and maintenance of children under the jurisdiction of the division of child guardianship, prior appropriation continued <span style="float: right;">\$150,000</span> |
|---------|---|

**Department of Public Health.**

*Bureau of Administration.*

- |         |   |
|---------|---|
| 2001-03 | Item 2001-03 of section two of chapter four hundred and ninety-five of the acts of nineteen hundred and sixty-one is hereby amended by striking out the wording and inserting in place thereof the following: —<br><br>For a poliomyelitis vaccine program, for the purchase of poliomyelitis vaccine and for the development of programs for the administration of poliomyelitis vaccine, 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 present a report to the general court on or before the first Wednesday in January, nineteen hundred and sixty-two, prior appropriation continued. |
|---------|---|

*Institute of Laboratories.*

- |         |   |
|---------|---|
| 2007-01 | For the service of the institute, including not more than one hundred and thirty-seven permanent positions <span style="float: right;">\$22,200</span>              |
|         | <i>For the maintenance of and for certain improvements at the following institution under the control of the department of public health:</i>                       |
| 2021-00 | For the maintenance of the Tewksbury hospital, including not more than seven hundred and thirty-two permanent positions <span style="float: right;">\$92,000</span> |



**Department of Public Works.***Division of Waterways.*

Item		
2202-03	For administration, including not more than sixty-five permanent positions	\$11,000
2202-07	For the operation and maintenance of the New Bedford state pier, including not more than three permanent positions	2,000

*Miscellaneous.*

2420-13	For the payment of a certain judgment of the Hampden county probate court, number 95847	\$3,176
2420-14	For the payment of a certain judgment in civil action, number 60-372-W, office of alien property	6,263
2420-15	For the payment of certain claims, as authorized by chapters one hundred and five and one hundred and twenty-seven of the resolves of nineteen hundred and sixty-one.	3,750

**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.***Superior Court.*

2603-01	For reimbursing certain counties for compensation of certain special justices for services in holding sessions of district courts in place of the justice while sitting in the superior court	\$25,000
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**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	\$6,454
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**Department of Education.**

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	\$296,741
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	14,067

*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.	\$3,300,000
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*School Lunch and Commodity Distribution Program.*

- Item  
2613-09 Item 2613-09 of section two of chapter four hundred and ninety-five of the acts of nineteen hundred and sixty-one is hereby amended by inserting after the word "act", in line eight, 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-two . . . . . \$453,487

**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:*

- 2900-08 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 \$1,800,000  
2900-48 For certain payments to reimburse the Atlantic Refining Company for the real estate taxes paid by it for the year nineteen hundred and sixty-one on the locations which the commonwealth leased to it on limited access highways . . . . . 103,982  
2900-49 For the payment of a certain judgment of the Suffolk county superior court, docket number 544,229 . . . . . 14,320  
2900-80 For the operation and maintenance of the public works building, including not more than eighty-three permanent positions . . . . . 14,508

**Department of Public Safety.**

*Division of State Police.*

- 2926-11 For the compensation of state police officers formerly in the service of the commonwealth, now retired . . . . . \$1,870

**Metropolitan District Commission.**

*The following item is to be paid with the approval of the Metropolitan District Commission:*

- 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 . . . . . \$250,000

**STATE RECREATION AREAS FUND.****STATE PURPOSES APPROPRIATIONS.****Department of Public Works.***Division of Waterways.*

Item		
4050-07	For the maintenance of Fort Phoenix Beach, appropriation expires June 30, 1963 . . . . .	\$10,000

**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.**

8602-87	For the commonwealth's share of the cost of a beach erosion control study of Revere and Nantasket beaches, to be conducted by the Army engineers . . . . .	\$17,000
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**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 . . . . .	\$56,100
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**SECTION 2A.** For the purpose of making available for expenditure in the fiscal year nineteen hundred and sixty-three, certain balances of appropriations which otherwise would revert on June thirtieth, nineteen hundred and sixty-two, the unexpended balances of the items shown below are hereby reappropriated for the fiscal year nineteen hundred and sixty-three:

1365-01	8256-42	8258-71
1701-04	8256-52	8258-76
1711-43	8256-84	8258-87
1712-40	8256-87	8356-15
1712-41	8256-99	8356-31
1714-40	8258-01	8356-37
1715-40	8258-03	8356-40
1717-42	8258-04	8601-23
1720-40	8258-07	8602-92
1721-40	8258-25	8702-25
2613-18	8258-28	8703-25
2926-07	8258-30	8902-22
8157-08	8258-44	8902-34
8157-22	8258-48	8902-36
8157-29	8258-50	8902-85
8157-31	8258-51	9024-01
8157-52	8258-53	9025-01
8157-58	8258-54	9111-01
8157-73	8258-55	9112-01
8256-01	8258-58	9123-01
8256-28	8258-66	9222-02

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 four hundred and ninety-five and five hundred and forty-three of the acts of nineteen hundred and sixty-one; 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. Section eighteen of chapter four hundred and ninety-five of the acts of nineteen hundred and sixty-one is hereby amended by inserting after the figures "9204-06", in line five, the figures ", 9204-08", and said section eighteen is hereby further amended by adding at the end thereof the figures: —

9020-01

9022-01

SECTION 5. This act shall take effect upon its passage.

*Approved April 26, 1962.*

**Chap. 374.** AN ACT REVIVING STRATHCONA REALTY TRUST, INC., AND EXTENDING THE TERM OF ITS CORPORATE EXISTENCE.

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

SECTION 1. Notwithstanding the provisions of section seven of chapter one hundred and fifty-six of the General Laws, Strathcona Realty Trust, Inc. shall continue to be a corporation for a further term of fifty years from September thirtieth, nineteen hundred and fifty-six, the date of the expiration of the term for which it was originally incorporated, and shall, during such further term, have the powers and privileges and be subject to the duties, liabilities and restrictions set forth in its charter and in all general laws relating to such corporations. All acts and proceedings of the officers, directors and stockholders of said corporation acting as such, which would have been legal and valid but for said expiration, are hereby ratified and confirmed.

SECTION 2. This act shall take effect as of September thirtieth, nineteen hundred and fifty-six.

*Approved April 26, 1962.*

**Chap. 375.** AN ACT PROVIDING FOR A BIENNIAL COUNT OF THE ENROLLED AND UNENROLLED VOTERS OF THE COMMONWEALTH.

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

Chapter 53 of the General Laws is hereby amended by inserting after section 38 the following section: —

*Section 38A.* The board of registrars of voters or election commissioners in each city or town shall, on or before February first in each even-numbered year, submit to the secretary of the commonwealth a count, as of the date of the city or town election in the preceding year, of the number of voters enrolled in each political party and the number of unenrolled voters in each ward of a city in which the wards are not divided into precincts, in each precinct of all other cities and of all

towns divided into voting precincts, and if the town is not divided into voting precincts, in each town. The secretary of the commonwealth shall, not later than September first in each such even-numbered year, issue a report thereof.

*Approved April 26, 1962.*

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**Chap. 376.** AN ACT RELATIVE TO THE NOTICE REQUIRED OF THE DISCONTINUANCE OF THE USE OF VOTING MACHINES AT ANY PRIMARY OR ELECTION.

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

Section 34 of chapter 54 of the General Laws, as most recently amended by chapter 84 of the acts of 1945, is hereby further amended by inserting after the word "action", in line 17, the words: —; provided, however, that such notice of discontinuance of such machines at any primary or election shall be sent not later than thirty days prior thereto.

*Approved April 26, 1962.*

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**Chap. 377.** AN ACT REGULATING THE USE OF FUNDS RECEIVED BY A CITY OR TOWN FROM TAKINGS BY EMINENT DOMAIN BY ANOTHER GOVERNMENTAL UNIT.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to immediately provide for the regulation of the use by a city or town of funds received by it from takings by eminent domain by another governmental unit, 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 44 of the General Laws is hereby amended by striking out section 63, as amended by section 25 of chapter 358 of the acts of 1946, and inserting in place thereof the following section: — *Section 63.* Whenever the proceeds of the sale or other disposal of real estate, including the taking by eminent domain by another governmental unit, but other than that acquired through tax title foreclosure, by a city or town exceed five hundred dollars, the same shall be applied to the payment of indebtedness incurred in acquiring such real estate or shall be added to the sinking fund, if any, from which said indebtedness is payable, or if no such indebtedness is outstanding shall be used for any purpose or purposes for which the city or town is authorized to incur debt for a period of ten years or more.

*Approved April 26, 1962.*

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**Chap. 378.** AN ACT RELATIVE TO THE OPERATION OF THE SPRINGFIELD OFF-STREET PARKING COMMISSION.

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

SECTION 1. The first paragraph of section 3 of chapter 486 of the acts of 1955 is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — Such commission shall consist of seven members all of whom shall be appointed by the mayor pursuant to the provisions of the city charter.

SECTION 2. Said section 3 of said chapter 486 is hereby further amended by striking out the third paragraph and inserting in place thereof the following paragraph: —

Four members of the commission shall serve for terms of five years. Three members of the commission, one of whom shall be a member of the city council, shall serve for a term coterminous with the term of office of the mayor who appoints them, unless sooner removed. Members, unless sooner removed, shall serve until the qualification of their successors, who shall be appointed for a like term, and vacancies other than by reason of expiration of term shall be filled by appointment by the mayor for the balance of the unexpired term. Any member of the commission may be removed by the mayor pursuant to the provisions of the city charter, and in accordance with the procedures therein provided.

SECTION 3. Paragraph (a) of section 5 of said chapter 486 is hereby amended by striking out, in line 9, the word "municipal" and inserting in place thereof the word: — city.

SECTION 4. Section 6 of said chapter 486 is hereby amended by striking out the third paragraph and inserting in place thereof the following paragraph: —

The commission is further authorized to contract with such firms and for such studies and surveys as it deems necessary to the accomplishment of the purposes of the act subject to the limitations and procedures established by section twenty-nine of chapter forty-three of the General Laws.

SECTION 5. Paragraph (c) of section 9 of said chapter 486 is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — Annual reports of all activities shall be made to the mayor and to the city council.

SECTION 6. Nothing contained in this act shall be construed so as to prevent the incumbent members of said commission from serving to the expiration of the terms for which they were originally appointed unless sooner removed as provided in section three of chapter four hundred and eighty-six of the acts of nineteen hundred and fifty-five.

SECTION 7. This act shall take effect upon its acceptance by the city of Springfield.

*Approved April 26, 1962.*

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**Chap. 379.** AN ACT FURTHER DEFINING THE POWERS OF THE DIRECTOR OF THE DIVISION OF FISHERIES AND GAME RELATIVE TO THE PROPAGATION OF FISH.

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

Section 25 of chapter 131 of the General Laws, as amended by chapter 535 of the acts of 1951, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence: — Nothing in this chapter shall be deemed to prohibit the director from disposing, through sale or exchange, of mammals, birds, birds' eggs, fish, fish eggs, fish spawn or fish food for the best interests of the commonwealth in connection with propagation.

*Approved April 26, 1962.*

**Chap. 380.** AN ACT AUTHORIZING CITIES AND TOWNS TO MAKE ONE APPROPRIATION WHEN MAKING A LOAN FOR THE CONSTRUCTION, RECONSTRUCTION, SURFACING AND RESURFACING OF STREETS AND SIDEWALKS AND FOR THE INSTALLATION OF CURBING.

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

Section 7 of chapter 44 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by section 1 of chapter 181 of the acts of 1951, and inserting in place thereof the following paragraph: — Cities and towns may incur debt, within the limit of indebtedness prescribed in section ten, for the purposes hereinafter set forth, and payable within the periods hereinafter specified, but, except for the purposes set forth in clauses (11) and (16), no loan shall be authorized in any year under any one of the following clauses unless a sum equal to twenty-five cents, or in the case of Boston, ten cents, on each one thousand dollars of the assessed valuation of the city or town for the preceding year, exclusive of the value of motor vehicles and trailers and the value of ships and vessels on which a vessel excise tax is based, has been appropriated from available revenue funds or voted to be raised by taxation for the purposes set forth in such clauses in the year when the loan is authorized; provided, however, that in the case of a single loan for the purposes set forth in clauses (5), (6) and (7), only one appropriation of twenty-five cents, or in the case of Boston, ten cents, on each one thousand dollars of the assessed valuation, as above described, shall be required.

*Approved April 26, 1962.*

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**Chap. 381.** AN ACT AUTHORIZING THE CITY OF WORCESTER TO USE FOR SCHOOL SITES OR OTHER PUBLIC PURPOSES CERTAIN LAND NOW HELD BY SAID CITY FOR PARK PURPOSES.

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

SECTION 1. The city of Worcester is hereby authorized to use for school purposes certain land hereinafter described as parcels one and two and to use for street purposes certain land as parcel three, all of said parcels being now held by said city for park purposes.

Parcel one: — A certain parcel of land owned by the city of Worcester and located at Wawecus road, bounded and described as follows: —

Beginning at a point in the southerly line of Wawecus Road as located October 23, 1945, said point being North 87° 47' 17" East ten and five hundredths (10.05) feet from the intersection of the southerly line of Wawecus Road and the easterly line of Burncoat Street;

Thence North 87° 47' 17" East by the southerly line of Wawecus Road five hundred seventy-one and ninety-nine hundredths (571.99) feet to a point at the easterly terminus of Wawecus Road;

Thence South 4° 19' 03" East by other land of the City of Worcester Parks and Recreation Commission three hundred eleven and eighty-nine hundredths (311.89) feet to a point in the northerly line of No Access of the Worcester Expressway of the Commonwealth of Massachusetts;

Thence westerly and southerly by said line of No Access of the Worcester Expressway of the Commonwealth of Massachusetts by a

curve to the left the radius of which is four thousand eighteen (4018) feet two hundred thirty-five and sixteen hundredths (235.16) feet to a point;

Thence westerly and southerly by said line of No Access of the Worcester Expressway of the Commonwealth of Massachusetts by a curve to the left the radius of which is two thousand eighteen (2018) feet one hundred ninety-three and seventy-one hundredths (193.71) feet to a point;

Thence South  $76^{\circ} 49' 48''$  West by said line of No Access of the Worcester Expressway of the Commonwealth of Massachusetts eighty-five and thirty-five hundredths (85.35) feet to a point;

Thence westerly and northerly by said line of No Access of the Worcester Expressway of the Commonwealth of Massachusetts by a curve to the right the radius of which is forty-four (44) feet eighty-one and forty-three hundredths (81.43) feet to a point in the easterly line of Burncoat Street;

Thence North  $82^{\circ} 13' 17''$  East by other land now or formerly of the City of Worcester Parks and Recreation Commission ten (10) feet to a point;

Thence North  $7^{\circ} 46' 43''$  West by other land now or formerly of the City of Worcester Parks and Recreation Commission three hundred twenty-four and fifty-one hundredths (324.51) feet to the point of beginning.

Containing 4.41 Acres.

Parcel two: — A certain parcel of land owned by the city of Worcester and located at the intersection of Belmont and Merrifield streets, bounded and described as follows: —

Beginning at a point on the Southerly line of Belmont Street, as relocated September 24, 1874, at its intersection with the Easterly line of Merrifield Street as located December 17, 1900, said point being two and fourteen hundredths (2.14) feet South  $87^{\circ} 38' 00''$  East of a drill hole in a stone monument set in the ground and marked W.H.;

Thence South  $87^{\circ} 38' 00''$  East by said Southerly line of Belmont Street four hundred (400) feet to a point;

Thence South  $23^{\circ} 17' 00''$  West by other land belonging to City of Worcester Parks and Recreation Commission seven hundred (700) feet to a point;

Thence North  $87^{\circ} 38' 00''$  West by other land belonging to City of Worcester Parks and Recreation Commission four hundred (400) feet to a point on said Easterly line of Merrifield Street;

Thence North  $23^{\circ} 17' 00''$  East by said Easterly line of Merrifield Street seven hundred (700) feet to the point of beginning.

Containing 261,548 square feet.

Parcel three: — A certain parcel of land owned by the city of Worcester and located at Burncoat street near Wawecus road, bounded and described as follows: —

Beginning at the intersection of the southerly line of Wawecus Road as located October 23, 1945 and the easterly line of Burncoat Street;

Thence North  $87^{\circ} 47' 17''$  East by the southerly line of Wawecus Road ten and five hundredths (10.05) feet to a point;

Thence South  $7^{\circ} 46' 43''$  East by other land now or formerly of the City of Worcester Parks and Recreation Commission three hundred twenty-four and fifty-one hundredths (324.51) feet to a point;



Thence South 82° 13' 17" West by other land now or formerly of the City of Worcester Parks and Recreation Commission ten (10) feet to a point in the easterly line of Burncoat Street;

Thence North 7° 46' 43" West by the easterly line of Burncoat Street three hundred twenty-five and forty-eight hundredths (325.48) feet to the point of beginning.

Containing 3,250 square feet.

SECTION 2. This act shall take effect upon its acceptance by the city of Worcester.

*Approved April 26, 1962.*

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**Chap. 382.** AN ACT CHANGING THE TITLE OF THE EXECUTIVE OFFICER OF THE GLOUCESTER POLICE DEPARTMENT FROM CAPTAIN TO CHIEF OF POLICE AND PROVIDING LIFE TENURE FOR JOHN J. COYLE AS CHIEF OF POLICE OF SAID CITY.

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

SECTION 1. The title of the executive officer of the police department of the city of Gloucester is hereby changed from captain to chief of police. The office of chief of police shall not be classified under chapter thirty-one of the General Laws. The incumbent of the office of executive officer, John J. Coyle, shall hold the office of chief of police and shall not be removed therefrom, lowered in rank or compensation, transferred or suspended except for just cause and for reasons specifically given to him in writing by the appointing authority in the manner provided by section forty-three of said chapter thirty-one.

SECTION 2. This act shall take effect upon its acceptance by the city of Gloucester.

*Approved April 26, 1962.*

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**Chap. 383.** AN ACT RELATIVE TO ADDITIONAL GROUP LIFE AND GROUP ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE FOR EMPLOYEES OF CITIES, TOWNS, COUNTIES AND DISTRICTS.

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

Section 11A of chapter 32B of the General Laws, inserted by section 5 of chapter 334 of the acts of 1961, is hereby amended by striking out the first two paragraphs and inserting in place thereof the following two paragraphs: —

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 not exceed —	Additional Amount of Group Accidental Death and Dismemberment shall not exceed —
\$2,000	\$3,000	\$1,000	\$1,000
3,000	4,000	2,000	2,000
4,000	5,000	3,000	3,000
5,000	6,000	4,000	4,000
6,000	7,000	5,000	5,000
7,000	8,000	6,000	6,000
8,000	9,000	7,000	7,000
9,000	10,000	8,000	8,000
10,000	11,000	9,000	9,000
11,000	12,000	10,000	10,000
12,000	13,000	11,000	11,000
13,000	14,000	12,000	12,000
14,000	15,000	13,000	13,000
15,000	16,000	14,000	14,000
16,000	17,000	15,000	15,000
17,000	18,000	16,000	16,000
18,000	19,000	17,000	17,000
19,000	20,000	18,000	18,000
20,000	21,000	19,000	19,000
21,000	22,000	20,000	20,000
22,000	23,000	21,000	21,000
23,000	—	21,000	21,000

Such additional insurance shall be issued by the carrier or carriers as determined by the appropriate public authority without regard to a minimum number of eligible employees or to the provisions of chapter one hundred and seventy-five.

*Approved April 26, 1962.*

**Chap. 384.** AN ACT REMOVING THE RESTRICTION RELATIVE TO THE USE OF CERTAIN LAND ACQUIRED BY THE METROPOLITAN TRANSIT AUTHORITY IN THE CITY OF CAMBRIDGE.

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

SECTION 1. The restriction contained in the last sentence of paragraph ( $i\frac{1}{2}$ ) of section eight A of chapter five hundred and forty-four of the acts of nineteen hundred and forty-seven, as amended by section two of chapter three hundred and forty-six of the acts of nineteen hundred and fifty-eight, shall not be applicable to a certain parcel of land in the city of Cambridge, acquired by the Metropolitan Transit Authority under said paragraph ( $i\frac{1}{2}$ ), and bounded and described as follows: — Southwesterly by the line of Main street, fifty-four (54) feet; northwesterly by the line of Carleton street, by two measurements, one hundred (100) feet and thirty-two and thirty-four hundredths (32.34) feet, respectively; northeasterly by a common passageway twelve (12) feet wide, known as Pioneer avenue, fifty-three and forty-one hundredths (53.41) feet; and southeasterly by land of the Metropolitan Transit

Authority, one hundred seventeen and four hundredths (117.04) feet; containing six thousand, seven hundred six square feet of land, be all of said measurements and contents more or less.

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

*Approved April 27, 1962.*

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**Chap. 385.** AN ACT DIRECTING THE TREASURER OF THE COUNTY OF MIDDLESEX TO PAY A SUM OF MONEY TO ANDREW L. MOORE.

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

SECTION 1. Notwithstanding any provision of law to the contrary, and in order to discharge a moral obligation of the county of Middlesex, the treasurer of said county shall pay from any available funds to Andrew L. Moore of Cambridge the sum of one thousand one hundred and sixteen dollars and forty-two cents as compensation for services rendered by him as acting clerk and first assistant clerk of the third district court of eastern Middlesex during July, August and September of nineteen hundred and sixty, said payment to be in addition to any compensation already paid for such services.

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

*Approved April 27, 1962.*

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**Chap. 386.** AN ACT PROVIDING THAT CERTAIN CITY CLERKS SHALL BE PAID ADDITIONAL COMPENSATION FOR SERVING AS CLERKS OF THE CITY COUNCIL.

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

Chapter 41 of the General Laws is hereby amended by inserting after section 19E the following section: —

*Section 19F.* In any city which accepts this section, the city clerk shall, if in said city he is required by statute or ordinance to serve as clerk of the city council, and notwithstanding any provision of section thirty-three A of chapter forty-four or any other general law or any special law to the contrary, be paid for such services a salary of one thousand dollars, which shall be in addition to any other compensation to which he may be entitled as clerk of such city.

*Approved April 27, 1962.*

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**Chap. 387.** AN ACT RELATIVE TO THE TIME WITHIN WHICH ZONING BOARDS OF APPEALS SHALL MAKE THEIR DECISIONS.

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

Section 18 of chapter 40A of the General Laws, as appearing in section 2 of chapter 368 of the acts of 1954, is hereby amended by striking out the fifth sentence and inserting in place thereof the following sentence: — The decision of the board shall be made within ninety days after the date of the filing of an appeal, application or petition.

*Approved April 27, 1962.*

**Chap. 388.** AN ACT PROVIDING FOR THE ANNUAL ELECTION OF THE CHAIRMAN OF THE PARK AND RECREATION BOARD OF THE CITY OF QUINCY, AND FOR THE ANNUAL APPOINTMENT OF AN EXECUTIVE SECRETARY TO SAID BOARD.

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

Section 1 of chapter 78 of the acts of 1961 is hereby amended by striking out the last sentence and inserting in place thereof the following three sentences:— Said board shall annually elect a chairman from among its members. The mayor shall annually appoint and at his pleasure may remove an executive secretary to said board and shall fix his duties which duties shall not include supervision over the recreational activities authorized by said park and recreation board. The executive secretary shall be paid such compensation as may be established by ordinance.

*Approved April 27, 1962.*

**Chap. 389.** AN ACT AUTHORIZING THE ISSUANCE OF CERTIFICATES OF TITLE WITH RESPECT TO CERTAIN EASEMENTS ON, THROUGH OR OVER REGISTERED LAND.

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

Chapter 185 of the General Laws is hereby amended by striking out section 59, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:— *Section 59.* No new certificate shall be entered or issued, except as hereinafter provided, upon any transfer of registered land which does not divest the title in fee simple from the owner or some one of the registered owners. All interests in registered land less than an estate in fee simple shall be registered by filing with an assistant recorder the instrument which creates or transfers or claims such interest and by a brief memorandum thereof made by an assistant recorder upon the certificate of title, signed by him. A similar memorandum shall also be made on the owner's duplicate. The cancellation or extinguishment of such interest shall be registered in the same manner. The court, upon petition, may direct the issuance of a certificate or certificates of title with respect to easements granted to or acquired by a public utility company for the construction, maintenance and operation of its facilities in, through, under, over, across and upon registered land after said easements have been registered as hereinbefore provided; thereafter, all instruments relating to any such easement shall be registered by filing with an assistant recorder and by a brief memorandum made by such assistant recorder upon the certificate of title issued therefor and signed by him, except that instruments relating to the cancellation or extinguishment of such easements shall also be registered as hereinbefore provided.

*Approved April 27, 1962.*

**Chap. 390.** AN ACT EXTENDING THE TERM FOR WHICH THE INCUMBENT OF THE OFFICE OF COMMISSIONER OF PUBLIC SAFETY WAS APPOINTED.

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

Notwithstanding any provision of law to the contrary, the term of office of the incumbent, on the date of the passage of this act, of the office of commissioner of public safety shall be five years from the date on which he was appointed.

*Approved April 27, 1962.*

**Chap. 391.** AN ACT REQUIRING THE CONTRIBUTORY RETIREMENT APPEAL BOARD TO PASS UPON AN APPEAL WITHIN SIX MONTHS AFTER CONDUCTING THE HEARING THEREON.

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

The first paragraph of subdivision (4) of section 16 of chapter 32 of the General Laws is hereby amended by striking out the fourth sentence, as appearing in section 1 of chapter 658 of the acts of 1945, and inserting in place thereof the following sentence: — The contributory retirement appeal board shall pass upon the appeal within six months after holding such hearing, and its decision shall be final and binding upon the board involved and upon all other parties in interest, and shall be complied with by such board and by such parties.

*Approved April 27, 1962.*

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**Chap. 392.** AN ACT AUTHORIZING JOINT ACTION BY INSURANCE COMPANIES IN UNDERWRITING A SINGLE GROUP POLICY OF HEALTH INSURANCE INSURING PERSONS SIXTY-FIVE YEARS OF AGE AND OVER AND THEIR SPOUSES.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to expedite and facilitate forthwith a program to authorize and regulate health insurance for residents of the commonwealth sixty-five years of age and over and for their spouses by means of the joint and co-operative action of insurance companies in the preparation and issuance of a group policy, the making of rates incidental thereto, and other matters within the scope of this 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. Chapter 175 of the General Laws is hereby amended by inserting after section 110B the following section: —

*Section 110C.* 1. Notwithstanding any contrary provision of this chapter or of any other law, two or more insurance companies authorized to do the kind of business described in subdivision (d) of clause Sixth of section forty-seven may join together to offer, sell and issue a policy of group insurance, on which policy each insurance company shall be severally liable for a specified percentage of the risks, insuring residents of this commonwealth who are sixty-five years of age or older and the spouses of such residents against financial loss due to accident or sickness and such insurance companies may also agree with respect to premium rates, policy provisions, commission schedules and other matters within the scope of this section. Such insurance may be offered, issued and administered jointly by two or more such insurance companies in their own names or in the name of a voluntary unincorporated association, other organization or trust formed by such insurance companies solely for the purpose of offering, selling, issuing and administering such insurance. Such policy may be executed on behalf of the insurance companies by a duly authorized person and need not be countersigned by a resident agent.

2. The forms of the policies, applications, certificates or other evidence of insurance coverage, commission schedules and applicable premium

rates shall be filed with the commissioner, who may require additional information. A financial summary concerning such insurance shall be furnished annually to the commissioner in such form as he may prescribe. If the commissioner finds that any forms for such insurance are unjust, unfair, inequitable, misleading or deceptive, or that the premium rates charged are excessive, inadequate or unfairly discriminatory or that any activity or practice under this section of such insurance companies or of such association, organization or trust is unfair, unreasonable or contrary to the public policy, he shall, after at least twenty days notice and hearing, disapprove such forms or premium rates or require the discontinuance of such activity or practice. In determining whether such premium rates are excessive, inadequate or unfairly discriminatory, the commissioner shall give due consideration to past and prospective claim experience within and outside this commonwealth and to fluctuations in such claim experience, to a reasonable risk charge, to contribution to surplus and contingency funds, to past and prospective expenses both within and outside this commonwealth, and to all other relevant factors within and outside this commonwealth including any differing operating methods of the insurance companies joining in the issue of the policy. Any person or insurance company aggrieved by any action, order, finding or decision of the commissioner under this section may, within twenty days from the filing of a memorandum thereof in his office, file a petition in the supreme judicial court for the county of Suffolk for a review of such action, order, finding or decision. The action, order, finding or decision of the commissioner shall remain in full force and effect pending the final decision of the court unless the court or a justice thereof after notice to the commissioner shall by a special order otherwise direct. The court shall have jurisdiction in equity to modify, amend, annul, review or affirm such action, order, finding or decision, shall review all questions in accordance with the standards for review provided in paragraph (8) of section fourteen of chapter thirty A and may make any appropriate order or decree.

3. Nothing in sections one hundred and eight and one hundred and ten shall be construed to apply to or affect or prohibit the issuance of any policy of insurance under this section.

4. Such association, organization or trust may incur expenses for advertising, soliciting and administering such insurance, including payment of salary or compensation to persons regularly employed by it. Any agent or broker duly licensed in the commonwealth to transact the kind of insurance described in subdivision (d) of clause Sixth of section forty-seven or in clause Sixteenth of section forty-seven may solicit such insurance for such association, organization or trust without any additional license or authority under this chapter. No commission, compensation or other fee or allowance in connection with such insurance shall be paid to such insurance agent or broker except in accordance with commission schedules filed under subdivision 2 of this section.

5. Any unincorporated association or other organization formed under this section may sue and be sued in its associate name and for such purposes only shall be treated as a domestic corporation. Service of process against such association made upon a managing agent, any member thereof or any agent authorized by appointment to receive service of process, shall have the same force and effect as if such service had been made upon all members of the association.

6. Under any policy issued as herein provided the policyholder, or such person as the policyholder shall designate, shall alone be a member of each domestic mutual insurance company joining in the issue of the policy and shall be entitled to one vote by virtue of such policy at the meetings of each such mutual insurance company. Notice of the annual meetings of each such mutual insurance company may be given by written notice to the policyholder or as otherwise prescribed in this chapter.

SECTION 2. Section 18 of said chapter 175 is hereby amended by striking out the first paragraph, as amended by section 1 of chapter 453 of the acts of 1957, and inserting in place thereof the following paragraph: — Every company shall conduct its business in the commonwealth in its corporate name, and all policies and contracts, other than contracts of corporate suretyship, issued by it shall, except as provided in sections one hundred and two A, one hundred and two C, one hundred and ten C, one hundred and eleven A and one hundred and seventeen A of this chapter and in section fifty-six of chapter one hundred and fifty-two, be headed or entitled only by such name.

SECTION 3. The second paragraph of section 80 of said chapter 175, as amended by section 2 of said chapter 453, is hereby further amended by inserting after the word "water", in line 17, the words: —, and (d) policies authorized by section one hundred and ten C, — so as to read as follows: — Notwithstanding any other provision of this chapter, (a) policies insuring only against legal liability for loss or damage to person or property caused by nuclear energy hazards, (b) policies insuring against loss or damage by radioactive contamination, whether or not also insuring against one or more other perils proper to insure against in this commonwealth, to production or utilization facilities as defined in section eighty-five of chapter six or to other nuclear reactors, and the structures appurtenant to such facilities or reactors and designed for use in connection therewith, or to any property designed or used for the separation of the isotopes of uranium or plutonium or for the processing, fabricating or alloying of special nuclear material or for the processing or storage of used nuclear fuel or by-product material, and (c) policies insuring only against loss or damage to property by flood or loss or damage to property by waves or overflow of tidal water, and (d) policies authorized by section one hundred and ten C, may, in like manner, and with the written approval of the commissioner, and upon such conditions, if any, as he may prescribe, be placed in a classification or classifications separate from those for policies classified under the first paragraph of this section, and the percentages of dividend for policies placed in any classification made under this paragraph may be different from those for policies placed in any other classification made under this or the first paragraph. The provision of the first paragraph of this section requiring the endorsing of policies shall not apply to policies classified under this paragraph, nor shall it apply to other policies if all such other policies except policies written on an indivisible premium basis are in one classification.

*Approved April 30, 1962.*

**Chap. 393.** AN ACT PROVIDING FOR THE ESTABLISHMENT BY THE COMMISSIONER OF AGRICULTURE OF GRADES OF EGGS SOLD AT RETAIL.

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

SECTION 1. Chapter 94 of the General Laws is hereby amended by inserting after section 90B the following three sections: —

*Section 90C.* The commissioner of agriculture shall establish official grades of eggs sold, offered for sale, exposed or advertised for sale, at retail, within the commonwealth, and may from time to time modify such grades. Before establishing or modifying any such grades the commissioner shall after reasonable notice setting forth the date, place and purpose, hold a public hearing.

*Section 90D.* The grades so established shall include grades closely correlated to the United States consumer standards for shell eggs. The standards of quality for the Massachusetts consumer grades of shell eggs shall be grade "AA", "A", "B", "C" or "not graded". The final determination of grades shall be made by "candling". All eggs for sale at retail within the commonwealth shall be in containers so marked or branded, with letters not less than one-half inch in height. Advertising of eggs offered for sale at retail at a stated price shall include the grades. Eggs described as "farm fresh eggs", "fresh eggs", "strictly fresh eggs", "nearby eggs", or "native eggs" or eggs described with words of similar import shall meet the specifications of section ninety A. The commissioner of agriculture and his duly authorized assistants shall determine the responsibility for marking and branding. Any edible egg not conforming to such grades shall be sold as checks, cracks, or stains.

The department of agriculture shall enforce the provisions of this section. The commissioner of agriculture may establish such rules and regulations as may be deemed necessary to carry out the purposes of sections ninety C and this section.

*Section 90E.* Whoever, himself or by his servant or agent, misbrands eggs and sells, distributes, or offers or exposes for sale such misbranded eggs shall be punished for the first offense by a fine of not more than fifty dollars and for a subsequent offense by a fine of not more than two hundred dollars. Whoever obstructs or hinders the commissioner of agriculture or any of his duly authorized assistants in the performance of his duties under section ninety D shall be punished by a fine of not less than ten dollars nor more than one hundred dollars.

SECTION 2. This act shall take effect on January first, nineteen hundred and sixty-three.

*Approved May 1, 1962.*

**Chap. 394.** AN ACT IMPOSING A PENALTY FOR THE OPERATION OF A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF BARBITURATES, AMPHETAMINES, OR OTHER HYPNOTIC OR SOMNIFACIENT DRUGS.

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

SECTION 1. Section 21 of chapter 90 of the General Laws is hereby amended by inserting after the word "ninety-four", in line 18, as appearing in section 1 of chapter 422 of the acts of 1961, the words: —, or



under the influence of barbiturates, amphetamines, or other hypnotic or somnifacient drugs.

SECTION 2. The first sentence of paragraph (a) of subdivision (1) of section 24 of said chapter 90, as amended by section 2 of said chapter 422, is hereby further amended by inserting after the word "ninety-four", in line 6, the words: — , or under the influence of barbiturates, amphetamines, or other hypnotic or somnifacient drugs.

*Approved May 1, 1962.*

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**Chap. 395.** AN ACT REQUIRING AUTOMOBILES TO BE EQUIPPED WITH SUITABLE STOP LIGHTS.

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

SECTION 1. The first paragraph of section 7 of chapter 90 of the General Laws is hereby amended by striking out the seventh sentence, as appearing in chapter 51 of the acts of 1933, and inserting in place thereof the following sentence: — Every automobile so operated shall have a rear light so placed as to show a red light from behind and a white light so arranged as to illuminate and not obscure the rear register number and shall be equipped with suitable stop lights.

SECTION 2. The first sentence of section 7A of said chapter 90, as most recently amended by chapter 581 of the acts of 1961, is hereby further amended by inserting after the word "brakes", in line 7, the following: — , stop lights.

SECTION 3. This act shall take effect on January first, nineteen hundred and sixty-three.

*Approved May 1, 1962.*

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**Chap. 396.** AN ACT TRANSFERRING THE ADMINISTRATION OF THE LAWS RELATIVE TO THE HUMANE SLAUGHTERING OF LIVESTOCK FROM THE COMMISSIONER OF AGRICULTURE TO THE COMMISSIONER OF PUBLIC HEALTH.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to immediately transfer the administration of the laws relative to the humane slaughtering of livestock from the commissioner of agriculture to the commissioner of public health, 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 139C of chapter 94 of the General Laws, as appearing in section 1 of chapter 444 of the acts of 1960, is hereby amended by striking out the definition of "Commissioner" and inserting in place thereof the following definition: — "Commissioner", the commissioner of public health.

SECTION 2. The commissioner of public health may, by administrative order, exempt from compliance with sections one hundred and thirty-nine D and one hundred and thirty-nine E of chapter ninety-four of the General Laws until January first, nineteen hundred and sixty-three any person who is a slaughterer, packer or stockyard operator if he finds that compliance therewith by such person would constitute undue hardship.

*Approved May 1, 1962.*

**Chap. 397.** AN ACT RELATING TO THE ISSUANCE AND CLASSIFICATION OF POLICIES INSURING AIRCRAFT, MISSILES, SPACECRAFT AND OTHER RISKS AND HAZARDS.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to facilitate the affording of adequate limits of insurance coverage for the protection of the public, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

Section 80 of chapter 175 of the General Laws is hereby amended by inserting after the first paragraph, as most recently amended by section 4 of chapter 384 of the acts of 1955, the following paragraph: — Notwithstanding any other provision of this chapter, (a) policies insuring only against credit risks arising from foreign trade which are shared with other insurers not under the same management, and on which each insurer shall be severally liable for a specified percentage of any loss or claim, and (b) policies insuring risks which are shared with other insurers not under the same management and on which each insurer shall be severally liable for a specified percentage of any loss or claim, insuring only against loss by reason of (1) loss of or damage to aircraft, missiles or spacecraft, (2) liability arising out of the ownership, maintenance or use of aircraft, missiles or spacecraft, (3) the existence of any condition in aircraft, missiles or spacecraft or parts thereof, or (4) other extra-hazardous risks arising out of the manufacture or development for national defense of products which involve the potential of catastrophic losses and which cannot be evaluated by prior experience, may, in like manner, and with the written approval of the commissioner, and upon such conditions, if any, as he may prescribe, be placed in a classification or classifications separate from those for policies classified under the first paragraph of this section. Any dividends on policies separately classified under this paragraph shall not be at a greater percentage than for policies classified under the provision of the clause of section forty-seven which would apply were it not for the separate classification under this paragraph, and no separate classification under subdivisions (2), (3) or (4) of this paragraph shall include any coverage for liability under any workmen's compensation or occupational disease law, whether state or federal. The provision of the first paragraph of this section requiring the endorsing of policies shall not apply to policies classified under this paragraph, nor shall it apply to other policies if all such other policies except policies written on an indivisible premium basis are in one classification.

*Approved May 1, 1962.*

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**Chap. 398.** AN ACT ESTABLISHING IN THE TOWN OF MONTAGUE REPRESENTATIVE TOWN GOVERNMENT BY LIMITED TOWN MEETINGS.

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

SECTION 1. There is hereby established in the town of Montague a form of representative town government by limited town meetings hereinafter set forth.

SECTION 2. Upon the acceptance of this act by the town, a districting board, consisting of the selectmen, the board of assessors, and the board of registrars shall divide the town into not less than five nor more than ten voting precincts.

SECTION 3. The membership of the representative town meeting elected in each precinct shall consist of the largest number divisible by three which is not in excess of three per cent of the number of registered voters in the precinct.

SECTION 4. It shall be the duty of the selectmen and the chairman of each board or committee of the town and the head of each town department to attend that part of every representative town meeting at which matters, other than those to be acted upon or determined by ballot, are to be considered. The selectmen and the chairman of each board or committee and the head of each town department shall attend all representative town meetings with the right to speak but not to vote unless duly elected by the voters of a precinct as a town meeting member.

SECTION 5. The precincts shall be plainly designated and so established as to consist of compact and contiguous territory, and shall be bounded so far as possible by the center line of highways or by other well-defined limits. Any homogeneous neighborhood or any area consisting of similar parts or having like characteristics shall be constituted as a separate precinct so far as practicable.

SECTION 6. The boundaries of the precincts shall be reviewed and, if need be, wholly or partly revised by the districting board in December of any year after the expiration of five years following their establishment or revision, or in December of any other year when so directed by vote of a representative town meeting held not later than the twentieth day of November in such year.

SECTION 7. The districting board after the establishment or revision of precincts shall file a report of their action with the town clerk, with a map or description of the precincts and the names and addresses of the registered voters in each. They also shall cause to be posted in the town hall a map or description and a list of the registered voters in the precinct as established or revised, and similar information for each precinct shall be posted in at least one public place in the precinct.

SECTION 8. The division of the town into precincts and any revision of precincts shall take effect upon the date of filing of the report by the districting board with the town clerk. Whenever precincts are established or revised, the town clerk shall give written notice to the secretary of the commonwealth, stating the number and designation of the precincts.

SECTION 9. Meetings of the registered voters of the several precincts for elections and primaries or for voting upon a question to be submitted to all the voters of the town shall be held at the same time and at such place or places as the selectmen shall direct in the warrant for the meeting.

SECTION 10. The nomination of candidates for town meeting members shall be made by nomination papers which shall bear no political designation. Such papers shall be signed by not less than ten registered voters of the precinct in which the candidate resides and shall be filed with the town clerk not later than the last day on which the nomination papers of candidates for other town offices must be filed. They shall be submitted to the registrars of voters and shall be certified in the manner

provided by law for the certification of the nomination papers of candidates for town offices. Nomination papers shall not be valid for any candidate whose written acceptance is not endorsed thereon or attached thereto when filed.

SECTION 11. A town meeting member may become a candidate for re-election by giving written notice to the town clerk not later than the last day on which the nomination papers of candidates for other town offices must be filed. If a town meeting member is a candidate for re-election, there may be added to his name as it appears on the ballot for the election of town officers the words "candidate for re-election".

SECTION 12. The registered voters in each precinct, at the first annual town election held after the establishment of the precinct, and those in any precinct affected by a revision of precincts at the first annual town election following such revision, shall elect by ballot the number of registered voters in the precinct, determined as herein provided, to be town meeting members of the town.

SECTION 13. After the first annual town election held after the acceptance of this act, the first third of members elected in the order of votes received shall serve for three years, the second third for two years, and the remaining third for one year from the day of the annual town meeting. In case of an equal vote affecting the division into thirds, the elected members from the precinct shall determine the same by ballot.

SECTION 14. Thereafter, except as otherwise provided herein, the registered voters of each precinct at each annual town election shall elect for the term of three years in like manner one third of the number to which the precinct is entitled, and also shall fill for the unexpired term any vacancy then existing in the number of elected town meeting members in the precinct.

SECTION 15. If two or more candidates for the office of town meeting member receive an equal number of votes, other than for the division into thirds, for deciding their term of office, the remaining members elected in such precinct at the same election shall determine by ballot which of the candidates shall serve as a town meeting member. The terms of office of the town meeting members from any precinct whose boundaries are revised shall cease upon the election of their successors. The town clerk, after every election of town meeting members, shall notify each member by mail of his election within three days following his election.

SECTION 16. If the boundaries of any precinct are revised or any new precinct established, there shall be a new election of town meeting members in such precinct at the first annual town election following such a revision.

SECTION 17. The representative town meeting members shall be elected in conformity with the laws relative to elections, and the provisions of law relating to precinct voting at elections shall apply to all elections and primaries in the town so far as such laws are not inconsistent herewith.

SECTION 18. A town meeting member may resign by filing a written resignation with the town clerk, effective upon the date of filing. A member who removes from the town shall cease to be a member, and a member who removes from one precinct to another may serve only until the next annual town meeting.

SECTION 19. A vacancy in the number of town meeting members from any precinct arising from any cause may be filled until the next annual election by vote of the remaining members from the precinct. Upon petition signed by not less than one third of the town meeting members from the precinct, the town clerk shall call a meeting of the remaining members from the precinct for the purpose of filling the vacancy, notice of which shall be mailed to such members not less than seven days before the time of the meeting.

SECTION 20. A majority of the members from the precinct attending such meeting shall constitute a quorum and shall elect one of their number as chairman and one as clerk, or they may designate the town clerk to act as clerk of the meeting. The vote shall be by ballot and a majority of votes cast shall be necessary for a choice. The chairman and clerk shall count the ballots, and the chairman shall make a certificate of the choice which shall be filed with the town clerk together with a written acceptance of the person so chosen, who thereupon shall be deemed to be elected as a town meeting member.

SECTION 21. A moderator shall be elected by ballot at the annual election when the term of office of a moderator expires, and he shall serve at all town meetings, except as otherwise provided by law, until a successor is elected and qualified. The nomination and election of a moderator shall be the same as for other elective town officers, and any vacancy in the office may be filled by the town meeting members at a meeting held for the purpose. If the moderator is absent, a moderator *pro tem* may be elected by the town meeting members.

SECTION 22. It shall be the duty of the moderator of the meeting to vote whenever the meeting is evenly divided.

SECTION 23. The articles in the warrant for every town meeting which relate to the election of a moderator, town officers, and town meeting members and to referenda and all matters to be acted upon and determined by ballot, shall be acted upon and determined by the registered voters of the town in their respective precincts. All other articles shall be acted upon and determined exclusively by the town meeting members at a meeting held at a time and place specified by the selectmen in the warrant for the meeting, subject to a referendum as herein provided.

An article in the warrant shall not be finally disposed of by a vote to lay on the table, to postpone indefinitely, to pass over or to take no action under the article.

SECTION 24. Any representative town meeting held in the town shall be limited to the members of the representative town meeting, constituted in the manner provided by this act.

SECTION 25. The town clerk shall notify the members of the time and place at which meetings are to be held, the notices to be sent by mail at least seven days before the meeting. Notice of an adjourned meeting shall be sent by mail as soon as practicable following the dissolution of the meeting from which adjournment is taken.

SECTION 26. The members of the town meeting shall be the judge of the election and qualifications of their own members. The members shall receive no compensation for serving as members of the town meeting. A majority of the members shall constitute a quorum for the transaction of business. A lesser number may organize temporarily and may adjourn from time to time, but a meeting shall not adjourn beyond the date of an election of town meeting members.

SECTION 27. The representative town meeting may appoint such committees as it may consider necessary to investigate and report on any matters referred to them and to make a recommendation thereon, but no such committee shall have any executive or legislative powers and all matters shall be determined by the town meeting members.

SECTION 28. All representative town meetings shall be open to the public. Any registered voter of the town who is not a town meeting member, subject to such conditions as the town meeting members may determine, may speak at least once upon any matter at such a meeting, but he shall have no vote.

SECTION 29. A vote of the representative town meeting under any article in the warrant shall not be operative until the expiration of ten days exclusive of Sundays and holidays from the dissolution of the meeting or, from the date of such vote other than the following: (a) to adjourn; (b) to appropriate money for the payment of principal and interest of bonds and notes of the town; (c) to authorize the temporary borrowing of money in anticipation of revenue; (d) to enact an emergency measure required for the immediate preservation of the public peace, health or safety and so declared by a preamble and adopted by a two-thirds vote of the town meeting members present and voting thereon.

SECTION 30. If within such period of ten days a petition signed by not less than thirty registered voters in each precinct, the aggregate number so signing being not less than three per cent of the registered voters in the town, is filed with the selectmen asking that any question involved in such a vote be submitted to the voters of the town at large, then the selectmen within ten days thereafter shall call a special meeting to be held within fourteen days following such call for the sole purpose of presenting the question to the voters at large.

SECTION 31. Any question submitted shall be stated upon the ballot substantially in the same language and form in which it was presented to the representative town meeting by the moderator as recorded in the records of the meeting.

SECTION 32. The polls for voting upon such a question shall be opened at two o'clock in the afternoon and closed not earlier than eight o'clock in the evening. The vote shall be taken by ballot and the check list used in the several precincts in the same manner as for the election of town officers. A question submitted shall be determined by a majority of the registered voters of the town voting thereon or, by the same proportion of votes as would be required if the question were determined by a representative town meeting, but an action of the representative town meeting shall not be reversed unless at least twenty-five per cent of all the registered voters shall vote.

SECTION 33. If such a petition for a referendum is filed within ten days the vote of the representative town meeting shall be suspended from taking effect and shall become null and void unless a majority of the registered voters voting on the same vote in favor thereof; provided, however, that unless at least twenty-five per cent of all the registered voters of said town shall vote on such question, the vote of the representative town meeting shall become operative in any event.

SECTION 34. The town shall have the capacity to act through and to be bound by the action of its town meeting members, who when convened from time to time shall constitute a representative town

meeting. The representative town meeting shall have and may exercise all powers vested in the municipal corporation so far as is consistent with the provisions of this act.

SECTION 35. Action by a representative town meeting in conformity with laws now or hereafter applicable to the transaction of town affairs in town meeting shall have the same force and effect as if taken in a town meeting open to all voters of the town, as organized and conducted before the establishment of representative town government.

SECTION 36. This act shall not abridge the right of the inhabitants of the town to hold general meetings, as secured to them by the constitution of the commonwealth, nor confer upon any representative town meeting the power finally to commit the town to any measure affecting its municipal existence or substantially changing its form of government without action thereon by the voters at large, using the ballot and check list therefor.

SECTION 37. This act shall be submitted for acceptance to the qualified voters of the town of Montague at the first town election after passage of this act. The vote shall be taken by ballot in accordance with the provisions of the General Laws, so far as the same shall be applicable, in answer to the following question, which shall be placed upon the ballot to be used at said election: — "Shall an act passed by the General Court in the year nineteen hundred and sixty-two, entitled 'An Act establishing in the town of Montague representative town government by limited town meetings', be accepted by the town?" If a majority of the voters voting on this question vote in the affirmative, said act shall take effect immediately for the purpose of the next town election, and for all things relating thereto, and shall take full effect beginning with said following election. It shall be the duty of all town officials having to do with elections and holding office at the time of acceptance to do, in compliance with law, all things necessary for the nomination and election of officers first to be elected under this act.

If this act is rejected when first submitted it shall again be submitted at the next following annual town election, and if accepted shall take effect as hereinbefore provided.

If this act is rejected for the second time it shall be submitted a third time at the next following annual town election, and if accepted shall take effect as hereinbefore provided. If this act is again rejected when so submitted for the third time, it shall thereupon become void.

SECTION 38. At any time after the expiration of three years from the date on which this act takes full effect, and not less than ninety days before the date of an annual meeting, a petition signed by not less than ten per cent of the registered voters of the town may be filed with the selectmen, requesting that the question of revoking the acceptance of this act be submitted to the voters. No such petition shall be valid unless notice thereof shall be published by the selectmen for at least two consecutive weeks in a newspaper having general circulation in the town, the last publication to be at least thirty days prior to said annual meeting. The selectmen shall thereupon direct the town clerk to cause the said question to be printed on the official ballot to be used at the next annual election in the following form: — "Shall the acceptance by the town of Montague of an act passed by the General Court in the year nineteen hundred and sixty-two, entitled 'An Act establishing in the town of Montague representative town government by limited town

meetings', 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 annual meeting next following such vote. All general laws respecting town administration and town officers, and any special laws relative to said town, the operation of which has been suspended or superseded by acceptance of this act, shall be revived by such revocation and shall continue to be in full force and effect. By-laws, votes, rules and regulations in force when such revocation takes effect, so far as they are consistent with the general laws respecting town administration and town officers and with special laws relating to said town shall not be affected thereby, but any other by-laws, votes, rules and regulations inconsistent with such general or special laws shall be annulled. If such revocation is not favored by a majority of the voters voting thereon, further petitions therefor may be filed under this section but not oftener than once in every three years.

*Approved May 1, 1962.*

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**Chap. 399.** AN ACT PROVIDING THAT THE STATUTORY MINIMUM WAGE FOR AN OCCUPATION NOT COVERED BY A MINIMUM FAIR WAGE ORDER MAY BE RECOVERED BY AN EMPLOYEE IN A CIVIL ACTION.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is in part to have its provisions take effect at the same time as other amendments to the minimum fair wage 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 1. The first sentence of section 20 of chapter 151 of the General Laws, as appearing in section 1 of chapter 432 of the acts of 1947, is hereby amended by inserting after the word "order", in line 3, the words: —, or less than one dollar and fifteen cents per hour in any manufacturing occupation or in any other occupation not covered by a mandatory minimum fair wage order; by striking out, in line 9, the words "mandatory minimum fair"; and by striking out, in line 12, the words "under a mandatory minimum fair wage order".

SECTION 2. Said section 20 of said chapter 151, as amended by section 1 of this act, is hereby further amended by striking out the words "one dollar and fifteen" and inserting in place thereof the words: — one dollar and twenty-five.

SECTION 3. Section one of this act shall take effect on May twenty-fourth, nineteen hundred and sixty-two, and section two of this act shall take effect on September fifth, nineteen hundred and sixty-three.

*Approved May 1, 1962.*

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**Chap. 400.** AN ACT RELATIVE TO THE DISCHARGE OF A POOR PRISONER COMMITTED TO A CORRECTIONAL INSTITUTION OF THE COMMONWEALTH FOR NON-PAYMENT OF FINE.

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

Section 146 of chapter 127 of the General Laws, as amended by section 1 of chapter 221 of the acts of 1932, is hereby further amended by inserting after the third sentence the following two sentences: — If a



poor prisoner has been confined in a correctional institution of the commonwealth on a sentence with fine, after three months from the date of release by parole or otherwise on the term sentence, the superintendent shall make a report thereof to the district court. The court shall inquire into the truth of the report and if the court finds the report is true and the prisoner has had no property, real or personal, with which he could have paid the amounts of fine for which he is held and that he is held for no other cause, may order the superintendent to discharge the prisoner.

*Approved May 1, 1962.*

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**Chap. 401.** AN ACT PROVIDING THAT PUBLIC CHARITIES ORGANIZED IN THE COMMONWEALTH SHALL FILE COPIES OF CHARTERS, ARTICLES OF INCORPORATION, AND INSTRUMENTS OF TRUST, WITH THE OFFICE OF THE ATTORNEY GENERAL.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is in part to enable the division of public charities to enforce immediately the due application of funds given or appropriated to public charities, 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 8A of chapter 12 of the General Laws, as appearing in section 1 of chapter 529 of the acts of 1954, is hereby amended by striking out, in line 2, the words "eight I" and inserting in place thereof the words: — eight J.

SECTION 2. Said chapter 12 is hereby further amended by inserting after section 8I the following section: —

*Section 8J.* The trustee or trustees or the governing board of every public charity established, organized or chartered in the commonwealth shall file with the division a copy of its charter, articles of organization or agreement of association, or instrument of trust, and a true copy of its constitution and by-laws within thirty days following the issuance of such charter, or the execution of such instrument of trust, or the creation of such public charity, and shall also file with the division any amendments to its charter, articles of incorporation, instrument of trust, constitution or by-laws, within thirty days after adoption. Upon an information in equity by the attorney general, the supreme judicial or superior court may compel compliance with the provisions of this section.

*Approved May 3, 1962.*

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**Chap. 402.** AN ACT VALIDATING AND CONFIRMING THE USE OF CERTAIN FORMS FOR SUB-BIDS FOR THE CONSTRUCTION OF A GENERAL PURPOSE BUILDING FOR THE ESSEX COUNTY AGRICULTURAL SCHOOL.

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

SECTION 1. The use, by the persons authorized by section one of chapter three hundred and eighty-seven of the acts of nineteen hundred and sixty-one to construct and equip a general purpose building for the Essex county agricultural school, of certain forms for the taking of

sub-bids, on February twelfth, nineteen hundred and sixty-two, for the construction of said building, which forms did not contain the provisions specified by section forty-four G of chapter one hundred and forty-nine of the General Laws, is hereby validated and confirmed.

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

*Approved May 3, 1962.*

**Chap. 403.** AN ACT AUTHORIZING THE TOWN OF PALMER TO PAY AN ANNUITY TO KATHARINE TWISS, FORMER EMPLOYEE OF THE SCHOOL DEPARTMENT OF SAID TOWN.

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

SECTION 1. For the purpose of promoting the public good and in consideration of the long and efficient service of Katharine Twiss, who was employed as a teacher by the town of Palmer for a period of fifty-four years, said town is hereby authorized to appropriate and pay to said Katharine Twiss a payment not to exceed two thousand dollars annually, the same to be paid in equal monthly installments.

SECTION 2. This act shall take effect upon its acceptance by the town of Palmer.

*Approved May 3, 1962.*

**Chap. 404.** AN ACT DESIGNATING THE METROPOLITAN DISTRICT COMMISSION ICE SKATING RINK IN THE CITY OF MEDFORD AS THE JOHN W. FLYNN MEMORIAL ICE SKATING RINK.

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

The metropolitan district commission ice skating rink in the vicinity of Spot Pond in the city of Medford is hereby designated and shall hereafter be known as the John W. Flynn Memorial Ice Skating Rink, in honor of John W. Flynn, who, as a member of the armed forces of the United States, was killed in action in World War II. A suitable marker bearing said designation shall be placed thereat by said commission.

*Approved May 7, 1962.*

**Chap. 405.** AN ACT AUTHORIZING THE CITY OF PITTSFIELD TO BORROW MONEY FOR IMPROVING THE CLEVELAND RESERVOIR FOR WATER SUPPLY PURPOSES.

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

SECTION 1. The city of Pittsfield, for the purpose of paying necessary expenses and liabilities in connection with improving its water supply system by increasing the height of the dam at the Cleveland Reservoir, 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, two hundred and fifty thousand dollars, and may issue bonds or notes of the city therefor which shall bear on their face the words, City of Pittsfield, Cleveland Reservoir Improvement Loan, Act of 1962. Each authorized issue shall constitute a separate loan and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under

this act shall be within the limits of the amount prescribed by the last paragraph of section eight of chapter forty-four of the General Laws and except as otherwise provided herein, shall be subject to the provision of said chapter.

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

*Approved May 7, 1962.*

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**Chap. 406.** AN ACT AUTHORIZING THE GRANBY TELEPHONE AND TELEGRAPH COMPANY OF MASSACHUSETTS TO BORROW MONEY.

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

SECTION 1. The Granby Telephone and Telegraph Company of Massachusetts is hereby authorized to borrow a sum, not exceeding one hundred thousand dollars, and to execute bonds, notes or other evidences of indebtedness payable to any person, or to order and to deliver such bonds, notes or other evidences of indebtedness in consideration of such loan, and to mortgage, pledge or hypothecate any or all of its assets as security therefor; provided, however, that all of the provisions of chapter one hundred and sixty-six of the General Laws, except as specifically otherwise provided herein, shall be applicable and shall govern the said loan or any part thereof, or bonds, coupon notes or other evidences of indebtedness issued hereunder, including specifically the provisions of sections four, five and six of said chapter one hundred and sixty-six.

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

*Approved May 7, 1962.*

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**Chap. 407.** AN ACT RELATIVE TO REPORTS OF TREATMENT OF CERTAIN STABBINGS OR WOUNDINGS BY SHARP POINTED INSTRUMENTS.

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

Section 12A of chapter 112 of the General Laws is hereby amended by striking out the first sentence, as amended by chapter 41 of the acts of 1943, and inserting in place thereof the following sentence: — Every physician attending or treating a case of bullet wound, gunshot wound, powder burn or any other injury, or knife wound, puncture, laceration, or the like, arising from or caused by the discharge of a gun, pistol, B B gun, or other air rifle or other firearm, or by any sharp or pointed instrument, or, whenever any such case is treated in a hospital, sanitarium or other institution, the manager, superintendent or other person in charge thereof, shall report such case at once to the commissioner of public safety and to the police authorities of the town where such physician, hospital, sanitarium or institution is located.

*Approved May 7, 1962.*

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**Chap. 408.** AN ACT AUTHORIZING THE ESTABLISHMENT OF CERTAIN NEW PRECINCTS IN THE CITY OF PEABODY.

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

SECTION 1. The city council of the city of Peabody may divide precinct four of ward six in said city into new precincts on or before July first in the current year, which division shall be in effect for all

state primaries and elections held after said July first until next changed in accordance with law, notwithstanding any contrary provision of chapter fifty-four of the General Laws.

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

*Approved May 7, 1962.*

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**Chap. 409.** AN ACT AUTHORIZING THE COMMONWEALTH, THE METROPOLITAN DISTRICT COMMISSION, AND CITIES AND TOWNS TO ADOPT RULES REGULATING THE USE OF WAYS BY PEDESTRIANS, AND PROVIDING FOR THE NON-CRIMINAL DISPOSITION OF VIOLATIONS THEREOF.

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

SECTION 1. Chapter 90 of the General Laws is hereby amended by inserting after section 18 the following section: —

*Section 18A.* The department, the metropolitan district commission, the traffic and parking commission of the city of Boston, the traffic commission of any city or town having such a commission with authority to promulgate traffic rules, the city council of any other city, and the board of selectmen of any other town may, subject to the provisions of section two of chapter eighty-five, adopt, amend and repeal rules, not repugnant to law, regulating the use by pedestrians of ways within their respective control; provided, however, that no such rule adopted by said traffic and parking commission or by any such traffic commission, any city council or any board of selectmen shall take effect until approved in writing by the department, nor, in the case of any such rule adopted by said traffic and parking commission, until published in the City Record, or, in the case of any other such rule, until published in a newspaper published in the city or town in which such rule is to be applicable, if any, otherwise in the county wherein such city or town lies. As used in this paragraph, the word "pedestrian" shall include a person in or on any conveyance, other than a bicycle, constructed and designed for propulsion by muscular power, as well as including a person on foot. Whoever violates any provision of any such rule shall be punished by a fine of one dollar for the first, second or third such offense committed by such person within the jurisdiction of the district court in the particular calendar year, and by a fine of two dollars for the fourth or subsequent such offense so committed in such calendar year.

If a police officer takes cognizance of a violation of any provision of any such rule, he shall forthwith give to the offender a written notice to appear before the clerk of the district court having jurisdiction, at any time during office hours, not later than twenty-one days after the time of such violation. Such notice shall be made in triplicate and shall contain the name and address of the offender, the time, place and nature of the violation, and the name of the police officer. Upon the completion of his tour of duty such police officer shall give his commanding officer two copies of such notice. Said commanding officer shall retain one such copy in his files and, not later than the next court day, deliver the other copy to the clerk of the court before whom the offender has been notified to appear.

A police officer taking cognizance of any such violation may request the offender to state his name and address. Whoever, upon such request, refuses to state his name and address, or states a false name and

address or a name and address which is not his name and address in ordinary use, shall be punished by a fine of not less than twenty nor more than fifty dollars. Any such offender who refuses upon such request to state his name and address may be arrested without a warrant; but no person shall be arrested without a warrant for any other violation of any provision of this paragraph or for any violation of any provision of any such rule.

Any person notified to appear before the clerk of a district court as hereinbefore provided may appear before such clerk and confess the offense charged, either personally or through an agent duly authorized in writing or by mailing to such clerk, with the notice, the sum provided herein, such payment to be made only by postal note, money order or check. If it is the first, second or third offense subject to this section committed by such person within the jurisdiction of the court in the calendar year, payment to such clerk of the sum of one dollar shall operate as a final disposition of the case; if it is the fourth or subsequent such offense so committed in such calendar year payment to such clerk of the sum of two dollars shall operate as a final disposition of the case. Proceedings under this paragraph shall not be deemed criminal; and no person notified to appear before the clerk of a district court as provided herein shall be required to report to any probation officer, and no record of the case shall be entered in the probation records.

Should any person notified to appear before the clerk of the district court fail to appear or, having appeared, desire not to avail himself of the procedure hereinbefore provided for the non-criminal disposition of the case, the clerk shall, as soon as may be, notify the officer concerned, who shall forthwith make a complaint and follow the procedure established for criminal cases. If any person fails to appear in accordance with the summons issued upon such complaint the clerk shall send such person by registered mail, return receipt requested, a notice that the complaint is pending and that if the person fails to appear within twenty-one days from the sending of such notice a warrant for his arrest will be issued. If any person fails to appear within twenty-one days from the sending of such notice the court shall issue a warrant for his arrest.

A violation of any provision of any such rule or of any provision of this section shall not, in any civil proceeding, constitute negligence or be admissible as evidence of negligence, nor shall a conviction for such a violation be shown to affect the credibility of a witness in any proceeding.

The provisions of this section relative to ways within the control of cities or towns shall be effective in cities or towns accepting said provisions; provided, however, that at any time after the expiration of two years from the time of any such acceptance a city or town may, in the same manner as such provisions were accepted, revoke the same.

SECTION 2. The provisions of section eighteen A of chapter ninety of the General Laws, inserted by section one of this act, relative to ways within the control of the commonwealth or the metropolitan district commission shall take effect upon the effective date of this act.

*Approved May 7, 1962.*

**Chap. 410.** AN ACT FURTHER REGULATING THE PENALTIES ON TOWNS WHICH FAIL TO FILE EDUCATIONAL REPORTS AND SCHOOL RETURNS ON TIME.

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

Chapter 72 of the General Laws is hereby amended by striking out section 6, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 6.* A town whose report and returns do not reach the office of the commissioner on or before August fifteenth shall forfeit ten per cent of the sum to which it would otherwise be entitled under chapter seventy; if they do not reach said office before September first, the entire sum shall be retained by the state treasurer and added to the amount to be distributed under chapter seventy. For cause, the commissioner may grant an extension of time to any town.

*Approved May 7, 1962.*

**Chap. 411.** AN ACT REDUCING THE RESIDENCE REQUIREMENT FOR OLD AGE ASSISTANCE FROM THREE YEARS TO ONE YEAR.

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

The first sentence of section 1 of chapter 118A of the General Laws, as most recently amended by section 1 of chapter 127 of the acts of 1961, is hereby further amended by striking out, in lines 5 to 7, inclusive, the words "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," — 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 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.

*Approved May 7, 1962.*

**Chap. 412.** AN ACT MAKING A CORRECTIVE CHANGE IN THE OLD AGE ASSISTANCE LAW.

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

The eighth sentence of section 8 of chapter 118A of the General Laws, as amended by section 1 of chapter 462 of the acts of 1953, is hereby further amended by striking out, in line 10, the words "section one B" and inserting in place thereof the words: — section thirteen, — so as to read as follows: — In the event a person who is in receipt of assistance under this chapter removes to another town in the commonwealth and remains in need of continued assistance, the town of his former residence shall be responsible for the rendering to him of such assistance as shall be necessary until the end of the first full month after his removal; provided, however, that upon the removal of an old age assistance recipient to another town for the purpose of entering an incor-

porated home, boarding or nursing home, hospital, or a public medical institution as defined in section thirteen, the town in which such person last maintained a residence shall grant and continue assistance to such person until the need for such assistance is terminated.

*Approved May 7, 1962.*

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**Chap. 413.** AN ACT REPEALING THE LAW REQUIRING MEDICAL EXAMINERS TO TRANSMIT TO THE STATE SECRETARY CERTIFIED COPIES OF RECORDS OF DEATHS INVESTIGATED BY THEM.

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

Sections twenty, twenty-one and twenty-two of chapter thirty-eight of the General Laws are hereby repealed. *Approved May 7, 1962.*

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**Chap. 414.** AN ACT MAKING CERTAIN CHANGES IN THE DEFINITION OF THE TERM "EMPLOYMENT" AS USED IN THE EMPLOYMENT SECURITY LAW.

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

SECTION 1. Section 1 of chapter 151A of the General Laws is hereby amended by adding after subsection (w) the following subsection: — (x) "American aircraft" means an aircraft registered under the laws of the United States.

SECTION 2. Subsection (g) of section 6 of said chapter 151A, as appearing in section 1 of chapter 393 of the acts of 1961, is hereby amended by inserting after the word "office", in line 10, the words: — , if the employing unit is exempt from income tax under section 501 (a) of the Federal Internal Revenue Code;

SECTION 3. Said section 6 of said chapter 151A, as so appearing, is hereby amended by striking out subsection (j) and inserting in place thereof the following subsection: — (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, other than an organization described in section 401 (a) of said Code, or exempt from income tax under section 521 of said Code, if the remuneration for such service is less than fifty dollars; *Approved May 7, 1962.*

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**Chap. 415.** AN ACT PROVIDING THAT ALL DRIVER SCHOOL TRAINING VEHICLES BE EQUIPPED WITH SAFETY BELTS.

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

Section 32G of chapter 90 of the General Laws is hereby amended by adding at the end the following paragraph: —

Each licensee of a driver school shall equip all school training vehicles with safety belts. *Approved May 7, 1962.*

**Chap. 416.** AN ACT PROVIDING FOR THE ASSIGNMENT OF QUARTERS IN THE STATE HOUSE FOR THE USE OF THE LEGION OF NATIONAL GUARD VETERANS OF MASSACHUSETTS, INC.

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

Chapter 8 of the General Laws is hereby amended by striking out section 17, as most recently amended by chapter 262 of the acts of 1961, 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., of the Amputee Veterans Association of America, Inc., and of the Legion of National Guard Veterans of Massachusetts, Inc., respectively, such room or rooms to be under the charge of the state commanders of the respective departments, subject to this chapter. The headquarters thus established for each of the aforesaid departments shall be used for storing and preserving the records and other property of the department and relics and mementos of the World Wars and the Spanish War.

*Approved May 7, 1962.*

**Chap. 417.** AN ACT DESIGNATING THE BRIDGE ON PILGRIMS HIGHWAY OVER ROUTE 139 IN THE TOWN OF PEMBROKE AS THE GORDON B. NORTHRUP POST V.F.W. BRIDGE.

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

The bridge on Pilgrims Highway over state highway route 139 in the town of Pembroke is hereby designated and shall be known as the Gordon B. Northrup Post V.F.W. bridge. A suitable marker bearing said designation shall be placed thereat by the department of public works.

*Approved May 7, 1962.*

**Chap. 418.** AN ACT RELATING TO FIRE INSURANCE POLICIES.

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

Chapter 175 of the General Laws is hereby amended by inserting after section 99 the following section: —

*Section 99A.* Insurers issuing the standard policy pursuant to section ninety-nine are authorized to affix thereto or include therein a written statement that the policy does not cover loss or damage caused by nuclear



reaction or nuclear radiation or radioactive contamination, all whether directly or indirectly resulting from an insured peril under said policy; provided, however, that nothing herein contained shall be construed to prohibit the attachment to any such policy of an endorsement or endorsements specifically assuming coverage for loss or damage caused by nuclear reaction or nuclear radiation or radioactive contamination; however, subject to the foregoing and all provisions of the said policy, direct loss by fire resulting from nuclear reaction, or nuclear radiation or radioactive contamination is insured against by such policy.

*Approved May 7, 1962.*

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**Chap. 419.** AN ACT CHANGING THE NAME OF THE ESSEX COUNTY AGRICULTURAL SCHOOL TO THE ESSEX AGRICULTURAL AND TECHNICAL INSTITUTE.

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

SECTION 1. The name of the Essex county agricultural school is hereby changed to the Essex agricultural and technical institute.

SECTION 2. Chapter 74 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.* The Bristol county agricultural school, the Essex agricultural and technical institute, and the Norfolk county agricultural school shall be maintained as state-aided, approved, independent vocational schools under sections one to twenty-two, inclusive, subject to sections twenty-six to thirty-seven, inclusive.

SECTION 3. Said chapter 74 is hereby further amended by striking out section 26, as so appearing, and inserting in place thereof the following section: — *Section 26.* There shall be a board of trustees for each of the schools enumerated in section twenty-five. The boards of trustees for the Bristol county agricultural school, the Essex agricultural and technical institute, and the Norfolk county agricultural school shall each consist of the county commissioners, ex officio, and four residents of the county, appointed by the governor, with the advice and consent of the council, for four years. The term of one appointive trustee in each county shall expire each year.

SECTION 4. Said chapter 74 is hereby further amended by striking out section 30, as amended by chapter 41 of the acts of 1937, and inserting in place thereof the following section: — *Section 30.* Miscellaneous income of the Bristol county agricultural school, the Essex agricultural and technical institute and the Norfolk county agricultural school, including the tuition of non-resident pupils and receipts from the sale of products and work of pupils, shall be paid to the county treasurer.

SECTION 5. Said chapter 74 is hereby further amended by striking out section 31A, as most recently amended by chapter 63 of the acts of 1954, and inserting in place thereof the following section: — *Section 31A.* The trustees of the Essex agricultural and technical institute, the Bristol county agricultural school and the Norfolk county agricultural school may, if in their judgment the circumstances warrant, and it is not otherwise provided for, pay, in whole or in part, the costs of transporting any pupil who resides in a town in the county of Essex, the county of Bristol, or the county of Norfolk, as the case may be, between

the town and the school, and such expenditure shall be deemed to be a proper maintenance item.

SECTION 5A. Section 31B of said chapter 74, inserted by chapter 481 of the acts of 1960, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The boards of trustees of the Bristol county agricultural school, the Essex agricultural and technical institute, and the Norfolk county agricultural school may supervise and control all athletic and other organizations composed of vocational agricultural school pupils and bearing the name of said school or organized in connection therewith.

SECTION 6. Said chapter 74 is hereby further amended by striking out section 33, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 33.* The Bristol county agricultural school, the Essex agricultural and technical institute and the Norfolk county agricultural school shall be free to residents of Bristol, Essex and Norfolk counties, respectively, over fourteen years of age, except that in the Bristol county agricultural school and the Norfolk county agricultural school free attendance shall be limited by the capacity of the courses provided for such schools.

SECTION 7. Said chapter 74 is hereby further amended by striking out section 35, as amended by chapter 455 of the acts of 1956, and inserting in place thereof the following section: — *Section 35.* The Bristol county agricultural school and the Norfolk county agricultural school shall provide instruction in agriculture and, at a time approved by the commissioner, in household arts or homemaking. The Essex agricultural and technical institute may establish, equip, and maintain, with the approval of the commissioner, a household arts school and such other types of vocational education described in sections one to twenty-two, inclusive, as the trustees deem advisable.

SECTION 7A. Said chapter 74 is hereby further amended by striking out section 35A, inserted by chapter 525 of the acts of 1961, and inserting in place thereof the following section: — *Section 35A.* The board of trustees of the Essex agricultural and technical institute, with the approval of the commissioner, may offer to qualified high school graduates technical courses in agriculture and related pursuits which are vocationally oriented, 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 courses shall not be less than two years' duration, and shall offer approximately thirty hours of instruction each week for full-time students.

SECTION 8. Said chapter 74 is hereby further amended by striking out section 36, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 36.* Short unit courses may be given at the Bristol county agricultural school, the Essex agricultural and technical institute and the Norfolk county agricultural school, and elsewhere in the respective counties.

SECTION 9. Said chapter 74 is hereby further amended by striking out section 37, as so appearing, and inserting in place thereof the following section: — *Section 37.* Members of the staffs of the Bristol county agricultural school, the Essex agricultural and technical institute and the Norfolk county agricultural school shall investigate farm and market conditions for the purpose of advising individuals and organizations as to business methods among farmers, and satisfactory methods

of marketing farm products, shall instruct in the formation of co-operative enterprises, and shall perform other work calculated to promote the agricultural or rural development of the respective counties. Members of such staffs shall keep in touch with, and avail themselves of, agencies in the commonwealth or elsewhere that will enable them to utilize the latest and best knowledge and practice in the furtherance of their work.

SECTION 10. Any provision in any general or special law, ordinance or by-law, rule or regulation, or judicial order or decree, relative to the Essex county agricultural school shall apply to the Essex agricultural and technical institute.

*Approved May 7, 1962.*

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**Chap. 420.** AN ACT AUTHORIZING THE TRAFFIC COMMISSION OF THE TOWN OF BROOKLINE TO ESTABLISH BY RULE AND REGULATION A SCHEDULE OF FINES FOR PARKING VIOLATIONS.

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

SECTION 1. The second paragraph of section 20A of chapter 90 of the General Laws is hereby amended by striking out the second sentence, as amended by section 20 of chapter 338 of the acts of 1962, 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, in the city of Cambridge or in the town of Brookline; but, for such an offense, payment of the fine established therefor by the traffic and parking commission of the city of Boston, the city of Cambridge or the traffic commission of the town of Brookline, as the case may be, shall operate as a final disposition of the case.

SECTION 2. Section 3 of chapter 631 of the acts of 1960 is hereby amended by striking out the first sentence and inserting in place thereof the following three sentences: — The commission shall have exclusive authority, except as otherwise herein provided, to adopt, amend, alter and repeal rules and regulations, not inconsistent with general law as modified by this act, relative to vehicular street traffic in the town, and to the movement, stopping or standing of vehicles on, and their exclusion from, all or any streets, ways, highways, roads and parkways, under the control of the town, including rules and regulations designating any way or part thereof under said control as a through way under and subject to the provisions of section nine of chapter eighty-nine of the General Laws, and shall also have all authority previously granted to the selectmen by virtue of the provisions of section twenty-two of chapter forty of the General Laws. Said commission 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.

SECTION 3. This act shall take effect upon its acceptance, during the current year, by vote of the selectmen of the town of Brookline.

*Approved May 7, 1962.*

**Chap. 421.** AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE CITY OF CAMBRIDGE MAY BORROW FOR THE PURPOSE OF CONSTRUCTING AN ADDITION TO THE CAMBRIDGE CITY HOSPITAL AND FOR RECONSTRUCTING OR REMODELING THE EXISTING HOSPITAL BUILDING.

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

SECTION 1. Section 1 of chapter 506 of the acts of 1957, as amended by section 1 of chapter 292 of the acts of 1960, is hereby further amended by striking out, in line 7, the word "five" and inserting in place thereof the word: — ten, — and by striking out, in line 9, the words "two million five" and inserting in place thereof the words: — three million six.

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

*Approved May 7, 1962.*

**Chap. 422.** AN ACT AUTHORIZING THE TOWN OF MANCHESTER TO ESTABLISH A SCHEDULE OF FINES FOR CERTAIN PARKING VIOLATIONS.

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

Notwithstanding any contrary provision of law, the selectmen of the town of Manchester may, from time to time, establish by regulation a schedule of fines for offenses subject to section twenty A of chapter ninety of the General Laws and committed in said town during July, August and September; provided, however, that said town shall not establish any fine for any such offense which shall exceed fifteen dollars.

*Approved May 7, 1962.*

**Chap. 423.** AN ACT INCREASING THE SALARIES OF CLERKS, FIRST ASSISTANT CLERKS AND OTHER ASSISTANT CLERKS OF THE DISTRICT COURTS.

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

SECTION 1. Paragraph (2) of section 79 of chapter 218 of the General Laws is hereby amended by striking out the salary schedule, as appearing in section 1 of chapter 609 of the acts of 1959, and inserting in place thereof the following: —

## SALARY SCHEDULE.

COURT CLASS.	Minimum.	Step 2.	Step 3.	Step 4.	Maximum.	Annual Increment.
I	\$3,906	\$4,112	\$4,318	\$4,524	\$4,730	\$206
II	4,460	4,720	4,980	5,240	5,500	260
III	5,480	5,760	6,040	6,320	6,600	280
IV	7,520	7,840	8,160	8,480	8,800	320
V	9,400	9,800	10,200	10,600	11,000	400

SECTION 2. Chapter 738 of the acts of 1956 is hereby amended by striking out section 11, as most recently amended by section 4 of chapter 801 of the acts of 1960, and inserting in place thereof the following section: — *Section 11.* Notwithstanding any other provisions of law, the compensation grades under the classification and compensation plan for the officers and employees of Suffolk county for the clerks and assistant clerks of the district courts in Suffolk county shall be as follows: — the municipal court of the Roxbury district, first assistant clerk, compensation grade 37, assistant clerks, compensation grade 32; the municipal court of the West Roxbury district, first assistant clerk, compensation grade 35, assistant clerks, compensation grade 30; the municipal court of the Dorchester district, clerk, compensation grade 41, first assistant clerk, compensation grade 37, assistant clerks, compensation grade 32; and each of the other district courts in the county of Suffolk, clerks, compensation grade 38, first assistant clerks, compensation grade 33, assistant clerks, compensation grade 29. The compensation grade of the clerk of the Boston juvenile court shall be grade 37 and the compensation grade of the assistant clerk shall be grade 32.

SECTION 3. Section four of chapter six hundred and nine of the acts of nineteen hundred and fifty-nine is hereby repealed.

SECTION 4. Notwithstanding any provisions of this act to the contrary the provisions of section seventy-nine 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 March first, nineteen hundred and sixty-two.

SECTION 5. This act shall take effect on July first, nineteen hundred and sixty-two.

*Approved May 7, 1962.*

**Chap. 424.** AN ACT EXTENDING THE TIME WITHIN WHICH THE OXFORD-ROCHDALE SEWER DISTRICT MAY BORROW CERTAIN SUMS.

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

Section 8 of chapter 250 of the acts of 1957 is hereby amended by striking out, in line 3, the word "five" and inserting in place thereof the word: — ten.

*Approved May 7, 1962.*

**Chap. 425.** AN ACT PROVIDING FOR THE FILING OF CERTAIN INFORMATION BY TRUSTEES OR GOVERNING BOARDS OF PUBLIC CHARITIES.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to enable the division of public charities to enforce immediately the due application of funds given or appropriated to public charities, 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 8F of chapter 12 of the General Laws, as appearing in section 1 of chapter 529 of the acts of 1954, is hereby amended by inserting after the word "year", in line 21, the following: —, each aggregate figure required being accompanied by an itemized statement on forms provided by the director, of the component parts of such aggregate assets, income and expenditures.

*Approved May 9, 1962.*

**Chap. 426.** AN ACT RELATIVE TO THE FILING OF POLICY FORMS FOR THE APPROVAL OF THE COMMISSIONER OF INSURANCE.

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

Chapter 175 of the General Laws is hereby amended by inserting after section 193E the following three sections:—

*Section 193F.* The thirty-day period specified in sections twenty-two A, one hundred and eight, one hundred and thirty-two, one hundred and thirty-two B and one hundred and thirty-four may be extended by the commissioner with respect to any form required to be filed with him by said sections for an additional thirty days by giving written notice of such extension to the company filing such form before the expiration of the thirty-day period specified in said sections. At the expiration of the thirty days specified in said sections or of any extension thereof in the manner provided in this section, the form so filed shall be deemed approved unless prior to the applicable period it has been affirmatively approved or disapproved in accordance with the provisions of said sections twenty-two A, one hundred and eight, one hundred and thirty-two, one hundred and thirty-two B or one hundred and thirty-four, whichever is applicable. Approval of any such form by the commissioner during the thirty days specified in said sections or under any extension authorized by this section shall constitute a waiver of any unexpired portion of the period applicable to the filing.

*Section 193G.* Whenever the commissioner notifies a company in writing, pursuant to sections twenty-two A, one hundred and eight, one hundred and thirty-two, one hundred and thirty-two B or one hundred and thirty-four, within thirty days or any extension thereof as authorized in section one hundred and ninety-three F, that in his opinion the form so filed does not comply with the laws of the commonwealth, specifying his reasons therefor, said form, if resubmitted to the commissioner within thirty days of receipt of such notice of disapproval, shall not be issued or delivered in the commonwealth until a copy of such resubmitted form has been on file for thirty days with the commissioner, unless before the expiration of said thirty days the commissioner shall have approved the form in writing, nor if the commissioner notifies the

company in writing, within said thirty days, that in his opinion the form of the policy or contract does not comply with the laws of the commonwealth specifying his reasons therefor, provided that such action of the commissioner shall be subject to review by the supreme judicial court. At the expiration of the thirty days specified in this section the resubmitted form shall be deemed approved unless prior to the expiration of said period it has been affirmatively approved or disapproved as hereinabove provided.

*Section 193H.* The commissioner may at any time give notice to the insurer of his intention to withdraw his approval of any form required to be filed by the provisions of sections twenty-two A, one hundred and eight, one hundred and thirty-two, one hundred and thirty-two B or one hundred and thirty-four and which either has been affirmatively approved pursuant to said sections or section one hundred and ninety-three G or is deemed to have been approved pursuant to sections one hundred and ninety-three F or one hundred and ninety-three G if in his opinion such form does not comply with the laws of the commonwealth applicable thereto. Such notice shall be made in writing, shall state the grounds for withdrawal of approval in sufficient detail to inform the insurer thereof, and shall fix the date and place for a hearing thereon, such day to be not less than twenty days from the day such notice is given to the insurer. Following such hearing the commissioner shall notify the insurer of any decision directing the withdrawal of approval under this section; such notice shall be made in writing and shall specify the reasons therefor. After the expiration of thirty days from the receipt of such notice of decision with respect to any form it shall be unlawful for the insurer to issue such form or use it in connection with any policy.

Any person or company aggrieved by any action, order, finding or decision of the commissioner under the foregoing paragraph of this section may, within twenty days from the filing of a memorandum thereof in his office, file a petition in the supreme judicial court for the county of Suffolk for a review of such action, order, finding or decision. The action, order, finding or decision of the commissioner shall remain in full force and effect pending the final decision of the court unless the court or a justice thereof after notice to the commissioner shall by a special order otherwise direct. The court shall have jurisdiction in equity to modify, amend, annul, review or affirm such action, order, finding or decision, shall review all questions in accordance with the standards for review provided in clause (8) of section fourteen of chapter thirty A, and may make any appropriate order or decree.

*Approved May 9, 1962.*

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**Chap. 427.** AN ACT ESTABLISHING THE RECORDS CONSERVATION BOARD, DEFINING ITS POWERS AND DUTIES, AND FURTHER DEFINING OBSOLETE RECORDS.

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

SECTION 1. Section 7 of chapter 4 of the General Laws is hereby amended by striking out clause Twenty-sixth, as amended by section 1 of chapter 626 of the acts of 1958, and inserting in place thereof the following clause: —

Twenty-sixth, "Public records" shall mean any written or printed book or paper, any map or plan of the commonwealth, or of any county, district, city or town which is the property thereof, and in or on which any entry has been made or is required to be made by law, or which any officer or employee of the commonwealth or of a county, district, city or town has received or is required to receive for filing, any official correspondence of any officer or employee of the commonwealth or of a county, district, city or town, and any book, paper, record or copy mentioned in section eleven A of chapter thirty A, where applicable, section nine F of chapter thirty-four, section twenty-three A of chapter thirty-nine, or sections five to eight, inclusive, and sixteen of chapter sixty-six, including public records made by photographic process as provided in section three of said chapter.

SECTION 2. Chapter 30 of the General Laws is hereby amended by striking out section 42, as most recently amended by chapter 477 of the acts of 1957, and inserting in place thereof the following section: — *Section 42.* The state librarian, the attorney general, the state auditor, the chairman of the commission on administration and finance, the supervisor of public records and the chief of the archives division in the department of the state secretary, hereinafter called the archivist, or persons designated by them, shall act as a board, to be known as the records conservation board, of which board the archivist shall be secretary. Said board, after consultation with the chairman of any board or commission or the head of any department or institution may, either by its own motion or on the request of said chairman or head, sell or destroy, from time to time, public records, as defined in section seven of chapter four, in accordance with disposal schedules which shall have been submitted to said board and either approved or modified by said board. Until such action shall have been taken all public records shall remain the property of the commonwealth. Said board shall have power to require all departments of the commonwealth to report to it what series of public records they hold, to set standards for the management and preservation of such records, and to establish schedules for the destruction, in whole or in part, and transfer to the archives, in whole or in part, of public records no longer needed for current business. Nothing in this section shall affect judicial or legislative records, lessen the existing powers of the commission on administration and finance, or compel any department, division or commission to surrender public records it deems of current use. At least thirty days before selling or destroying any such records the board shall publish in a daily newspaper in Boston a notice of its intention so to do, containing a brief description of the articles to be sold or destroyed, and it shall give such other and further notice as it deems advisable to historical societies or persons interested in the matter. It may, and upon petition of twenty-five or more citizens of the commonwealth shall, before selling or destroying any particular records, books, vouchers or documents, give a public hearing to all persons interested, and ten days' notice of such hearing shall be given in a daily newspaper published in Boston. Any money received from sales under this section shall be paid to the commonwealth.

SECTION 3. Section 8 of chapter 66 of the General Laws, as most recently amended by section 2 of chapter 395 of the acts of 1949, is hereby further amended by striking out the first sentence and inserting in place



thereof the following sentence: — Every original paper belonging to the files of the commonwealth or of any county, city or town, bearing date earlier than the year eighteen hundred and seventy, every book of registry or record, every town warrant, every deed to the commonwealth or to any county, city or town, every report of an agent, officer or committee relative to bridges, public ways, sewers or other state, county or municipal interests not required to be recorded in a book and not so recorded, shall be preserved and safely kept, and every other paper belonging to such files shall be kept for seven years after the latest original entry therein or thereon, unless otherwise provided by law or unless such records are included in disposal schedules approved by the records conservation board for state records or by the supervisor of public records for county, city, or town records; and no such paper shall be destroyed without the written approval of the supervisor of records.

*Approved May 10, 1962.*

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**Chap. 428.** AN ACT AUTHORIZING THE CITY OF CHICOPEE TO BORROW MONEY FOR THE CONSTRUCTION OF A SWIMMING POOL, AND VALIDATING CERTAIN ACTION OF SAID CITY IN REGARD TO THE SAME.

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

SECTION 1. For the purpose of constructing a swimming pool in the city of Chicopee, said city 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, ninety-five thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Chicopee Swimming Pool Loan, Act of 1962. Indebtedness incurred under this act shall, except as provided herein, be subject to chapter forty-four of the General Laws, excluding the limitation contained in the first paragraph of section seven thereof.

SECTION 2. The action taken by the board of aldermen of the city of Chicopee on December fifth, nineteen hundred and sixty-one in passing an order authorizing the borrowing of ninety-five thousand dollars for the construction of a swimming pool, and all acts and proceedings in pursuance thereof, are hereby confirmed and validated, to the same extent as though this act were in full force and effect at the time said order was passed.

SECTION 3. This act shall take effect upon its acceptance by the city of Chicopee.

*Approved May 10, 1962.*

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**Chap. 429.** AN ACT ESTABLISHING IN THE DEPARTMENT OF EDUCATION AN ADVISORY BOARD OF HIGHER EDUCATION POLICY.

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

SECTION 1. Chapter 15 of the General Laws is hereby amended by inserting after section 3A the following section: —

*Section 3B.* There shall be in the department an advisory board of higher education policy, consisting of the commissioner who shall be chairman, the president of the University of Massachusetts, the presi-

dent of the Lowell Technological Institute, the chairman of the board of trustees of the Southeastern Massachusetts Technological Institute, the director of the division of state colleges, the chairman of the board of regional community colleges, and five persons to be appointed by the governor, with the advice and consent of the council. The members appointed by the governor shall serve for terms of five years. The members shall serve without compensation, but shall be reimbursed for their necessary expenses actually incurred in the performance of their duties.

The advisory board of higher education policy shall review the total higher education program supported by the appropriation of state funds and shall submit a report to the governor and to the general court on or before December first of each year. The report shall indicate, by percentage or otherwise, the recommendation of said board as to the proportionate division, among the various state-supported programs of higher education, of such funds as may be appropriated therefor.

SECTION 2. In the initial appointments of the members of the advisory board of higher education policy established by section three B of chapter fifteen of the General Laws, inserted by section one of this act, the governor shall appoint five members whose respective terms shall expire on the thirty-first day of January in the years nineteen hundred and sixty-four, nineteen hundred and sixty-five, nineteen hundred and sixty-six, nineteen hundred and sixty-seven and nineteen hundred and sixty-eight, respectively, as he may designate. Thereafter upon the expiration of the term of any such member, his successor shall be appointed in the manner provided in said section three B of said chapter fifteen.

*Approved May 11, 1962.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, May 11, 1962.

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 429 of the Acts of 1962, entitled "An Act Establishing In The Department of Education An Advisory Board of Higher Education Policy" and the enactment of which received my approval on May 11, 1962, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and that 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 prepare and submit the first annual report before December first of the current year. Much of the material to be reviewed will be available at once and to delay its study for ninety days would greatly reduce the value of the report for the next budget preparation.

Respectfully submitted,  
JOHN A. VOLPE,  
*Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, BOSTON, May 11, 1962.

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 three o'clock, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter four hundred and twenty-nine of the acts of nineteen hundred and sixty-two.

KEVIN H. WHITE,  
*Secretary of the Commonwealth.*

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**Chap. 430.** AN ACT PROVIDING THAT SERVICE FOR THE COMMONWEALTH, THE COUNTY OF SUFFOLK OR ANY DEPARTMENT OF THE CITY OF BOSTON SHALL BE INCLUDED IN COMPUTING VACATIONS FOR POLICE IN SAID CITY.

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

SECTION 1. Service in any capacity in the employ of the commonwealth, the county of Suffolk or the city of Boston shall be included in computing length of service for the purpose of section one of chapter one hundred and forty-six of the acts of nineteen hundred and forty-seven as now or hereafter in effect.

SECTION 2. This act shall take effect upon its acceptance by the city of Boston.

*Approved May 11, 1962.*

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**Chap. 431.** AN ACT PROVIDING THAT IN CERTAIN TOWNS THE TOWN CLERK SHALL RECEIVE APPLICATIONS FOR VETERANS' BENEFITS.

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

Section 3 of chapter 115 of the General Laws, as appearing in section 1 of chapter 584 of the acts of 1946, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: — The mayor of each city except Boston shall, and the selectmen of each town may, annually in April, appoint a veterans' agent to act for him or them in the disbursement of veterans' benefits by such city or town; provided, however, that in each town having a part time veterans' agent the town clerk shall receive applications and assist applicants for, veterans' benefits, and shall turn over said applications to the veterans' agent. Two or more contiguous towns may, by vote of the selectmen, appoint one person to serve as veterans' agent for such towns and may apportion the payment of compensation among such towns. No almoner or member of a local board of public welfare, or officer performing similar duties, or any agent of any of them, shall be so appointed; but this section shall not be construed as prohibiting selectmen who are also members of the local board of public welfare from acting in their capacity as selectmen to administer the provisions of this chapter.

*Approved May 11, 1962.*

**Chap. 432.** AN ACT ESTABLISHING A PURCHASING DEPARTMENT 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 salary of said agent shall be determined by the city council in accordance with the provisions of the charter of said city. The purchasing agent shall be appointed by the mayor, subject to the approval of the board of aldermen, for such term of office as may be prescribed by ordinance, and may be removed therefrom by the mayor in accordance with the provisions of said charter. The purchasing agent shall purchase all supplies and equipment for the city and for every department, including the school department. All purchases or contracts for purchases exceeding three hundred dollars in amount shall be based upon competitive bids. A record shall be kept by the department of all bids received and the prices paid for supplies and equipment, 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 biennial state election in the year nineteen hundred and sixty-two in the form of 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-two, entitled 'An Act establishing a purchasing department in the city of Everett', be accepted?" If a majority of the votes in answer to said question is in the affirmative, section one of this act shall take effect on July first, nineteen hundred and sixty-three.

SECTION 3. Chapter six hundred and twenty-one of the acts of nineteen hundred and sixty-one is hereby repealed.

SECTION 4. Section three of this act shall take effect upon its passage.

*Approved May 11, 1962.*

**Chap. 433.** AN ACT RELATIVE TO PRESUMPTIONS IN LIBELS FOR DIVORCE BY REASON OF DESERTION.

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

Section 22 of chapter 208 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following sentence: — The prior filing of a libel for divorce or a petition for separate support shall not be deemed to raise a conclusive presumption to defeat a libel for divorce for desertion. *Approved May 11, 1962.*

**Chap. 434.** AN ACT REPEALING THE LAW WHICH ESTABLISHED A BOARD OF APPEAL ON FIRE INSURANCE RATES.

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

Section eight of chapter twenty-six of the General Laws is hereby repealed.

*Approved May 11, 1962.*

**Chap. 435.** AN ACT AUTHORIZING THE SELECTMEN OF THE TOWN OF WINCHESTER TO FIX THE NUMBER AND APPOINT MEASURERS OF WOOD AND BARK IN SAID TOWN.

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

Notwithstanding the provisions of section two hundred and ninety-six of chapter ninety-four of the General Laws, the selectmen of the town of Winchester may fix the number of measurers of wood and bark and appoint them annually.

*Approved May 11, 1962.*

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**Chap. 436.** AN ACT PROHIBITING THE SALE BETWEEN ONE O'CLOCK ANTE MERIDIAN AND ONE O'CLOCK POST MERIDIAN ON MAY THIRTIETH OF ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES.

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

Section 33 of chapter 138 of the General Laws, as most recently amended by chapter 356 of the acts of 1941, is hereby further amended by striking out, in lines 18 and 19, the words "Christmas day, or on the day following when Christmas day" and inserting in place thereof the words: — Christmas day or May thirtieth, or on the day following when either of said days, — so as to read as follows: — *Section 33.* No licensee under section twelve shall sell and no licensee under section fifteen shall sell or deliver any alcoholic beverages, and no registered pharmacist acting under section twenty-nine and no licensee under section thirty A shall sell any alcoholic beverages or alcohol without a physician's prescription, during polling hours on any day on which a state or municipal election, caucus or primary is held in the city or town in which such licensed place is conducted; provided, that the foregoing restrictions shall not apply in the case of such an election, primary or caucus if the local licensing authorities issue an order to that effect applicable alike to all licensees of every class subject to such restrictions. No holder of a tavern license shall sell any alcoholic beverages on Sundays, no other licensee under section twelve shall sell any such beverages on Sundays before one o'clock post meridian, no licensee under section twelve shall sell any such beverages on Christmas day or May thirtieth, or on the day following when either of said days occurs on Sunday, between one o'clock ante meridian and one o'clock post meridian, no registered pharmacist acting under section twenty-nine and no licensee under section thirty A shall sell any alcoholic beverages or alcohol without a prescription on Sundays or legal holidays, no licensee under section fifteen shall sell or deliver any alcoholic beverages on Sundays or on May thirtieth, Thanksgiving day or Christmas day or on the day following when May thirtieth or Christmas day occurs on Sunday, or on any other legal holiday before one o'clock post meridian and no licensee under any other section of this chapter for the sale of alcoholic beverages not to be drunk on the premises shall sell or deliver any such beverages or alcohol on Sundays or legal holidays.

*Approved May 11, 1962.*

**Chap. 437.** AN ACT AUTHORIZING CERTAIN NEW RESIDENTS OF THE COMMONWEALTH TO VOTE FOR ELECTORS OF PRESIDENT AND VICE-PRESIDENT AND REVOKING SUCH RIGHT OF CERTAIN CITIZENS WHO HAVE REMOVED FROM THE COMMONWEALTH.

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

SECTION 1. The first paragraph of section 1 of chapter 51 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 10 of chapter 453 of the acts of 1943, and inserting in place thereof the following sentence: — Except as otherwise provided in section one A, every citizen twenty-one years of age or older, not being a pauper or person under guardianship and not being temporarily or permanently disqualified by law because of corrupt practices in respect to elections, who can read the constitution of the commonwealth in English and write his name, and who has resided in the commonwealth one year and in the city or town where he claims the right to vote six months last preceding a state, city or town election, and who has complied with the requirements of this chapter, may have his name entered on the list of voters in such city or town, and may vote therein in any such election or, except in so far as restricted in any town in which a representative town meeting form of government has been established, in any meeting held for the transaction of town affairs.

SECTION 2. Said first paragraph of said section 1 of said chapter 51 is hereby further amended by striking out the last four sentences, added by section 1 of chapter 582 of the acts of 1961.

SECTION 3. Said chapter 51 is hereby further amended by striking out sections 1A to 1D, inclusive, inserted by section 2 of said chapter 582, and inserting in place thereof the following two sections: —

*Section 1A.* A person who has resided in the commonwealth less than one year, but who will have resided therein and in the city or town where he claims the right to vote not less than thirty-two days last preceding an election at which electors of president and vice-president are to be chosen may be qualified for voting only for such electors at such election; provided, he makes application therefor as hereinafter required and otherwise complies with the requirements of this chapter.

Applications to qualify for voting under this section, in substantially the following form, shall be prepared and furnished by the state secretary, in such quantities as he may deem necessary, to the registrars of voters of each city and town in the commonwealth.

I, ....., do solemnly swear that I now reside at ..... in the city or town of ..... in the commonwealth of Massachusetts; that I have resided in the commonwealth of Massachusetts since ..... and in such city or town since .....; and that, immediately previous to coming to the commonwealth of Massachusetts to reside, I resided at ..... in the city or town of ..... in the state of ....., where I was a qualified voter, or where I would have been eligible to qualify as a voter had I remained at such residence.

The date of my birth was ..... The place of my birth .....

(The following, when pertinent, is to be entered by the registrars of voters):

Record of naturalization, court issuing naturalization certificate and date of naturalization .....

Sworn to and subscribed before me this ..... day of ....., 19.....

Registrar of Voters

After receipt thereof and examination of the applicant as required by this chapter, the registrars shall forthwith make and certify on the application a statement of their determination as to whether or not the applicant has the qualifications for voting for electors of president and vice-president prescribed by this section. In case the registrars determine that an applicant is not so qualified, they shall give him written notice thereof and an opportunity to be heard.

*Section 1B.* To each application made as provided in section one A must be added a certificate, in substantially the following form, executed by a registrar of voters or equivalent official of the state where the applicant last resided previous to coming to the commonwealth of Massachusetts to reside.

**CERTIFICATE OF REGISTRARS OF VOTERS (OR EQUIVALENT OFFICIAL) OF STATE OF APPLICANT'S FORMER RESIDENCE.**

**IMPORTANT.** This certificate must be returned to the registrars of voters of the city or town where the applicant is claiming the right to vote so that they will receive it not later than the twentieth day preceding the election.

I, the undersigned, registrar of voters (or equivalent official) for the city, town or county of ..... in the state of ....., do hereby certify that ..... formerly resided at .....  
(applicant's name)

in the city or town of ..... in said state of .....; that he (she) was a qualified voter of said state of ..... or that he (she) would have been eligible to qualify as a voter of said state had he (she) remained a resident thereof until the date of the presidential election in the year 19..... I further certify that, to the best of my knowledge and belief, ..... is no longer a resident of the said state of .....  
(applicant's name)

and that he (she) is no longer qualified to vote in such state, and that he (she) will not be permitted to vote for electors of president and vice-president in the said state of ..... at the election to be held on ....., 19.....

.....  
(Signature)

.....  
(Title)

County of .....

State of .....

I, ..... (name of registrar of voters or equivalent official), do solemnly swear that the statements in the foregoing certificate are true.

.....  
(Signature)

Subscribed and sworn to before me this ..... day of ....., 19.....

.....  
(Signature of officer administering oath)

.....  
(Title of officer)

The certificate herein required shall be executed and returned to the registrars of voters of the city or town where the applicant is claiming the right to vote so that it will be received by them not later than the twentieth day next preceding the day of the election.

**SECTION 4.** Section 2 of said chapter 51, as most recently amended by chapter 310 of the acts of 1945, is hereby further amended by adding at the end the following sentence: — In the case of such a person who has qualified for voting for electors of president and vice-president under section one A, his or her right to vote in his or her former name shall

continue until the next following election at which such electors are to be chosen.

SECTION 5. Section 3 of said chapter 51, as most recently amended by section 11 of chapter 453 of the acts of 1943, is hereby further amended by adding at the end the following sentence: — This section shall not apply to persons qualified under section one A to vote for electors of president and vice-president.

SECTION 6. Section 12 of said chapter 51 is hereby amended by striking out the first sentence, as appearing in section 10 of chapter 440 of the acts of 1938, and inserting in place thereof the following sentence: — In every place where voters are registered or where applications under section one A are made to qualify for voting for electors of president and vice-president, and where oaths under sections eight and nine are administered, the registrars shall post in a conspicuous place a copy of sections seven and nine of chapter fifty-six, printed on white paper with black ink, in type not less than one quarter of an inch wide.

SECTION 7. Section 26 of said chapter 51 is hereby amended by striking out the first sentence, as appearing in section 1 of chapter 34 of the acts of 1947, and inserting in place thereof the following two sentences: — The registrars, for the purpose of registering voters and receiving applications to qualify under section one A for voting for electors of president and vice-president, in the manner hereinafter provided, shall hold such day and evening sessions as the town by by-law or the city by ordinance shall prescribe, and such other sessions as they deem necessary; but, except as provided in sections thirty-four and fifty, there shall be no registration of voters between ten o'clock in the evening on the thirty-second day preceding, and the day following, the biennial state primary, the presidential primary and the biennial state election, nor in any city between ten o'clock in the evening on the twentieth day preceding and day following a city election, or a city primary or preliminary election, nor in any town between ten o'clock in the evening on the twentieth day preceding and the day following the annual town meeting notwithstanding any contrary provision in any special law. No application under section one A to qualify for voting for electors of president and vice-president shall be received between ten o'clock in the evening on the thirty-second day preceding, and the day following, an election at which such electors are to be chosen.

SECTION 8. Said section 26 of said chapter 51 is hereby further amended by striking out the last sentence, as so appearing, and inserting in place thereof the following sentence: — The time and place of registration and for receiving applications under section one A to qualify for voting for electors of president and vice-president shall be the same for male and female applicants.

SECTION 9. Section 29B of said chapter 51, as most recently amended by section 6 of chapter 34 of the acts of 1947, is hereby further amended by adding at the end the following sentence: — No application under section one A to qualify for voting for electors of president and vice-president shall be received at such sessions.

SECTION 10. Section 30 of said chapter 51, as most recently amended by section 7 of said chapter 34, is hereby further amended by adding at the end the following sentence: — No application under section one A to qualify for voting for electors of president and vice-president shall be received at such sessions.



SECTION 11. Section 32 of said chapter 51, as amended by section 10 of chapter 254 of the acts of 1933, is hereby further amended by adding at the end the following sentence: — In every year when an election is to be held for the purpose of choosing electors of president and vice-president no applications under section one A to qualify for voting for such electors will be received after ten o'clock in the evening of the last day fixed for receiving such applications.

SECTION 12. Said chapter 51 is hereby further amended by striking out section 33, as most recently amended by chapter 160 of the acts of 1946, and inserting in place thereof the following section: — *Section 33.* Any registrar, at such places as may be appointed, and on the day and during the hours designated for the purpose, may receive applications for registration and applications under section one A to qualify for voting for electors of president and vice-president and examine on oath such applicants and witnesses, but all the doings of one registrar shall be subject to revision and acceptance by the board.

In cities, and in towns having six hundred or more registered voters, any person shall be registered, as aforesaid, or may apply for qualification for voting under section one A, during regular business hours except during such times as such registration or application is not permitted by law to be made.

SECTION 13. Section 34 of said chapter 51, as amended by section 11 of chapter 254 of the acts of 1933, is hereby further amended by adding at the end the following sentence: — The provisions of this section, so far as pertinent, shall apply to applications under section one A to qualify for voting for electors of president and vice-president.

SECTION 14. The second paragraph of section 36 of said chapter 51, as appearing in section 3 of chapter 67 of the acts of 1955, is hereby further amended by adding at the end the following sentence: — This section shall not apply to persons who qualify under section one A to vote for electors of president and vice-president.

SECTION 15. Section 37 of said chapter 51, as most recently amended by section 25 of chapter 453 of the acts of 1943, is hereby further amended by adding at the end the following sentence: — This section shall not apply to persons who qualify under section one A for voting for electors of president and vice-president.

SECTION 16. Section 38 of said chapter 51, as amended by section 26 of said chapter 453, is hereby further amended by striking out the third sentence and inserting in place thereof the following sentence: — They shall revise and correct the general register, the current annual register and the list of persons qualified to vote for electors of president and vice-president prepared as required by section fifty-eight A in accordance with any facts they may have presented to them.

SECTION 17. Section 40 of said chapter 51, as appearing in the Tercentenary Edition, is hereby amended by inserting after the second sentence the following sentence: — They shall likewise distinctly announce the name of every person making application under section one A to qualify for voting for electors of president and vice-president.

SECTION 18. Said chapter 51 is hereby further amended by striking out section 42, as amended by section 4 of chapter 715 of the acts of 1945, and inserting in place thereof the following section: — *Section 42.* Except as provided by section forty-two A, every person whose name has not been entered in the annual register in accordance with sections

thirty-four, thirty-five or thirty-seven, or a corresponding provision of law applicable to a city or town having a listing board, must, in order to be registered, or to qualify under section one A for voting for electors of president and vice-president, as the case may be, apply in person to the registrars and prove that he is qualified.

SECTION 19. Section 42B of said chapter 51, inserted by chapter 332 of the acts of 1959, is hereby amended by adding at the end the following sentence: — No application under section one A to qualify for voting for electors of president and vice-president shall be received at any registration session held as provided in this section.

SECTION 20. Section 44 of said chapter 51, as most recently amended by section 6 of chapter 715 of the acts of 1945, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — The registrars, or absent registration officers, as the case may be, shall examine on oath each applicant for registration and each applicant under section one A to qualify for voting for electors of president and vice-president relative to his qualifications for voting and shall, unless such applicant is prevented by physical disability, require him to write his name in the general register or on the application form prescribed by said section one A, as the case may be, and to read in such a manner as to show that he is neither prompted nor reciting from memory.

SECTION 21. Section 45 of said chapter 51, as most recently amended by section 7 of said chapter 715, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — If an applicant for registration or an applicant under section one A to qualify for voting for electors of president and vice-president claims to be a naturalized citizen or to derive citizenship through the naturalization or citizenship of another, the registrars, or absent registration officers, as the case may be, shall require him to produce for inspection the papers of naturalization, certificate of citizenship made under federal authority or any other papers on which he relies and shall, if satisfied that the applicant is a citizen, make upon such papers a memorandum of their inspection and a record thereof in the general register or on his application to so qualify, as the case may be.

SECTION 22. Said chapter 51 is hereby further amended by striking out section 46, as amended by section 8 of said chapter 715, and inserting in place thereof the following section: — *Section 46.* If upon examination the registrars, or absent registration officers, as the case may be, are satisfied that an applicant for registration or an applicant under section one A to qualify for voting for electors of president and vice-president has all the qualifications for voting except that of age, and that such applicant will on or before the day of the next election or town meeting attain full age, they shall enter his name in the general and current annual registers of voters, or on the list of persons so qualified to be prepared as provided by section fifty-eight A.

SECTION 23. Section 48 of said chapter 51, as appearing in the Tercentenary Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Upon complaint signed and sworn to by a registered voter and filed with the registrars at least fourteen days in a city, or at least four days in a town, before a primary, election or town meeting, stating that the complainant has reason to believe and does believe that a certain person by him therein

named has been illegally or incorrectly registered, or certified under section one A to be qualified to vote for electors of president and vice-president, as the case may be, and giving the reasons for such belief, the registrars shall examine into such complaint and, if satisfied that there is sufficient ground therefor, they shall summon the person complained of to appear before them at a certain place and time before the next primary or election or town meeting to answer to the matters set forth in the complaint, and the substance of the complaint and a copy of this section and of section forty-nine shall be set forth in the summons.

SECTION 24. Said chapter 51 is hereby further amended by striking out section 49, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:— *Section 49.* If a person summoned before the registrars to answer such complaint appears before them, they shall examine him on oath, and shall receive such other evidence which may be offered in regard to the matters set forth in the complaint and, if satisfied that he is properly registered as a qualified voter, or that he has the qualifications under section one A for voting for electors of president and vice-president, as the case may be, they shall enter in the register, or on the application under said section one A, as the case may be, a statement of their determination of the facts required for registration or to so qualify. If the registrars are satisfied that he is not a qualified voter, or that he does not have the qualifications for voting for electors of president and vice-president, as the case may be, they shall strike his name from the register, or from the list of persons qualified to vote for such electors prepared as provided by section fifty-eight A, as the case may be. If they are satisfied that, although he is a qualified voter in the city or town, he is illegally or incorrectly registered in a ward or voting precinct other than the ward or voting precinct in which he is required by section three to be registered, and have determined the ward or voting precinct in which he is so required to be registered, and his place of residence therein, they shall change his place of residence as given on the register accordingly. If a person duly summoned as aforesaid does not appear as directed in the summons and the complainant produces sufficient testimony to make out a prima facie case, the name of such person shall be struck from the register, or from such list, as the case may be; but if such person appears before the registrars before the election or town meeting following and shows sufficient cause for his failure earlier to appear, the hearing shall be reopened and the matter decided on its merits, as determined from the evidence presented on both sides. The complainant and the person complained of may be represented by counsel, and all witnesses may be cross-examined.

SECTION 25. Said chapter 51 is hereby further amended by inserting after section 58 the following section:—

*Section 58A.* The registrars shall forthwith, following the twentieth day preceding an election at which electors of president and vice-president are to be chosen, prepare lists containing the names of all persons certified by them, as provided in section one A, to be qualified for voting for electors of president and vice-president, and for whom certificates have been received as required by section one B. The names of the persons so certified shall be arranged on such lists in alphabetical order and to the name of each such person shall be added the street and number, if any, of his present residence. The registrars shall cause copies of such lists to be posted in their principal office.

SECTION 26. Said chapter 51 is hereby further amended by striking out section 59, as appearing in the Tercenary Edition, and inserting in place thereof the following section: — *Section 59.* On the day of a primary, caucus or election the registrars shall give to a voter whose name has been omitted from a voting list prepared as required by section fifty-five or by section fifty-eight A, as the case may be, or in whose name or residence, as placed on such list, a clerical error has been made, a certificate of his name and residence, as stated on the annual register, or on his application under section one A, as the case may be, signed by a majority of the registrars. On presentation thereof to the presiding officer of the ward, voting precinct, polling place or town in which the person was registered, or is authorized to vote, he shall be allowed to vote, and his name shall be checked on the certificate, which shall be attached to and considered a part of the voting list and returned and preserved therewith.

SECTION 27. Section 60 of said chapter 51, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Before every election and meeting in a city or town at which voting lists may be required to be used, the registrars shall prepare such lists for each ward, voting precinct, polling place or town in which such election or meeting is being held, containing the names and residences of all persons qualified to vote therein, as the same appear upon the annual register or upon the lists prepared as provided by section fifty-eight A, as the case may be, and shall seasonably transmit the same to the election officers in every such ward, voting precinct, polling place or town.

SECTION 28. Section 61 of said chapter 51, as amended by section 1 of chapter 21 of the acts of 1937, is hereby further amended by inserting after the first paragraph the following paragraph: —

The registrars shall forthwith, following the twentieth day before an election at which electors of president and vice-president are to be chosen, certify to the state secretary the number of persons determined by them, as provided by section one A of chapter fifty-one, to be qualified to vote in the city or town for such electors at such election.

SECTION 29. Section 11 of chapter 54 of the General Laws, as most recently amended by section 1 of chapter 432 of the acts of 1941, is hereby further amended by inserting after the first sentence the following two sentences: — In any year in which electors of president and vice-president are to be chosen he shall also so appoint one warden, one deputy warden, one clerk, one deputy clerk, and such number of inspectors and deputy inspectors as he deems necessary, to serve as election officers at the polling place, designated as required by section twenty-four, where persons qualified under section one A of chapter fifty-one to vote for such electors shall cast their ballots. The persons so appointed shall be enrolled voters of the city.

SECTION 30. The first paragraph of section 12 of said chapter 54, as appearing in chapter 266 of the acts of 1962, is hereby amended by inserting after the first sentence the following sentence: — Except in towns not divided into voting precincts, the selectmen shall also appoint, in any year in which electors of president and vice-president are to be chosen, one warden, one deputy warden, one clerk, one deputy clerk, and such number of inspectors and deputy inspectors as they deem necessary, to serve at the polling place, designated as required by section

twenty-four, where persons qualified under section one A of chapter fifty-one to vote for electors of president and vice-president shall cast their ballots, and the persons so appointed shall be enrolled voters of the town.

SECTION 31. Section 13 of said chapter 54, as most recently amended by section 4 of chapter 411 of the acts of 1943, is hereby further amended by striking out the fourth sentence and inserting in place thereof the following sentence: — Except as otherwise provided in sections eleven and twelve, every election officer shall hold office for one year, beginning with September first succeeding his appointment, and until his successor is qualified, or until his removal; provided, that election officers appointed to count and tabulate votes shall serve at such primaries or elections and at such times as shall be designated by the appointing authority.

SECTION 32. Section 16 of said chapter 54, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following paragraph: —

Notwithstanding the foregoing, if the warden or presiding officer, the clerk or an inspector, or the deputy of any such officer, if any, appointed to serve at the polling place, designated as required by section twenty-four, where persons qualified under section one A of chapter fifty-one to vote for electors of president and vice-president shall cast their ballots is absent at the opening of the polls or subsequently on the day of the election, the city or town clerk may appoint a person to fill the vacancy who shall be an enrolled voter of the city or town and of the same political party as the absent officer.

SECTION 33. The first paragraph of section 23 of said chapter 54, as appearing in section 8 of chapter 411 of the acts of 1943, is hereby amended by inserting after the first sentence the following sentence: — Upon like petition of ten qualified voters of a city or town, presented at least twenty-one days before an election at which electors of president and vice-president are to be chosen, the governor may so appoint for the polling place, designated as required by section twenty-four, where persons qualified under section one A of chapter fifty-one to vote for such electors shall cast their ballots, two voters of the city or town, who shall not be signers of the petition or members of any political committee or candidates for any office, to act as supervisors at such polling place at such election.

SECTION 34. Section 24 of said chapter 54 is hereby amended by inserting after the first sentence, as appearing in the Tercentenary Edition, the following sentence: — At least twenty days before an election at which electors of president and vice-president are to be chosen they shall designate as the polling place where persons qualified under section one A chapter fifty-one to vote for such electors shall cast their ballots the office of the city or town clerk or election commission, or some room or rooms situated as near thereto as practicable, and shall cause such office, room or rooms to be suitably fitted up and prepared therefor.

SECTION 35. Said chapter 54 is hereby further amended by striking out section 30, as amended by section 1 of chapter 310 of the acts of 1943, and inserting in place thereof the following section: — *Section 30.* The city or town clerk shall furnish to the clerk of each voting place or precinct a seal of suitable device with a designation thereon of such voting place or precinct; and such seal shall be used in sealing all envelopes

or other containers required by law to be used at elections. The clerk of the voting place or precinct shall retain custody of the seal, and shall, at the end of his term of office, deliver it, with the records of the voting place or precinct and other official documents in his custody to the city or town clerk.

SECTION 36. Section 34 of said chapter 54 is hereby amended by inserting after the first sentence, as appearing in chapter 84 of the acts of 1945, the following sentence: — Voting machines may also be used at any polling place, designated as required by section twenty-four, where persons qualified under section one A of chapter fifty-one to vote for electors of president and vice-president shall cast their ballots provided the aldermen or selectmen give notice thereof to the state secretary not less than sixty days before the day of the election at which such electors are to be chosen.

SECTION 37. Section 41 of said chapter 54 is hereby amended by striking out the first paragraph, as appearing in the Tercentenary Edition, and inserting in place thereof the following paragraph: —

Ballots for the use of voters in a voting precinct, polling place or town shall contain the names of all candidates duly nominated for election therein, and, except as provided in section forty-three, they shall contain the name of no other person.

SECTION 38. The last paragraph of section 42 of said chapter 54, as amended by section 12 of chapter 411 of the acts of 1943, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence: — On the back and outside of each ballot when folded shall be printed the words "Official Ballot for", followed by the name of the city or town for which the ballot is prepared, together with the ward and precinct of the city or the precinct of the town, if any, the date of the election, and a facsimile of the signature of the officer who has caused the ballot to be prepared; provided that, in the case of ballots for the use of persons qualified under section one A of chapter fifty-one to vote for electors of president and vice-president, there shall be so printed the words "Official Presidential Elector Ballot for", followed by the name of the city or town, the date of the election, and a facsimile of the signature of the state secretary.

SECTION 39. Section 49 of said chapter 54, as amended by section 14 of said chapter 411, is hereby further amended by adding at the end the following sentence: — Lists provided under this section for polling places where persons qualified under section one A of chapter fifty-one shall cast their ballots shall not be required to be so posted.

SECTION 40. Section 53 of said chapter 54, as amended by chapter 64 of the acts of 1945, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — The election commissioners in Boston at least twenty-four days, and the registrars of voters in every other city or town at least ninety days, before the biennial state election, shall cause to be sent to the state secretary mailing lists of the voters whose names appear on the latest voting lists of their respective cities and towns, prepared as required by section fifty-five of chapter fifty-one, and shall promptly furnish him with subsequent additions to and corrections in such lists.

SECTION 41. Section 66 of said chapter 54, as amended by chapter 147 of the acts of 1961, is hereby further amended by striking out the third sentence and inserting in place thereof the following sentence: —

The clerk of the precinct, polling place or town shall make a record of the condition of the ballot box register and, if a key is used, it shall be retained by the police officer or constable at the polling place.

SECTION 42. Section 85 of said chapter 54, as appearing in the Tercentenary Edition, is hereby amended by inserting after the first paragraph the following paragraph: —

If the right of a person offering to vote at a polling place where persons qualified to vote only for electors of president and vice-president shall cast their ballots is so challenged, the presiding officer shall administer to him the following oath:

You do solemnly swear (or affirm) that you are the identical person whom you represent yourself to be, that you are a bona fide legal resident of this city (or town), that you have been determined by the registrars of voters of this city (or town) to be qualified to vote therein for electors of president and vice-president, and that you have not voted for such electors at this election in any other city or town in the commonwealth of Massachusetts, or in any other state of the United States, either in person or by absent voting ballot.

SECTION 43. The first paragraph of section 105 of said chapter 54 is hereby amended by striking out the second and third sentences, as appearing in section 1 of chapter 155 of the acts of 1959, and inserting in place thereof the following two sentences: — The election officers shall then, publicly and in the presence of the other election officers, audibly and distinctly count and announce the number of names checked on each voting list used at the election, including a separate count of the number of names checked on the list of persons qualified to vote only for electors of president and vice-president, if any, shall publicly announce the number so counted and thereafter the clerk shall record the same. The ballot box shall then be opened by the presiding officer and the ballots taken therefrom and audibly counted in public view, one by one, including a separate count of the ballots cast by persons qualified to vote only for electors of president and vice-president, if any, and the whole number of ballots cast shall be publicly announced by him.

SECTION 44. Said section 105 of said chapter 54 is hereby further amended by striking out the second paragraph, as amended by chapter 95 of the acts of 1947, and inserting in place thereof the following paragraph: —

The clerk in open meeting shall publicly announce the result of the vote and enter on the total vote sheet, which shall be considered the precinct record, the total number of names checked on the voting lists, including a separate record of the number of names checked on the list of persons qualified to vote only for electors of president and vice-president, if any, the total number of ballots cast, including a separate record of the total number of ballots cast by persons qualified to vote only for electors of president and vice-president, if any, the names of all persons voted for, the number of votes for each person and the title of the office for which he was a candidate, the number of blank ballots for each office, and the number of affirmative and negative votes in answer to any question submitted to the voters, and shall forthwith certify such record, seal up the same, and deliver it, outside of the ballot container or envelope but in a separate sealed envelope, to the city or town clerk, who shall forthwith enter it in his records; provided, that,

if voting machines are used, the general or precinct record sheet, as the case may be, shall be the record referred to in this paragraph.

SECTION 45. Section 107 of said chapter 54, as most recently amended by chapter 93 of the acts of 1946, is hereby further amended by striking out the third sentence and inserting in place thereof the following sentence: — A majority of the election officers of the voting precinct, polling place or town shall endorse upon such envelope or container the polling place, the election and the date, and also a certificate that all the ballots cast by the voters of such precinct, polling place or town, and none other, are contained therein.

SECTION 46. Section 132 of said chapter 54, as amended by chapter 33 of the acts of 1932, is hereby further amended by adding at the end the following sentence: — The city or town clerk shall within fifteen days after an election at which electors of president and vice-president are to be chosen likewise certify to the state secretary the total number of names checked on the list of persons qualified to vote only for such electors at such election in each voting precinct or town, and a duplicate copy thereof, sealed, to be by him transmitted to the governor and council.

*Approved May 11, 1962.*

**Chap. 438.** AN ACT PERMITTING HUNTING ON LEGAL HOLIDAYS.

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

Section 37 of chapter 136 of the General Laws, inserted by section 3 of chapter 812 of the acts of 1960, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: — Notwithstanding the provisions of this chapter, sporting events of any type, including those authorized under chapter one hundred and twenty-eight A, may be conducted on any legal holiday and any business licensed under chapter one hundred and thirty-eight may be conducted in accordance with the provisions of said chapter on any such day. Hunting, if otherwise lawful, shall not be prohibited on any legal holiday. Florist shops may be kept open all day on May thirtieth.

*Approved May 11, 1962.*

**Chap. 439.** AN ACT RELATIVE TO THE EXEMPTION FROM TAXATION OF THE RESIDENCES OF OFFICIALS OF CERTAIN RELIGIOUS BODIES.

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

Section 5 of chapter 59 of the General Laws is hereby amended by striking out clause Eleventh, as most recently amended by chapter 341 of the acts of 1954, and inserting in place thereof the following clause: —

Eleventh, Houses of religious worship owned by, or held in trust for the use of, any religious organization, and the pews and furniture, and, to an amount not exceeding ten thousand dollars for each parsonage, parsonages so owned or held, and including the official residence occupied by district superintendents of the Methodist Church and The Christian and Missionary Alliance; but such exemption shall not, except as herein provided, extend to any portion of any such house of religious worship appropriated for purposes other than religious worship or instruction.

*Approved May 11, 1962.*



**Chap. 440.** AN ACT MAKING IT A CRIMINAL OFFENCE FOR AN OCCUPANT IN CONTROL OF PREMISES WHERE A TELEPHONE IS LOCATED TO PERMIT THE USE OF SUCH TELEPHONE FOR CERTAIN GAMING PURPOSES.

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

Chapter 271 of the General Laws is hereby amended by striking out section 17A, inserted by chapter 246 of the acts of 1958, and inserting in place thereof the following section: — *Section 17A.* Whoever uses a telephone or, being the occupant in control of premises where a telephone is located or a subscriber for a telephone, knowingly permits another to use a telephone so located or for which he subscribes, as the case may be, for the purpose of accepting wagers or bets, or buying or selling of pools, or for placing all or any portion of a wager with another, upon the result of a trial or contest of skill, speed, or endurance of man, beast, bird, or machine, or upon the result of an athletic game or contest, or upon the lottery called the numbers game, or for the purpose of reporting the same to a headquarters or booking office, or who under a name other than his own or otherwise falsely or fictitiously procures telephone service for himself or another for such purposes, shall be punished by a fine of not more than two thousand dollars or by imprisonment for not more than one year.

*Approved May 11, 1962.*

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**Chap. 441.** AN ACT AUTHORIZING THE DIRECTOR OF THE DIVISION OF FISHERIES AND GAME TO ACQUIRE CERTAIN LANDS IN THE TOWN OF PETERSHAM.

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

The director of the division of fisheries and game, with the approval of the fish and game board and the selectmen of the town of Petersham, is hereby authorized to take by eminent domain, under chapter seventy-nine of the General Laws, and hold for wildlife management purposes, an area of approximately two hundred and four acres located in said town of Petersham, adjacent to land now owned by the commonwealth and shown on a plan entitled, "Plan of Land Located in Petersham, owned by Joseph H. Higgins" on file with the division.

*Approved May 11, 1962.*

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**Chap. 442.** AN ACT AUTHORIZING THE CITY OF QUINCY TO PAY A SUM OF MONEY TO JAMES J. CARTER.

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

SECTION 1. For the purpose of discharging a moral obligation, the city of Quincy may appropriate and pay to James J. Carter of said city such sums, not exceeding nine hundred and four dollars and four cents, in order to pay him his retirement allowance for the months of July and August in the year nineteen hundred and fifty-nine which was withheld from him in error.

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

*Approved May 11, 1962.*

**Chap. 443.** AN ACT PROHIBITING THE IMPORTATION OF STRIKE-BREAKERS EXCEPT BY EMPLOYERS DIRECTLY INVOLVED IN A LABOR DISPUTE.

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

SECTION 1. Chapter 150D of the General Laws is hereby amended by striking out section 1, as appearing in chapter 738 of the acts of 1960, and inserting in place thereof the following section: — *Section 1.* It is hereby declared that the employment of non-residents of the commonwealth as labor replacements or strikebreakers during a strike or lockout tends to produce and prolong industrial strife, violence and other crimes and disorders which would be to some extent mitigated by forbidding their importation by persons other than the employer directly involved in the labor dispute and by requiring their registration and the disclosure by the employer of the information required of the employer in section three.

SECTION 2. Said chapter 150D is hereby amended by striking out section 3, as so appearing, and inserting in place thereof the following section: — *Section 3.* No person except the employer directly involved in a labor dispute shall recruit directly or indirectly any person or persons from outside the commonwealth for employment within the commonwealth when the purpose of such recruiting is to have such person or persons work as a labor replacement or strikebreaker in any establishment within the commonwealth where a labor dispute exists.

Any employer directly involved in a labor dispute who recruits or imports labor replacements or strikebreakers from outside the commonwealth to work in any establishment within the commonwealth where a labor dispute exists shall file a written report with the commissioner of labor and industries within five days of the time he recruits or imports such labor replacements or strikebreakers. The report shall contain the following information: — (a) the name and address of each person so recruited or imported, (b) the date such labor replacements or strikebreakers have been or are to be imported; and (c) the total amount of compensation and expenses paid or to be paid to each such labor replacement or strikebreaker.

Such reports shall be public records.

SECTION 3. Section 5 of said chapter 150D, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: — Whoever violates section three or section four shall, for the first offense, be punished by a fine of not less than five hundred dollars nor more than one thousand dollars, and for a second or subsequent offense, by a fine of not less than one thousand dollars nor more than five thousand dollars.

*Approved May 11, 1962.*

**Chap. 444.** AN ACT RELATIVE TO THE DISCLOSURES OF CAMPAIGN EXPENDITURES AND CONTRIBUTIONS.

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

SECTION 1. Chapter 55 of the General Laws is hereby amended by striking out the title and inserting in place thereof the following title:

— DISCLOSURE OF CAMPAIGN EXPENDITURES AND CONTRIBUTIONS AND ELECTION INQUESTS.

SECTION 2. Said chapter 55 is hereby further amended by striking out section 1, as appearing in section 10 of chapter 537 of the acts of 1946, and inserting in place thereof the following section: — *Section 1.* "Campaign contributions", as used in this chapter shall include all contributions of money or its equivalent from individuals, political committees or others to a candidate or a person acting under his authority or a political committee, and without limitation, and to the extent no compensation is given or promised therefor, all of the following items: — loans of property; payments or promises or guarantees of payment to others for the benefit of a candidate or political committee; purchases from a candidate or committee, whether through the device of tickets or otherwise, to the extent that the purchase price exceeds the fair value of the goods sold or services rendered; the grantings of discounts or rebates not available to the general public; and the cancellation of indebtedness; but shall not include the rendering of services by speakers, editors, writers, poll watchers, poll checkers or others, nor the payment by those rendering such services of such personal expenses as may be incidental thereto, nor the exercise of ordinary hospitality.

SECTION 3. Said chapter 55 is hereby further amended by striking out section 3, as so appearing, and inserting in place thereof the following section: — *Section 3.* Political committees organized or operating principally within this commonwealth on behalf of candidates for president and vice president of the United States shall be subject to the provisions of this chapter. Candidates for nomination or election to the senate or house of representatives of the United States shall be subject to the laws of the United States in so far as sections two and five may conflict with such laws.

SECTION 4. Section 4 of said chapter 55 is hereby amended by inserting after the first sentence, as amended by chapter 287 of the acts of 1954, the following sentence: — No candidate shall give his consent to more than three such committees.

SECTION 5. The first paragraph of section 6 of said chapter 55, as appearing in section 10 of chapter 537 of the acts of 1946, is hereby amended by striking out the third and fourth sentences and inserting in place thereof the following six sentences: — Any individual may make campaign contributions to candidates or non-elected political committees organized on behalf of candidates; provided, that the aggregate of all such contributions for the benefit of any one candidate and the non-elected political committees organized on such candidate's behalf shall not exceed in any one calendar year the sum of three thousand dollars. Any individual may in addition make campaign contributions for the benefit of elected political committees or non-elected political committees organized on behalf of a political party; provided, that the aggregate of such campaign contributions for the benefit of the political committees of any one political party shall not exceed in any one calendar year the sum of three thousand dollars. Any individual may in addition make campaign contributions not exceeding in any one calendar year the sum of three thousand dollars to non-elected political committees not organized on behalf of any candidate or candidates or political party. Any candidate may in addition make expenditures for the pur-

poses of his own campaign and may make campaign contributions for the benefit of the non-elected political committees organized on his behalf. Notwithstanding the provisions of this section an individual of less than twenty-one years of age shall not make campaign contributions in an amount in excess of twenty-five dollars in the aggregate during any one calendar year. Any candidate required to designate a depository for campaign funds by section seventeen and any person acting for such a candidate or such a political committee shall pay for services rendered or goods sold in excess of the sum of fifty dollars only through or by the means of a check drawn upon such depository and bearing the legend "Campaign Account — (name of candidate or political committee)", and shall secure the signature of the person receiving such check to the following certificate to be printed on all such checks: "The undersigned affirms under the penalties of perjury that he is the named payee of this check or an authorized officer thereof, that he or it performed the services or delivered the goods indicated hereon, that the payment is for the sole purpose of paying for such goods or services and that no person other than the named payee has any interest, direct or indirect, in this payment".

SECTION 6. Said chapter 55 is hereby further amended by striking out section 8, as so appearing, and inserting in place thereof the following section: — *Section 8.* No person shall, directly or indirectly, make a campaign contribution in any name except his own nor in any manner for the purpose of disguising the true origin of the contribution nor unless he makes his name and address known to the person receiving such contribution at the time such contribution is made; nor shall any trust, foundation or association other than a political committee make a campaign contribution unless at the time such contribution is made there is also made known to the person receiving such contribution the names and addresses of its principal officers. No candidate or political committee or person acting under its authority or in its behalf shall knowingly receive a campaign contribution, or knowingly enter or cause the same to be entered in the accounts or records of such candidate or committee, unless the provisions of this section have been complied with.

Violation of any provision of this section shall be punished by imprisonment for not more than six months or by a fine of not more than five hundred dollars.

SECTION 7. Said chapter 55 is hereby further amended by striking out section 16, as amended by chapter 272 of the acts of 1954, and inserting in place thereof the following section: — *Section 16.* Except as otherwise provided herein, every candidate for nomination for or election to a public office, and the treasurer of every political committee receiving, expending or disbursing any money or its equivalent, or incurring any liability to pay money in connection with any nomination or election to an amount exceeding fifty dollars during any reporting period hereunder, shall file a statement setting forth the name and residential address of each contributor listed alphabetically in the case of an individual or political committee and the data required by section eight in the case of a trust, foundation or other association and the total amount of contributions from such contributor and each sum of money and thing of value expended, contributed or promised by him or it or by a person on his or its behalf, for the purpose of securing or in any way

affecting the nomination or election to office of any candidate and the name of the person or political committee to or by whom the payment, contribution or promise was made, the name and address of the recipient thereof and the date thereof and, unless such expenditure or disbursement was made to another political committee, shall clearly state the purpose of such expenditure or disbursement, or, if less than an aggregate of fifty dollars has been paid or promised to him or it, or to a person on his or its behalf or contributed, expended or promised by him or it or by a person on his or its behalf, a statement to that effect. Such statement shall also set forth the date and amount of each then existing promise or liability, from such candidate or committee, remaining unfulfilled and in force when the statement is made, the name of the person or committee to whom the liability exists, and a clear statement of the purpose for which it was incurred.

Such a statement shall be filed as follows: —

(a) By a candidate for nomination as aforesaid at a primary or caucus preceding a special state, city or town election and by any non-elected political committee authorized by such a candidate, within seven days after such primary or caucus for the period ending on the date of such primary or caucus;

(b) By a candidate for nomination as aforesaid at any other primary or caucus and by any political committee within fourteen days after the date of such primary;

(c) By a candidate or committee required to designate a depository by section seventeen, upon such designation for the period ending on the date of such designation;

(d) By a candidate for election as aforesaid, except a candidate required to designate a depository for campaign funds by section seventeen or a candidate in a town or city election, and by any non-elected political committee organized on behalf of a candidate required so to file, by the second Tuesday preceding such election for the period starting with the date of the primary and ending on the third Tuesday preceding such election; and

(e) By a candidate for election as aforesaid and by every elected and non-elected political committee for the period starting with the date of the primary or caucus, if any, and ending with the date of election within fourteen days after the date of the election.

If the aggregate receipts or disbursements of a candidate or political committee in connection with any reporting period hereunder shall not exceed fifty dollars, then no statement shall be necessary for such period, or if such a candidate or committee has not received, expended or disbursed any money or its equivalent, or incurred any liability, in connection with the nomination or election, then no statement shall be necessary during such reporting periods; however, in either case, the candidate and political committee shall, within thirty days after the election, file a statement stating that his or its aggregate receipts or disbursements for any reporting period hereunder did not exceed the sum of fifty dollars.

Violation of any provision of this section shall be punished by imprisonment for not more than six months or by a fine of not more than five hundred dollars.

SECTION 8. Said chapter 55 is hereby further amended by striking

out section 17, as appearing in section 10 of chapter 537 of the acts of 1946, and inserting in place thereof the following section: — *Section 17.*

(a) Candidates for nomination for or election to the offices of governor, lieutenant governor, secretary of state, attorney general, state treasurer and receiver general, auditor, United States senator and United States representative and the treasurer of each state committee referred to in section one of chapter fifty-two, and the treasurer of every non-elected political committee authorized by any of the aforesaid candidates or organized on behalf of a candidate for president or vice-president of the United States shall forthwith upon organization or upon the date for filing of primary nomination papers in the office of the secretary set forth in section forty-eight of chapter fifty-three, whichever date is the last to occur, designate as a depository for campaign funds of such candidate or committee a national bank authorized to transact business in the commonwealth or a trust company organized and existing under the laws of the commonwealth. Each such candidate and the treasurer of each such committee shall file with the state secretary a certificate of appointment containing the name of the bank or trust company so designated and the name of the candidate or political committee, and shall authorize the bank or trust company so designated to submit the reports required by subsection (e).

(b) Every candidate and the treasurer of every committee required to designate a depository shall, by the end of the third business day after receipt of any contribution deposit it in the form received in the designated depository. No such deposit shall be made or received to the credit of any account designated as provided for in this section unless such deposit shall be accompanied by a deposit slip containing for each contribution in excess of the sum of twenty-five dollars the name and address of the contributor in the case of an individual or political committee and in addition in the case of a trust, foundation or other association the data required by section eight; provided that such information shall also be listed for each contribution of less than the sum of twenty-five dollars if the aggregate of all contributions deposited from such contributor during the preceding fourteen days exceeds the sum of twenty-five dollars. If any deposits represent the proceeds of borrowings, the deposit slip shall indicate the names and addresses of the lender, those persons liable either primarily or secondarily for any portion of such borrowings and those persons providing collateral, if any, for such borrowings.

(c) All payments for campaign purposes made by or for the benefit of a candidate or by the treasurer of a committee required to designate a depository after the date such depository is required to be designated which are in excess of fifty dollars shall be made only from funds on deposit in said depository through checks drawn on such depository and indicating that such checks are drawn on the campaign account of the candidate or the political committee involved. All checks drawn on such campaign accounts shall be payable either to the order of a named payee not the candidate or treasurer or, if for no more than fifty dollars, may be payable to the candidate or treasurer, except that the total of checks payable to the candidate or treasurer for each period under subsection (e) hereof shall not exceed five hundred dollars, and shall contain printed thereon a statement of purposes as follows: —

## PURPOSES OF PAYMENT.

(Check One and Fill in Specific Purpose)

T. V., Radio.....	Printing.....	Signs or Displays.....
Newspaper.....	Office.....	Transfer of Fund.....
Meetings.....	Travel.....	Other.....
Specific Purpose.....		
.....		

Such checks shall also contain thereon for signature by the named payee, the certificate required by section six.

(d) No candidate or committee treasurer required to designate a depository for campaign funds shall authorize the incurring of any expenditure in behalf of the candidate or a committee unless there are monies on deposit in the depository designated in accordance with the provisions of this section to the credit of the campaign account of such candidate or committee sufficient to pay the amount of expenditures so authorized, together with all other expenditures previously authorized and still outstanding, or unless such candidate or treasurer files with the state secretary on the dates indicated in subsection (e) hereof a complete statement of all unpaid obligations then outstanding, the terms of payment, purpose of the expenditure by which the obligation was created and name and address of the person holding the obligation.

(e) The cashier or treasurer of the bank, selected by any candidate or committee as above provided, shall file with the state secretary by the fifth and twentieth of each month while such account is in existence, a statement of the balance as of the preceding first or fifteenth of the month together with a summary of all of the deposit slips presented to the bank since the last such statement with any deposit of monies to the campaign account of such candidate or committee, listing the names alphabetically and other data as to all donors as it appeared on the deposit slip, and a list of all the checks presented to the bank since the last such statement upon which any funds were withdrawn from any such account with the names and addresses of the payees and the amount of each check, and the purposes for which the money was paid as thereon indicated.

(f) Such accounts shall remain in existence until the election and so long thereafter as a candidate or political committee has unpaid obligations still outstanding. A candidate or the treasurer of a political committee which has such obligations shall file with the state secretary by the fifth of each month a summary of all campaign contributions (including campaign contributions in the form of forgiveness of indebtedness) received during the preceding month together with the name and address and all other data as to each such contributor required by section eight.

Violation of any provision of this section shall be punished by imprisonment for not more than six months or by a fine of not more than five hundred dollars.

SECTION 9. Section 19 of said chapter 55, as so appearing, is hereby amended by striking out, in line 5, the word "fourteen" and inserting in place thereof the words: — three business.

SECTION 10. Said chapter 55 is hereby further amended by striking out section 20, as amended by chapter 223 of the acts of 1954, and inserting in place thereof the following section: — *Section 20.* If the statement required to be filed by a candidate, treasurer or other person relates to a nomination or election to a city or town office, or to a question appearing upon the official ballot used at a city or town election, the statement shall be filed with the clerk of the city or town involved; all other such statements shall be filed with the state secretary. All such statements shall be signed under the penalties of perjury.

SECTION 11. Said chapter 55 is hereby further amended by striking out section 21, as appearing in section 10 of chapter 537 of the acts of 1946, and inserting in place thereof the following section: — *Section 21.* All statements shall be preserved for fifteen months after the election to which they relate, except that the secretary of state shall retain for forty-eight months all such statements filed in his office. Under reasonable regulations these statements shall be open to public inspection.

SECTION 12. Section 22 of said chapter 55, as so appearing, is hereby amended by inserting after the word "statement", in line 15, the words: — , and all such statements shall be filed only upon such blanks.

SECTION 13. Section 27 of said chapter 55, as so appearing, is hereby amended by striking out lines 4 to 6, inclusive, and inserting in place thereof the following: —

Making or permitting any person or non-elected political committee authorized by him to make a false return in any statement filed under sections sixteen, seventeen and twenty by him or on his behalf.

*Approved May 11, 1962.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, May 12, 1962.

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 of 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 444 of the Acts of 1962, entitled "An Act Relative to the Disclosures of Campaign Expenditures and Contributions" and the enactment of which received my approval on May 11, 1962, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and that 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 require candidates for nomination to a public office as well as candidates for election to disclose campaign expenditures and contributions made and received for such purpose and which undoubtedly includes such expenditures and contributions made and received before, during and after party conventions and caucuses scheduled to be held before the passage of said ninety days.

Respectfully submitted,

JOHN A. VOLPE,  
*Governor of the Commonwealth.*



OFFICE OF THE SECRETARY, BOSTON, May 14, 1962.

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 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 four hundred and forty-four of the acts of nineteen hundred and sixty-two.

KEVIN H. WHITE,  
*Secretary of the Commonwealth.*

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**Chap. 445.** AN ACT AUTHORIZING THE TOWN OF MARION TO APPROPRIATE MONEY FOR AND TO PURCHASE A CERTAIN WATER MAIN IN SAID TOWN.

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

SECTION 1. The town of Marion is hereby authorized to acquire by purchase from the Barnabas Land Trust, William Minot, Trustee, under indenture of trust dated October second, nineteen hundred and sixty-one, four hundred and fifty-four feet, more or less, of an existing water main in Barnabas road, in said town, consisting of a six-inch transite pipe, and one six-inch hydrant and fittings, and for said purpose may appropriate the sum of one thousand five hundred and eighty-nine dollars and eighty-three cents.

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

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

*Approved May 11, 1962.*

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**Chap. 446.** AN ACT PLACING THE OFFICE OF BUILDING INSPECTOR OF THE TOWN OF CANTON UNDER THE CIVIL SERVICE LAWS AND RULES.

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

SECTION 1. The office of building inspector of the town of Canton 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 said laws and rules. The incumbent of said office on said effective date shall be subjected by the division of civil service to a qualifying examination, and if he passes said examination he shall be certified for said office and shall be deemed to be permanently appointed thereto, without being required to serve any probationary period.

SECTION 2. This act shall be submitted for acceptance to the voters of the town of Canton at the biennial state election in the current year in the form of the following question, which shall be placed upon the official ballot to be used at said election:— "Shall an act passed by the General Court in the year nineteen hundred and sixty-two, entitled

'An Act placing the office of building inspector of the town of Canton under the civil service laws and rules', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

*Approved May 11, 1962.*

**Chap. 447.** AN ACT VALIDATING CERTAIN AMENDMENTS TO THE ZONING BY-LAWS OF THE TOWN OF MILTON.

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

SECTION 1. The amendments to the zoning by-laws of the town of Milton adopted during the current year and described in Articles 8, 9, 10 and 11 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 certain provisions of law relative to notices of hearings on changes in zoning by-laws.

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

*Approved May 11, 1962.*

**Chap. 448.** AN ACT VALIDATING CERTAIN PROCEEDINGS OF THE TOWN OF NAHANT.

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

SECTION 1. The proceedings taken by the town of Nahant on March twentieth, nineteen hundred and sixty-one in appropriating five hundred and thirty-seven thousand dollars for constructing, originally equipping and furnishing additions to the Johnson school, and the proceedings taken by said town on March twenty-ninth, nineteen hundred and sixty-two in appropriating sixty thousand dollars for the same purpose, are hereby in all respects validated and confirmed. The treasurer of said town, with the approval of the selectmen, is hereby authorized to issue bonds or notes of the town, not exceeding, in the aggregate, the sum of five hundred and sixty thousand dollars, in accordance with said proceedings.

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

*Approved May 11, 1962.*

**Chap. 449.** AN ACT AUTHORIZING THE TOWN OF BRAINTREE TO SELL CERTAIN PARK LAND TO THE EAST BRAINTREE METHODIST CHURCH.

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

SECTION 1. The town of Braintree may sell and convey, upon such terms and conditions as may be determined by vote of the town meeting members of said town, to the East Braintree Methodist Church a certain parcel of park land in said town bounded and described as follows: — Beginning at the northwesterly corner of Faxon Park at land of the East Braintree Methodist Church; thence running in a general easterly direction by said church land and other owners to the easterly

bound of said park; thence by said easterly bound in a southerly direction forty feet; thence running westerly by a line parallel to and forty feet from the first mentioned bound to Faxon street; thence running northerly on Faxon street to the point of beginning. Being a strip of land forty feet wide at the northerly end of said park.

SECTION 2. This act shall take effect upon its acceptance by the town of Braintree.

*Approved May 11, 1962.*

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**Chap. 450.** 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 205 of the acts of 1961, 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-four. 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-five. 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-six, 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 205, 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-seven. All notes issued under this section shall be signed by the state treasurer, approved by the governor and countersigned by the comptroller.

*Approved May 16, 1962.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, May 16, 1962.

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 450 of the Acts of 1962, entitled "An Act Further Extending the Opportunity to Cities and Towns to Borrow Under the Act Creating the Emergency Finance Board" and the enactment of which received my approval on May 16, 1962, 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 immediately provide the opportunity to cities and towns to borrow money under the act creating the Emergency Finance Board.

Respectfully submitted,  
JOHN A. VOLPE,  
*Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, BOSTON, May 16, 1962.

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 one o'clock and twenty-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 four hundred and fifty of the acts of nineteen hundred and sixty-two.

KEVIN H. WHITE,  
*Secretary of the Commonwealth.*

**Chap. 451.** AN ACT AUTHORIZING THE DIRECTOR OF THE DIVISION OF FISHERIES AND GAME TO ACQUIRE CERTAIN LANDS IN THE TOWN OF PERU.

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

The director of the division of fisheries and game, with the approval of the fish and game board and the selectmen of the town of Peru, is hereby authorized to take by eminent domain, and hold for wildlife management purposes, an area of approximately two hundred thirty-eight acres located in said town, owned by the Berkshire Lumber Company, and shown on a plan entitled, "Peru Wildlife Management Area", on file with the division.

*Approved May 16, 1962.*

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**Chap. 452.** AN ACT RELATIVE TO THE DISTANCE THAT A LICENSED MINOR MAY DRIVE CERTAIN REGISTERED FARM VEHICLES.

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

Section 62 of chapter 149 of the General Laws is hereby amended by striking out the last sentence, as appearing in chapter 337 of the acts of 1945, and inserting in place thereof the following sentence: — This section shall not prohibit the employment of minors in drug stores, nor shall it prevent the employment of a minor, to whom has been issued a license to operate motor vehicles, in the operation on a farm, or on a way for a distance not exceeding ten miles therefrom, of any truck, tractor, trailer or self-propelled agricultural instrument registered by a farmer under section five of chapter ninety.

*Approved May 16, 1962.*

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**Chap. 453.** AN ACT RELATIVE TO THE POWER OF THE SUPREME JUDICIAL COURT IN REVIEWING CAPITAL CASES.

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

The second paragraph of section 33E of chapter 278 of the General Laws, added by chapter 341 of the acts of 1939, is hereby amended by striking out the first sentence and inserting in place thereof the following three sentences: — In a capital case as hereinafter defined the entry in the supreme judicial court shall transfer to that court the whole case for its consideration of the law and the evidence. Upon such consideration the court may, if satisfied that the verdict was against the law or the weight of the evidence, or because of newly discovered evidence, or for any other reason that justice may require (a) order a new trial or (b) direct the entry of a verdict of a lesser degree of guilt, and remand the case to the superior court for the imposition of sentence. For the purpose of such review a capital case shall mean a case in which the defendant was tried on an indictment for murder in the first degree and was convicted of murder either in the first or second degree.

*Approved May 16, 1962.*

**Chap. 454.** AN ACT AUTHORIZING THE ARMORY COMMISSION TO CONVEY CERTAIN LAND WITH THE BUILDINGS THEREON SITUATED IN THE CITY OF BROCKTON TO SAID CITY.

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

SECTION 1. The armory commission, in the name and on behalf of the commonwealth, is hereby authorized, subject to the approval of the governor and council, to convey to the city of Brockton for a nominal consideration for school purposes, by a deed approved as to form by the attorney general, all the right, title, interest and estate of the commonwealth in and to a certain parcel of land with the buildings thereon situate in said city and bounded and described as follows: — Beginning at a point in the westerly line of Warren Avenue at the southeasterly corner of land now or formerly owned by Abby Kingman; thence southerly in the westerly line of said Warren Avenue one hundred and eight (108) feet; thence westerly at a right angle with said Avenue one hundred sixty-five and five-tenths (165.5) feet more or less to land of Marcus Leach; thence northerly in line of land of said Leach one hundred and thirty-five (135) feet more or less to a corner; thence easterly by land of said Leach and said Kingman two hundred nine and nine-tenths (209.9) feet to Warren Avenue and the point of beginning. Said lot containing about twenty-one thousand eight hundred and sixty (21860) square feet; the premises being the same taken by the Armory Commissioners of the said Commonwealth March 24, 1906 by filing a description of said land for record in the Registry of Deeds for said County, book 907, pages 550, 551, 552 and by plan of the same drawn by Charles R. Felton, City Engineer of Brockton, dated February 18, 1905, and recorded in the said Registry of Deeds for said County plan book NR1 page 294.

SECTION 2. The parcel of land described in section one of this act shall revert to the commonwealth at such time as it ceases to be used for municipal purposes.

*Approved May 16, 1962.*

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**Chap. 455.** AN ACT TO PROVIDE FOR AN ADDITIONAL COURT OFFICER IN THE NEWTON DISTRICT COURT.

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

Chapter 218 of the General Laws is hereby amended by striking out section 62, as most recently amended by section 1 of chapter 601 of the acts of 1957, and inserting in place thereof the following section: — *Section 62.* In the municipal court of the city of Boston the court officers appointed shall not exceed ten for criminal business, one of whom shall be designated by the chief justice as chief court officer of said court for criminal business and one as an assistant chief court officer; nor five for civil business, one of whom shall be designated by said chief justice as chief court officer of said court for civil business; in the municipal court of the Roxbury district six court officers may be appointed; in the central district court of Worcester four court officers may be appointed; in the third district court of eastern Middlesex, in the municipal court of the Dorchester district and in the municipal court of the West Roxbury district three court officers may be appointed; in the municipal court of the South Boston district, of the Charlestown district, the East Boston

district court, the district court of Chelsea, the first district court of eastern Middlesex, the second district court of eastern Middlesex, the district court of Springfield, the district court of Somerville, the district court of East Norfolk and the district court of Newton two court officers for each court may be appointed; and in each of the other district courts in the commonwealth one court officer may be appointed.

*Approved May 16, 1962.*

**Chap. 456.** AN ACT REPEALING PROVISIONS OF LAW THAT CERTAIN STATUTES RELATIVE TO FIRE PREVENTION DO NOT AUTHORIZE ENTRY INTO A SINGLE-FAMILY OR TWO-FAMILY DWELLING WITHOUT CONSENT OF THE OCCUPANT.

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

Section 5 of chapter 148 of the General Laws is hereby amended by striking out the last sentence.

*Approved May 16, 1962.*

**Chap. 457.** AN ACT PROVIDING THAT ANY DEFENDANT FOUND GUILTY OF A MISDEMEANOR IN ANY DISTRICT COURT IN THE COUNTY OF MIDDLESEX MAY APPEAL AND CLAIM A JURY OF SIX IN THE THIRD DISTRICT COURT OF EASTERN MIDDLESEX.

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

SECTION 1. Any defendant, in any district court of Middlesex 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 third district court of eastern Middlesex. 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.

Any defendant, found guilty in any district court of Middlesex county, of a violation of any of the offenses enumerated in the first paragraph of this section who has appealed to the superior court, may at any time before trial on such appeal, claim a trial by a jury of six in the third district court of eastern Middlesex and by so doing shall be deemed to have waived any right to a trial by a jury in the superior court or other disposition in said superior court. When a claim for a trial by a jury of six in the third district court of eastern Middlesex has been made under the provisions of this paragraph, the clerk of the superior court shall forthwith forward to the clerk of said third district court of eastern Middlesex all the papers in the case which have been filed in the 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 either sat or held an inquest in the district court 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. The justices of the third district court of eastern Middlesex shall arrange jury sessions in said 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. Chapter five hundred and ninety-nine of the acts of nineteen hundred and sixty-one is hereby repealed.

SECTION 3. Section one of this act shall take effect on September first, nineteen hundred and sixty-two and shall become inoperative on July first, nineteen hundred and sixty-four. Section two of this act shall take effect upon its passage.

*Approved May 17, 1962.*

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**Chap. 458.** AN ACT PROVIDING THAT CERTAIN OFFICERS OF THE NATIONAL GUARD BE PROMOTED ONE GRADE UPON RETIREMENT.

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

The second paragraph of section 31 of chapter 33 of the General Laws, as appearing in section 1 of chapter 590 of the acts of 1954, is hereby amended by inserting after the word "general", in line 7, the words: — ; provided, however, that any such member who has had federal recognition in the grade of major general may, upon request, be placed upon the retired list in the grade of lieutenant general.

*Approved May 17, 1962.*

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**Chap. 459.** AN ACT RELATIVE TO CERTAIN INVESTMENTS OF THE UNITED STATES TRUST COMPANY, AND TO THE LIABILITIES OF ITS SHAREHOLDERS.

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

SECTION 1. Chapter 188 of the acts of 1887 is hereby amended by striking out section 17.

SECTION 2. Section 1 of chapter 293 of the acts of 1932 is hereby amended by striking out in lines 10 to 13, inclusive, the words: — ; provided, that any further investment in said properties shall be made only with the approval of the commissioner of banks, — so as to read as follows: — *Section 1.* United States Trust Company, incorporated by chapter one hundred and eighty-eight of the acts of eighteen hundred and eighty-seven, as amended, may continue to hold directly or indirectly the real estate now used in whole or in part by it for the transaction of its business, comprising the land and building at thirty to forty Court street and the land and building formerly held directly or indirectly by Bank of Commerce & Trust Company, incorporated under general law, at nineteen to twenty-one Milk street, both in the city of Boston.

SECTION 3. Said United States Trust Company shall have the same power to hold real estate suitable for the transaction of its business as



that which is possessed by, and the investments of such corporation in such real estate shall be subject to the approval of the commissioner of banks to the same extent as, a trust company under the provisions of section thirty of chapter one hundred and seventy-two of the General Laws.

SECTION 4. Any and all action taken by United States Trust Company in complying with the provisions of section thirty of chapter one hundred and seventy-two of the General Laws is hereby confirmed and validated.

*Approved May 17, 1962.*

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**Chap. 460.** AN ACT AUTHORIZING BANKS TO INVEST IN CORPORATIONS OR ASSOCIATIONS FORMED FOR THE PURPOSE OF FURNISHING INFORMATION OR SERVICES TO THEM.

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

Chapter 167 of the General Laws is hereby amended by inserting after section 51A the following section: —

*Section 51B.* Any bank, notwithstanding the restrictions in chapters one hundred and sixty-eight through one hundred and seventy-two A on the investment of its deposits, may invest an amount to be approved by the commissioner, subject to such regulations, if any, as he may deem necessary, in a corporation or association formed for the purpose of furnishing to such bank, or to other banks as hereinafter provided, statistical or bookkeeping services or information of the kind generally required by a bank. A bank may also, in participation with any other bank or national banking association, invest its deposits in such corporation or association, subject however to the same approval and regulation, if any, as above provided. The provisions of section two shall apply to such corporations or associations. Nothing contained herein shall be construed to preclude a bank from renting or subscribing for the services of such corporation or association or any other corporation or association rendering such services.

*Approved May 17, 1962.*

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**Chap. 461.** AN ACT AUTHORIZING THE ARMORY COMMISSION TO SELL AND CONVEY CERTAIN LAND IN THE TOWN OF NATICK TO SAID TOWN FOR RECREATION PURPOSES.

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

The armory commission is hereby authorized to sell and convey, in the name of and on behalf of the commonwealth to the town of Natick, a certain parcel of land in said town bounded and described as follows: — Beginning at a point on the Southerly side of Speen Street at the South-west lot corner, owned now or formerly by Ambler; thence South 89 degrees, 14 minutes, 15 seconds East, a distance of 431.15 feet; thence South 21 degrees, 0.6 minutes, 15 seconds East, a distance of 190 feet; thence South 0 degrees, 57 minutes and .00 seconds East, a distance of 123.72 feet; thence North 89 degrees, 14 minutes, 15 seconds West, a distance of 497.33 feet; thence North 01 degrees, 32 minutes, 30 seconds East, a distance of 171.23 feet; thence by a curve line having a radius of 675.65 feet, a distance of 129.42 feet to the point of beginning, containing 3.26 acres. Said parcel of land is shown on a plan entitled "Plan of

Land in Natick, Massachusetts owned by the Commonwealth of Massachusetts" on file in the department of public works of the town of Natick.

The deed conveying said land shall provide that all right, title and interest therein shall revert to and revest in the commonwealth, if said town does not commence the development of said land for recreation purposes within five years after the effective date of this act. Said deed shall provide further that said town shall erect and maintain a fence along the new north boundary line of said land.

*Approved May 17, 1962.*

**Chap. 462.** AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO IMPROVE THE APPEARANCE OF THE ARTHUR DEFranzo CIRCLE IN THE TOWN OF SAUGUS.

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

The department of public works is hereby authorized and directed to install floodlights, suitably landscape and otherwise improve the appearance of the Arthur DeFranzo Circle in the town of Saugus. For said purposes said department may expend such sums as may be appropriated therefor.

*Approved May 17, 1962.*

**Chap. 463.** AN ACT PERMITTING THE INVESTMENT OF STABILIZATION FUNDS OF CITIES AND TOWNS IN FEDERAL SAVINGS AND LOAN ASSOCIATIONS.

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

Section 5B of chapter 40 of the General Laws is hereby amended by striking out the second paragraph, as amended by chapter 215 of the acts of 1957, and inserting in place thereof the following paragraph: —

The treasurer shall be the custodian of the fund and may deposit the proceeds in national banks or invest the proceeds by deposit in savings banks, co-operative banks or trust companies organized under the laws of the commonwealth, or invest the same in such securities as are legal for the investment of funds of savings banks under the laws of the commonwealth or in federal savings and loan associations situated in the commonwealth.

*Approved May 17, 1962.*

**Chap. 464.** AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO REPAIR OR RECONSTRUCT CERTAIN TIDE GATES IN THE GREEN HARBOR DISTRICT OF THE TOWN OF MARSHFIELD.

*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 repair or reconstruct the tide gates on Dyke road in the Green Harbor district of the town of Marshfield. The expense of such repair or reconstruction shall be apportioned and borne as follows: the commonwealth, fifty per cent; the county of Plymouth, twenty-five per cent; and the town of Marshfield, twenty-five per cent.

SECTION 2. In order to carry out the project authorized by this act and to enable the town of Marshfield to carry out its obligations and to pay its share of the cost of said project to the state treasurer, the town of Marshfield may borrow such sums as may be necessary, not exceeding twenty-two thousand five hundred dollars, and may issue bonds or notes therefor which shall bear on their face the words Marshfield Tide Gate Loan, Act of 1962. Such loan shall be payable in not more than ten years from the date thereof. Indebtedness incurred under this section shall be within the statutory limit, and 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. In order to carry out the project authorized by this act and to enable the county of Plymouth to carry out its obligations and to pay its share of the cost of said project to the state treasurer, the county treasurer of Plymouth county, with the approval of the county commissioners, may borrow on the credit of the county such sums as may be necessary, not exceeding twenty-two thousand five hundred dollars, and may issue bonds or notes therefor which shall bear on their face the words Plymouth County Shore Protection Loan, Act of 1962. Such loan shall be payable in not more than ten years from the date thereof. 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 deem proper, but not for less than their par value. Indebtedness incurred under this section shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

*Approved May 17, 1962.*

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**Chap. 465.** AN ACT PROVIDING FOR THE CONVEYANCE TO THE CITY OF WESTFIELD OF AN EASEMENT THROUGH LAND OF THE COMMONWEALTH LOCATED AT THE STATE COLLEGE AT WESTFIELD.

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

The board of education, 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 city of Westfield, for the purpose of the construction of a gas main, an easement, ten feet in width, in and over certain land of the commonwealth at the state college at Westfield, the center line of which is described as follows:—Beginning at a point in the northerly line of Western Avenue five feet westerly of a concrete bound at the southeast corner of land of the commonwealth; thence N 27° 48' 50" E one hundred twenty-nine and 95/100 (129.95) feet to a point; thence N 29° 28' 50" E six hundred two feet to a point, which point is three and 27/100 (3.27) feet westerly of a stone bound; thence N 38° 26' 50" E four hundred seventeen and 4/10 (417.4) feet to a point at the brow of a hill, the side lines being five feet from and parallel to the center line on either side.

Said city shall have the right to enter on said premises for the purpose of maintenance and repair and after any such entry shall restore the premises to their original condition.

*Approved May 18, 1962.*

**Chap. 466.** AN ACT PROVIDING FOR AID TO THE WIDOWS OF VETERANS OF THE SPANISH AMERICAN WAR.

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

Section 2 of chapter 280 of the acts of 1928 is hereby amended by inserting after the word "veterans", in line 9, the words: — or the unmarried widows of veterans. *Approved May 18, 1962.*

**Chap. 467.** AN ACT RELATIVE TO THE CONTENTS OF ANNUAL CERTIFICATES OF CONDITION AND AUDITORS' STATEMENTS ACCOMPANYING THE SAME.

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

SECTION 1. Chapter 156 of the General Laws is hereby amended by striking out section 47, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 47.* Every corporation shall annually, within four months after the close of its fiscal year but not before the date fixed in its by-laws for its annual meeting, or the final adjournment of said meeting, prepare and submit to the commissioner a report of condition which shall be signed and sworn to by its president, treasurer and a majority of its directors, stating: —

1. The name of the corporation.
2. The location (with street address) of its principal office in the commonwealth, and elsewhere in the case of a corporation organized to do business wholly outside the commonwealth.
3. The total amount of its authorized capital stock so far as it consists of shares with par value, and the total number of its shares without par value authorized to be issued; the amount of stock with par value, and the number of shares without par value, issued and outstanding and the amount then paid thereon; the class or classes, if any, into which it is divided; the par value, if any, and the number of its shares.
4. The names and addresses of all the directors and officers of the corporation, and the date at which the term of office of each expires.
5. A statement of the assets and liabilities of the corporation as of the date of the end of its last fiscal year, to be made in such form as the commissioner shall prescribe. A parent corporation, in filing its own report, may make a consolidated statement of assets and liabilities of the corporation and its subsidiaries, if approved by the commissioner in advance of filing, provided that nothing herein shall relieve any subsidiary corporation from filing any report of condition otherwise required by law.

SECTION 2. Said chapter 156 is hereby further amended by striking out section 49, as most recently amended by chapter 118 of the acts of 1948, and inserting in place thereof the following section: — *Section 49.* Such report of a corporation which has issued and outstanding capital stock of two hundred thousand dollars or more, for this purpose counting shares without par value as of a par value of one hundred dollars each, shall be accompanied by a written statement on oath by an auditor which shall be attached to and form a part of such report. The auditor shall state that he has examined the statement of assets and liabilities included in such report, that his examination was made in accordance with generally accepted auditing standards, and that in his opinion

said statement of assets and liabilities presents fairly the financial position of the corporation as of the date thereof, in conformity with generally accepted accounting principles. The commissioner may in special circumstances, in his discretion, approve the inclusion of an auditor's statement expressing a qualified opinion or no opinion of the statement of assets and liabilities taken as a whole; provided the auditor states his reasons therefor. The auditor to make the report for the then current fiscal year may be selected by the stockholders at the annual meeting or by the board of directors or a committee of the board, provided such selection by the directors or the board is ratified by the stockholders. Any vacancy shall be filled by the directors or by such committee. Such auditor shall be employed by the board of directors. No director, officer or employee of the corporation shall be selected as auditor. The officers of the corporation who sign said report of condition shall certify thereon that the auditor was duly selected, as herein provided.

SECTION 3. The provisions of sections forty-seven and forty-nine of chapter one hundred and fifty-six of the General Laws as respectively amended by sections one and two of this act shall not apply to reports of condition and accompanying certificates required to be filed for a fiscal year or calendar year ending prior to December thirty-first, nineteen hundred and sixty-two.

*Approved May 18, 1962.*

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**Chap. 468.** AN ACT RELATIVE TO THE DETERMINATION OF THE AMOUNT OF WAGES ON WHICH EMPLOYERS SHALL CONTRIBUTE UNDER THE EMPLOYMENT SECURITY LAW.

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

SECTION 1. The first paragraph of section 14 of chapter 151A of the General Laws, as amended by section 1 of chapter 614 of the acts of 1961, is hereby further amended by adding at the end the following sentence: — In determining the initial remuneration of three thousand six hundred dollars as hereinbefore provided, any remuneration shall be included which was earned in another state upon which contributions were required and paid under a similar law.

SECTION 2. This act shall take effect as of January first, nineteen hundred and sixty-two.

*Approved May 18, 1962.*

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**Chap. 469.** AN ACT AUTHORIZING THE SUBORDINATION OF CERTAIN LIENS ACQUIRED BY VETERANS' AGENTS TO MORTGAGES OBTAINED FOR NECESSARY REPAIRS.

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

Section 5A of chapter 115 of the General Laws, inserted by chapter 487 of the acts of 1958, is hereby amended by inserting after the second paragraph the following paragraph: —

A veterans' agent, subject to the prior approval of the commissioner may, by an agreement in writing, consent to subordinate any such lien to a mortgage, if in the opinion of the commissioner such mortgage is required for necessary repairs to the real estate subject to such lien.

*Approved May 18, 1962.*

**Chap. 470.** AN ACT ESTABLISHING THE GRISWOLDVILLE WATER DISTRICT IN THE TOWN OF COLRAIN.

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

SECTION 1. The inhabitants of the town of Colrain, liable to taxation in said town and residing within the territory comprised within the following boundary lines, to wit: — Beginning at the intersection of the centerline of McClellan Brook with the east line of Call Road and running thence southerly along the east line of Call Road five hundred feet to a point; thence N. 86° 45' E. seven hundred feet to a corner; thence northerly to a point that is N. 77° 44' 50" E. seven hundred feet from an iron pin at the southeast corner of Lot F as shown on Plan of Subdivision For The Kendall Company and filed in Franklin County Registry of Deeds, Plan Book Twenty-two, Page Twenty-four, these last two courses being along land to be conveyed to Griswoldville Water District by The Kendall Company; thence N. 38° 26' 50" W. seven hundred four and two tenths feet through land of The Kendall Company to an iron pin at the southeast corner of land of Joseph V. King, et ux; thence N. 23° 46' 25" W. two hundred twenty-eight and seventy-eight one hundredths feet to an iron pin; thence N. 27° 09' W. two hundred thirty-three and thirty-three one hundredths feet to an iron pin; thence N. 21° 16' W. one hundred thirty-one and eighty-four one hundredths feet to an iron pin at the southeast corner of land of Robert M. Shaw, et ux; thence N. 4° 53' 45" E. five hundred twenty and eighty-four one hundredths feet to a stone bound at the southeast corner of land of Frank C. Dewey; et ux; thence northerly along the east line of the house lots on the east side of High Street to land of Leon E. Dennison, et ux; thence northerly through land of said Dennison, et ux, land of Hermón G. Herzig, et ux and land formerly of H. J. Smith Estate to a stone bound at the northeast corner of land of George F. Graziola, et ux, and the southeast corner of land of William F. Tetreault, et ux; thence N. 31° 17' 15" E. five hundred three and eighty-three one hundredths feet to an iron pin; thence N. 1° E. four hundred feet through land of The Kendall Company to a corner; thence N. 89° W. through land of The Kendall Company to the east line of Main Street (state highway from Griswoldville to Colrain Village); thence southerly along the east line of Main Street to Call Road; thence southerly along the east line of Call Road to the place of beginning, — shall constitute a water district, and are hereby made a body corporate by the name of the Griswoldville Water District, hereinafter called the district, for the purpose of supplying themselves with water for domestic and other purposes, with power to regulate the use of such water and to fix and collect rates to be paid therefor, and for the purposes of assessing for the payment of such services, and for defraying the necessary expenses of carrying on the business of said district, subject to all general laws now or hereafter in force relating to such districts, except as otherwise provided herein. The district shall have power to prosecute and defend all actions relating to its property and affairs.

SECTION 2. For the purposes aforesaid, the district, acting by and through its board of water commissioners hereinafter provided for, may contract with any municipality, acting through its water department, or with any water company, or with any water district, for whatever water may be required, authority to furnish the same being hereby

granted, and may take by eminent domain under chapter seventy-nine or chapter eighty A of the General Laws, or acquire by lease, purchase or otherwise, and hold, the waters, or any portion thereof, of any pond, spring or stream, or of any ground sources of supply by means of driven, artesian or other wells, within the town of Colrain and not already appropriated for the purposes of a public supply and the water and flowage rights connected with any such water sources; and for said purposes may take as aforesaid, or acquire by purchase or otherwise, and hold, all lands, rights of way and other easements necessary for collecting, storing, holding, purifying and preserving the purity of the water and for conveying the same to any part of said district; provided, that no source of water supply or lands necessary for preserving the quality of the water shall be so taken or used without first obtaining the advice and approval of the department of public health, and that the location and arrangement of all dams, reservoirs, springs, wells, pumping, purification and filtration plants and such other works as may be necessary in carrying out the provisions of this act shall be subject to the approval of said department. The district may construct and maintain on the lands acquired and held under this act proper dams, wells, springs, reservoirs, standpipes, tanks, pumping plants, buildings, fixtures and other structures, including also the establishment and maintenance of filter beds and purification works or systems, and may make excavations, procure and operate machinery and provide such other means and appliances, and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct pipe lines, wells and reservoirs and establish pumping works, and may construct, lay, acquire and maintain aqueducts, conduits, pipes and other works under or over any land, water courses, railroad, railways and public or other ways, and along such ways, in said town, in such manner as not unnecessarily to obstruct the same; and for the purposes of constructing, laying, maintaining, operating and repairing such aqueducts, conduits, pipes and other works, and for all proper purposes of this act, the district may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel on such ways; provided, that the manner in which all things are done upon any such way shall be subject to the direction of the selectmen of the town of Colrain. The district shall not enter upon, or construct or lay any conduit, pipe or other works within the location of any railroad corporation except at such time and in such manner as it may agree upon with such corporation, or, in case of failure so to agree, as may be approved by the department of public utilities. The district may enter upon any lands for the purpose of making surveys, test wells or pits and borings, and may take or otherwise acquire the right to occupy temporarily any lands necessary for the construction of any work or for any other purpose authorized by this act.

SECTION 3. Any person sustaining damages in his property by any taking under this act or any other thing done under authority thereof may recover such damages from the district under said chapter seventy-nine or said chapter eighty A; but the right to damages for the taking of any water, water right or water source, or for any injury thereto, shall not vest until water is actually withdrawn or diverted under authority of this act.

SECTION 4. For the purpose of paying the necessary expenses and liabilities incurred under this act, other than expenses of maintenance and operation, the district may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, fifteen thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Griswoldville Water District Loan, Act of 1962. 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 subject to the provisions of chapter forty-four of the General Laws pertaining to such districts.

SECTION 5. The district shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section four of this act; and, when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the district, and to make such payments on the principal as may be required under this act, shall without further vote be assessed upon the district by the assessors of said town of Colrain annually thereafter until the debt incurred by said loan or loans is extinguished.

SECTION 6. Any land taken or acquired under this act shall be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as they shall deem for the best interest of the district. All authority vested in said board by this section shall be subject to section nine.

SECTION 7. Whenever a tax is duly voted by the district for the purposes of this act, the clerk shall send a certified copy of the vote to the assessors of said town, who shall assess the same on property within the district in the same manner in all respects in which town taxes are required by law to be assessed; provided, that no estate shall be subject to any tax assessed on account of the system of water supply under this act if, in the judgment of the board of water commissioners hereinafter provided for, after a hearing, due notice whereof shall have been given, such estate is so situated that the buildings thereon, or the buildings that might be constructed thereon, could not be supplied with water from said system in any ordinary or reasonable manner; but all other estates in the district shall be deemed to be benefited and shall be subject to such tax. A certified list of the estates exempt from taxation under the provisions of this section shall annually be sent by said board of water commissioners to said assessors, at the same time at which the clerk shall send a certified copy of the vote as aforesaid. The assessment shall be committed to the town collector, who shall collect said tax in the manner provided by law for the collection of town taxes, and shall deposit the proceeds thereof with the district treasurer for the use and benefit of the district. The district may collect interest on overdue taxes in the manner in which interest is authorized to be collected on town taxes.

SECTION 8. Any meeting of the voters of the territory included within the boundaries set forth in section one to be held prior to the acceptance of this act, and any meeting of the voters of the district to be held prior to the qualification of a majority of the water commissioners, shall be called, on petition of ten or more legal voters therein, by a warrant from the selectmen of said town, or from a justice of the



peace, directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of the warrant in two or more public places in the district seven days at least before the time of the meeting. Such justice of the peace, or one of the selectmen, shall preside at such meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. At any meeting held hereunder prior to the acceptance of this act, after the choice of a moderator for the meeting the question of the acceptance of this act shall be submitted to the voters, and if it is accepted by a majority of the voters present and voting thereon it shall thereupon take effect, and the meeting may then proceed to act on the other articles in the warrant. After the qualification of a majority of the water commissioners, meetings of the district shall be called by warrant under their hands, unless some other method be provided by by-laws or vote of the district.

SECTION 9. The district shall, after the acceptance of this act as aforesaid, elect by ballot, either at the same meeting at which this act shall have been accepted, or thereafter, at an annual meeting or at a special meeting called for the purpose, three persons, inhabitants of and voters in said district, to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year from the day of the next succeeding annual district meeting, to constitute a board of water commissioners; and at every annual district meeting following such next succeeding annual district meeting one such commissioner shall be elected by ballot for the term of three years. The date of the next annual meeting shall be fixed by by-laws or by vote of the board of water commissioners, but in no event shall it be later than fifteen months subsequent to the date on which the water commissioners were first elected. All the authority granted to said district by this act, except sections four and five, and not otherwise specifically provided for, shall be vested in said board of water commissioners who shall be subject, however, to such instructions, rules and regulations as the district may by vote impose. At the meeting at which said water commissioners are first elected and at each annual district meeting held thereafter, the district shall elect by ballot, each for a term of one year, a clerk and a treasurer of the district. The treasurer shall not be a water commissioner, and shall give bond to the district in such an amount as may be approved by said water commissioners and with a surety company authorized to transact business in the commonwealth as surety. A majority of said water commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said district at any legal meeting called for the purpose. No money shall be drawn from the treasury of the district on account of its water works except upon a written order of said water commissioners or a majority of them.

SECTION 10. Said board of water commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be appropriated to defray all operating expenses, interest charges and payments on the principal as they shall accrue upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it may be appropriated for such new construction as said water commissioners may recom-

mend, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. Said water commissioners shall annually, and as often as the district may require, render a report upon the condition of the works under their charge, and an account of their doings, including an account of receipts and expenditures.

SECTION 11. The district may adopt by-laws, prescribing by whom and how meetings of the district may be called, notified, and conducted; and, upon the application of ten or more legal voters in the district, meetings may also be called by warrant as provided in section eight. The district may also establish rules and regulations for the management of its water works, not inconsistent with this act or with any other provision of law, and may choose such other officers not provided for in this act as it may deem necessary or proper.

SECTION 12. Whoever wilfully or wantonly corrupts, pollutes or diverts any water obtained or supplied under this act, or wilfully or wantonly injures any reservoir, well, standpipe, aqueduct, pipe or other property owned or used by the district for any of the purposes of this act, shall forfeit and pay to the district three times the amount of damages assessed therefor, to be recovered in an action of tort, and upon conviction of any of the above wilful or wanton acts shall be punished by a fine of not more than three hundred dollars or by imprisonment for not more than one year, or both.

SECTION 13. Upon a petition in writing addressed to said board of water commissioners requesting that certain real estate, accurately described therein, located in said town and abutting on said district and not otherwise served by a public water supply be included within the limits thereof, and signed by the owners of such real estate, or a major portion of such real estate, said water commissioners shall cause a duly warned meeting of the district to be called, at which meeting the voters may vote on the question of including said real estate within the district. If a majority of the voters present and voting thereon vote in the affirmative the district clerk shall within ten days file with the town clerk of said town and with the state secretary an attested copy of said petition and vote; and thereupon said real estate shall become and be part of the district and shall be holden under this act in the same manner and to the same extent as the real estate described in section one.

SECTION 14. This act shall take full effect upon its acceptance by a majority vote of the voters of the territory included within said district by section one of this act present and voting thereon, by the use of a check list, at a district meeting called, in accordance with section eight, within four years after its passage.

*Approved May 18, 1962.*

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**Chap. 471.** AN ACT INCREASING PAYMENTS FOR CERTAIN SPECIFIC INJURIES UNDER THE WORKMEN'S COMPENSATION LAW.

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

SECTION 1. Chapter 152 of the General Laws is hereby amended by striking out section 36 and inserting in place thereof the following section: — *Section 36.* In case of the following specified injuries the sum of twenty dollars a week shall be paid, in addition to all other compensation, for the following periods: —

(a) For the loss by enucleation or otherwise, or the total loss of use of both eyes, a period of five hundred weeks.

(b) For the reduction to twenty seventieths of normal vision in both eyes, with glasses, a period of five hundred weeks.

(c) For the reduction to twenty seventieths of normal vision in one eye, with glasses, a period of two hundred weeks.

(d) For the loss by enucleation or otherwise, or the total loss of use of one eye, or for injury to one eye which produces an inability which is not correctible to use both eyes together for single binocular vision, a period of two hundred weeks.

(e) For any permanent but partial reduction in either the acuity or field of vision of either eye, such period of weeks in proportion to the period applicable in the event of total loss, total loss of use, or the reduction to twenty seventieths of normal vision of one or both eyes as the partial reduction bears to such total loss, total loss of use or reduction to twenty seventieths of normal vision.

(f) For the loss of hearing of both ears, four hundred weeks.

(g) For the loss of hearing of one ear, one hundred and fifty weeks.

(h) For bodily disfigurement the number of weeks which, according to the determination of the industrial accident board, reviewing board or single member, is a proper and equitable compensation, not to exceed two hundred and twenty weeks, which sum shall be payable in addition to all other sums under this section wherever the same shall be applicable.

(i) For loss of bodily functions or sense other than hearing and sight the number of weeks which, according to the determination of said board, reviewing board or single member, is a proper and equitable compensation, not to exceed one hundred and seventy-five weeks.

(j) For loss by severance of the right or major arm at the shoulder, a period of two hundred and twenty-five weeks.

(k) For loss by severance of the left or minor arm at the shoulder, a period of two hundred weeks.

(l) For loss by severance of the right or major hand at the wrist, a period of one hundred and seventy-five weeks.

(m) For loss by severance of the left or minor hand at the wrist, a period of one hundred and fifty weeks.

(n) For the loss by severance of either leg at the hip, a period of two hundred weeks; for the loss by severance of both legs at the hip, a period of five hundred weeks.

(o) For the loss by severance of either foot at any point above the ankle joint, a period of one hundred and fifty weeks; for the loss by severance of both feet at any point above the ankle joint, a period of three hundred and fifty weeks.

(p) For such periods in the case of an arm or a leg, that if either is amputated at or above the elbow or the knee it or they shall be treated as though at the shoulder or the hip; but if amputated below the elbow or the knee it or they shall be treated as though at the ankle or the wrist.

(q) If the member, whether leg, foot, arm or hand, is not lost by severance, but is so injured as to be permanently incapable of use, for the same number of weeks as though it were severed; provided, however, that if the loss of use is less than total, then for such period of weeks in proportion to the period applicable in the event of total loss of use of

said leg, foot, arm or hand as the functional loss bears to the total loss of use of such leg, foot, arm or hand.

(r) If the fingers, toes or other parts of the hand or foot have been severed or permanently rendered incapable of use, such period of weeks in proportion to the period applicable in the event of total loss or total loss of use of said hand or foot as the functional loss arising out of said severed or inutile part of said hand or foot bears to the total loss or loss of use of the same.

(s) For loss by severance of both hands at the wrist, a period of four hundred weeks.

(t) For loss by severance of both arms at the shoulder, a period of five hundred weeks.

The weekly payments provided for in this section shall at the discretion of the board or any member thereof be paid to the employee in a bulk sum. Nothing in this section shall adversely affect the employee's right to any compensation which is or may become due under the provisions of this or any other section.

SECTION 2. This act shall take effect on November first, nineteen hundred and sixty-two.

*Approved May 21, 1962.*

**Chap. 472.** AN ACT PROVIDING FOR THE DISSOLUTION OF CORPORATIONS CONSTITUTING PUBLIC CHARITIES.

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

Chapter 180 of the General Laws is hereby amended by inserting after section 11 the following two sections: —

*Section 11A.* A charitable corporation constituting a public charity, organized under the provisions of general or special law, which desires to close its affairs may, by vote of a majority of its board of directors or other governing body, authorize a petition for its dissolution to be filed in the supreme judicial court setting forth in substance the grounds of the application for dissolution and requesting the court to authorize the administration of its funds for such similar public charitable purposes as the court may determine. The provisions of this section shall constitute the sole method for the voluntary dissolution of any such charitable corporation.

*Section 11B.* If any charitable corporation described in section eleven A fails to comply for two consecutive years with the provisions of section eight F of chapter twelve requiring the filing of annual financial reports with the office of the attorney general, or if the attorney general is satisfied that such corporation has become inactive and that its dissolution would be in the public interest, the attorney general may petition the supreme judicial court for the dissolution of such corporation, requesting the court to authorize the administration of its funds for such similar public charitable purposes as the court may determine, and the court, after notice by mail or otherwise as it may order, may dissolve such corporation. The attorney general may include as many corporations in a single application as he deems fit, and the court may include in its decree any or all of said corporations. The clerk of the supreme judicial court shall submit to the commissioner of corporations and taxation a list of corporations so dissolved.

*Approved May 21, 1962.*

**Chap. 473.** AN ACT FURTHER EXTENDING THE TIME FOR THE WITHDRAWAL OF ADDITIONAL DEDUCTIONS PAID INTO THE ANNUITY SAVINGS FUND OF CONTRIBUTORY RETIREMENT SYSTEMS.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to allow forthwith certain public employees to withdraw pension deductions voluntarily paid into the annuity savings fund of contributory retirement systems, therefore it is hereby declared to be an emergency law necessary for the immediate preservation of the public convenience.

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

Chapter 656 of the acts of 1954 is hereby amended by striking out section 2, as most recently amended by chapter 513 of the acts of 1960, and inserting in place thereof the following section: — *Section 2.* Withdrawal of accumulated additional deductions under paragraph (g) of subdivision (1) of section twenty-two of chapter thirty-two of the General Laws, as amended by section one, shall be made upon written application to the board made prior to January first, nineteen hundred and sixty-five.

*Approved May 22, 1962.*

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**Chap. 474.** AN ACT PROVIDING FOR THE REIMBURSEMENT, UNDER CERTAIN CONDITIONS, OF LIFE INSURANCE COMPANIES FOR UNCLAIMED FUNDS PAID TO THE STATE TREASURER.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is in part to provide forthwith reimbursement under certain conditions to life insurance companies which have paid over certain unclaimed funds to the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public welfare and convenience.

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

SECTION 1. Section 149B of chapter 175 of the General Laws, as amended by section 2 of chapter 523 of the acts of 1950, is hereby further amended by inserting after the first sentence the following sentence: — The commissioner may, for cause shown, extend the filing date of said report, for not more than sixty days beyond April first in said year.

SECTION 2. Section 149D of said chapter 175, as most recently amended by section 4 of chapter 372 of the acts of 1957, is hereby further amended by adding at the end the following two sentences: — In the event legal proceedings are instituted against the insurance company by another state with respect to the unclaimed funds paid to the state treasurer, the insurance company shall notify the attorney general of the commonwealth of such proceedings and the attorney general may, in his discretion, intervene therein. If after the insurance company has actively defended, a judgment in such proceedings is entered against the insurance company for any amount paid to the state treasurer hereunder, the state treasurer shall, upon being furnished with proof of payment in satisfaction of said judgment, immediately reimburse the insurance company the amount so paid to the state treasurer.

*Approved May 22, 1962.*

**Chap. 475.** AN ACT RELATIVE TO THE FILING OF RETURNS AND THE PAYMENT OF TAXES BY CERTAIN UTILITY CORPORATIONS.

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

SECTION 1. Section 52A of chapter 63 of the General Laws is hereby amended by striking out subdivisions (4) to (11), inclusive, and inserting in place thereof the following four subdivisions: —

(4) Every utility corporation subject to this section shall annually, on or before the fifteenth day of March, make a return to the commissioner sworn to by its treasurer or assistant treasurer, or in their absence or incapacity by any other principal officer, in such form as the commissioner, with the approval of the state tax commission, shall prescribe, giving such information as the commissioner shall require for the determination of the tax imposed by this section. Said tax shall be due and payable on or before the due date of the return.

(5) All provisions of this chapter relative to the assessment, collection, payment, abatement, verification and administration of taxes, including penalties, applicable to domestic business corporations, as defined in section thirty, shall, so far as pertinent, be applicable to taxes under this section.

(6) Any taxes assessed upon any utility corporation pursuant to this section shall be in lieu of any and all other taxes under this chapter.

(7) All tax revenue collected under the provisions of this section shall be credited to the General Fund.

SECTION 2. This act shall apply to all returns required to be filed after December thirty-first, nineteen hundred and sixty-two.

*Approved May 22, 1962.*

**Chap. 476.** AN ACT EXTENDING DEPENDENCY ALLOWANCES UNDER THE EMPLOYMENT SECURITY LAW TO CERTAIN CHILDREN.

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

Section 29 of chapter 151A of the General Laws is hereby amended by striking out subsection (c), as most recently amended by chapter 603 of the acts of 1960, and inserting in place thereof the following subsection: — (c) An individual in total or partial unemployment and otherwise eligible for benefits shall be paid for each week of such unemployment, in addition to the amount payable under paragraph (a) or (b), as the case may be, the sum of six dollars for each child under the age of eighteen and for each child eighteen years of age or over incapable of earning any wages because of mental or physical incapacity, who is dependent upon him at law and in fact in a benefit year or who is in his custody pending the adjudication of a petition filed by such individual for the adoption of such child in a court of competent jurisdiction in a benefit year, and for each child under the age of eighteen for whom he is under a decree or order from a court of competent jurisdiction to contribute to such child's support and for whom no other person is receiving allowances hereunder; provided, that such child is domiciled within the United States or the territories or possessions thereof. In no instance shall the total amount of regular unemployment benefits, dependency benefits as provided in this subsection and the earnings of an individual, including the first ten dollars of such earnings, be more than his average weekly wages.

*Approved May 22, 1962.*

**Chap. 477.** AN ACT AUTHORIZING THE DEPARTMENT OF MENTAL HEALTH TO ACQUIRE CERTAIN LAND IN THE CITY OF LOWELL AND TO CONSTRUCT A MENTAL HEALTH CENTER THEREON.

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

SECTION 1. The commissioner of mental health, in the name and on behalf of the commonwealth, is hereby authorized and directed to accept as a gift from The Lowell General Hospital, of Lowell subject to the conditions contained in section two, a certain parcel of land shown on a plan on file in the department of mental health entitled "Plan of Land in Lowell, Massachusetts, Commonwealth of Massachusetts, Department of Mental Health, Scale 1" = 80', dated August 1961," containing three and one one-hundredth (3.01) acres more or less, bounded and described as follows: — Beginning at the southwesterly corner of the parcel of land at a point on the northerly line of Varnum avenue, said point being the point of tangency of the curve at the intersection of the easterly side of Barbara terrace and the northerly side of Varnum avenue; thence running easterly along Varnum avenue a distance of one hundred forty-four and twenty-eight one hundredths (144.28) feet to a stone bound; further along Varnum avenue at an angle of one hundred eighty-four degrees and fifty-nine minutes ( $184^{\circ} 59'$ ) a distance of thirty-six and twenty-four one-hundredths (36.24) feet along Varnum avenue to a point; thence northerly at an angle of eighty-four degrees and six minutes ( $84^{\circ} 06'$ ) a distance of six hundred seven (607) feet to a point; thence westerly at an angle of ninety degrees ( $90^{\circ}$ ) a distance of two hundred forty (240) feet to land, now or formerly, of Florida Deslauriers; thence southerly at an angle of ninety degrees ( $90^{\circ}$ ) a distance of two hundred and forty-two and eighty one-hundredths (242.80) feet along the easterly side of land, now or formerly, of Florida Deslauriers and land, now or formerly, of J. Elphege and Yvonne Laurent to Barbara terrace; along Barbara terrace by a curve having a radius of ninety (90) feet and a length of arc of eighty-eight and thirty-six one-hundredths (88.36) feet; further along Barbara terrace a distance of two hundred sixty-three and thirty-three one-hundredths (263.33) feet and then by a curve having a radius of twenty (20) feet and a length of arc of thirty-one and ten one-hundredths (31.10) feet to Varnum avenue at the point of beginning.

SECTION 2. The land described in section one shall be accepted upon the following conditions: —

(a) Title to said land shall revert to said hospital unless the commonwealth commences the construction of a building or buildings to be used for mental health purposes on or before July first, nineteen hundred and sixty-seven.

(b) Said land and any buildings constructed thereon, except in cases of national emergency, shall be used solely for mental health purposes. In the event the commonwealth ceases to use said buildings for mental health purposes, said hospital is granted the option, within a period of two years next after the cessation of such use, to purchase said building and land for a purchase price to be established by determining the actual construction cost of said building less depreciation of three per cent per annum from the date that the commonwealth accepted said building.

SECTION 3. The department of mental health is hereby authorized and directed to construct and maintain a mental health center on the land described in section one. Said department may expend for such purposes such sums as may be appropriated therefor.

*Approved May 22, 1962.*

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**Chap. 478.** AN ACT PROHIBITING THE GRANTING OF LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES IN BOWLING ALLEYS.

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

SECTION 1. Chapter 138 of the General Laws is hereby amended by inserting after section 16C the following section: —

*Section 16D.* No license for the sale of alcoholic beverages shall be granted for that portion of any building or premises licensed for the purpose of bowling, or any game similar thereto regardless of its designation.

SECTION 2. Section sixteen D of chapter one hundred and thirty-eight of the General Laws, inserted by section one of this act, shall not apply to any portion of a building or premises which, prior to the effective date of this act, was used for the purpose of bowling, or any game similar thereto regardless of its designation, and licensed for the sale of alcoholic beverages.

*Approved May 22, 1962.*

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**Chap. 479.** AN ACT RELATIVE TO REGULATIONS FOR THE CONDUCT OF MINIMUM WAGE BOARDS.

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

The last sentence of section 5 of chapter 151 of the General Laws, as appearing in section 1 of chapter 432 of the acts of 1947, is hereby amended by striking out, in line 1, the word "shall" and inserting in place thereof the word: — may.

*Approved May 22, 1962.*

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**Chap. 480.** AN ACT AUTHORIZING APPEALS BY THE COMMONWEALTH FROM DECISIONS UPON CERTAIN PLEAS IN ABATEMENT IN CRIMINAL CASES.

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

Chapter 278 of the General Laws is hereby amended by striking out section 27, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 27.* The decision of the superior court on questions raised upon a plea in abatement to an indictment or complaint shall be final, except that the commonwealth may appeal to the supreme judicial court from any such decision founded upon a matter of law apparent upon the record.

*Approved May 22, 1962.*

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**Chap. 481.** AN ACT FURTHER DEFINING TRUST INCOME.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is further to define trust income when a corporation or association distributes to a trustee securities of corporations or associations other than the one making the distribution, including any dis-



tribution by E. I. Dupont De Nemours & Co. of securities of General Motors Corporation made pursuant to a federal court order effective May first, nineteen hundred and sixty-two, therefore it is declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. Chapter 203 of the General Laws is hereby amended by inserting after section 21 the following section: —

*Section 21A.* Except as otherwise provided by a will or other instrument by which a trust is created, distributions to a trustee by a corporation or unincorporated association of shares or other securities or obligations of corporations or unincorporated associations other than the one making the distributions shall be treated as income; provided, however, that if a trustee, not including a trustee who is a settlor or beneficiary of the trust, determines that this section would be unjust or inequitable in its effect upon the income beneficiaries or the remaindermen, or both, the trustee may treat such distribution in whole or in part as income or principal in such manner and in such proportions as the trustee deems just and equitable.

SECTION 2. The provisions of section twenty-one A of chapter two hundred and three of the General Laws, inserted by section one of this act, shall apply to any such distributions received after the effective date of this act in any trust existing on or created after said effective date.

SECTION 3. The provisions of this act are hereby declared to be severable and if any such provision or its application to any person or circumstance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any of the remaining provisions or application to persons or circumstances other than those as to which it is held invalid.

*Approved May 24, 1962.*

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**Chap. 482.** AN ACT ESTABLISHING THE SELECTMEN-MANAGER FORM OF GOVERNMENT IN THE TOWN OF ADAMS.

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

SECTION 1. *Acceptance.* — This act shall be submitted for acceptance to the qualified voters of the town of Adams at the biennial state election in the current year. 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-two, entitled ‘An Act establishing the selectmen-manager form of government in the town of Adams’, 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 ensuing 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 voters when so first submitted, it may be submitted in like manner at one or more annual town elections and if

approved it shall become effective as above, provided such submission is made, however, only pursuant to a petition therefor of ten percent of the registered voters of the town filed with the town clerk not later than thirty days prior to such annual town election. This act shall cease to be operative after nineteen hundred and sixty-five unless sooner accepted by the town.

SECTION 2. *By-Laws.* — All by-laws, votes, rules and regulations in force in the town of Adams on the effective date of this act, not inconsistent with its provisions, whether enacted by the authority of the town, or any other authority, shall continue in full force and effect until otherwise provided by law, by-law or vote; all other by-laws, votes, rules and regulations so far as they refer to the town of Adams are hereby repealed and annulled but such repeal shall not revive any pre-existing enactment.

SECTION 3. *Election of Selectmen.* — At the first annual election following the acceptance of this act, the voters shall elect by ballot five selectmen of whom the first two in the number of votes received shall serve three years, the second two in such order shall serve two years and the fifth shall serve one year. At each annual election thereafter there shall be elected in place of those selectmen whose terms are about to expire, an equal number of selectmen each to serve for three years. The selectmen shall receive such compensation, if any, as the town may by vote determine. The selectmen shall serve until their successors are elected and qualified. If for any reason, a vacancy or vacancies occur in the membership of the selectmen, the remaining members shall call a special town election to fill the vacancy or vacancies for the unexpired term or terms except that if such vacancy or vacancies occur less than three months prior to the annual election and not less than three selectmen remain in office, the vacancy or vacancies shall remain unfilled until such annual election.

SECTION 4. *Powers of the Selectmen.* — The selectmen shall appoint and may remove a town manager as hereinafter provided, and shall appoint the registrars of voters other than the town clerk, election officials, the zoning board of appeals, the planning board and the clerk of the selectmen unless otherwise provided by vote of the town. The selectmen shall be ex-officio town meeting members.

SECTION 5. *Other Elected Officials.* — The town shall continue to elect a moderator, school committee, library trustees and town meeting members and unless otherwise provided by law or by-laws 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 and appointive 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 or appointed to any office, board or commission existing at the time of such acceptance and terminated hereunder shall continue until such first town election 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 manager to the extent hereinafter

provided. They shall be sworn to the faithful performance of their duties by the town clerk.

SECTION 6. *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 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 manager shall possess all the powers and rights and shall be subject to all the duties and liabilities specifically conferred or imposed by any applicable provision of law upon them or upon officers, boards, commissions or committees having corresponding powers and duties, but in the performance thereof they shall be subject to the general supervision of the town manager. They shall be sworn to the faithful performance of their duties by the town clerk.

SECTION 7. *Powers of the School Committee.* — All the powers, rights, duties and liabilities now or hereafter conferred or imposed by law upon the school committee shall be exercised and performed by the school committee provided, however, that said committee may request in writing, to the selectmen, the services of the town manager in the purchase of any supplies, materials or equipment, in the construction, repair or maintenance of buildings, structures, grounds or equipment, or in any other capacity appropriate to the duties of his office.

SECTION 8. *Powers of the Library Trustees.* — All the powers, rights, duties and liabilities now or hereafter conferred or imposed by law upon the library trustees shall be exercised and performed by the library trustees, provided, however, that said trustees may request in writing, to the selectmen, the services of the town manager in the purchase of any supplies, materials or equipment, in the construction, repair or maintenance of buildings, structures, grounds or equipment, or in any other capacity appropriate to the duties of his office.

SECTION 9. *Powers of the Fire District.* — Nothing in this act shall be construed to affect the powers and duties of the fire district, as provided by law, provided, however, that the prudential committee, in behalf of the district, and the selectmen in behalf of the town, may provide by a written agreement for the performance by the town manager of such services for the district as may be appropriate to the duties of his office, and for the reimbursement of any expense incurred therefor.

SECTION 10. *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, except that the aforementioned may be eligible for appointment by the moderator or other appointing authority to special committees which may be created by vote of the town meeting, either annual or special, for the purpose of studying, making recommendations and initiating action according to the special purposes and functions for which the said special committees may be created. Any person appointed by the town manager to any town office under the provisions of this act or of 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 manager, 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. Notwithstanding the provisions of chapter thirty-two of the General Laws, any person who holds an elective office on the effective date of this act and who is not a member of any retirement system may accept appointment to and continue to hold the same office, if under the provisions of this act the town manager is authorized to fill said office by appointment.

SECTION 11. *Appointment of Town Manager.* — The selectmen elected as provided herein shall appoint as soon as practicable, for a term of five years, a town manager, who shall be a person especially fitted by training and experience to perform the duties of the office. The town manager shall be appointed without regard to his political beliefs. He need not be a resident of the town or of the commonwealth when appointed, and shall not, during the twenty-four months prior to his appointment, have held any elective or appointive office in the town of Adams, other than the office of assistant town manager, if any. The town manager 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 12. *Appointment of Temporary Manager.* — Any vacancy in the office of town manager shall be filled as soon as possible by the selectmen. Pending appointment of a town manager or the filling of a vacancy, the selectmen may appoint a suitable person to perform the duties of the office.

SECTION 13. *Removal of Town Manager.* — The selectmen, by a vote of three or more members of the board, may remove the town manager. 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 manager. The manager may reply in writing to the resolution and may request a public hearing. If the manager 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 a manager 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 14. *Compensation of the Manager.* — The town manager 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 15. *Powers and Duties of the Manager.* — In addition to the specific powers and duties provided in this act, the town manager shall have the following powers and duties:

(a) The town manager 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 manager, 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 appropriation of one department, commission, board or office to another.

(c) Except as otherwise provided by this act, the town manager 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, a town clerk, a town collector, a town treasurer who may act as a town collector, a town counsel, a welfare agent and assessors. 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 said chapter thirty-one shall not be removed by the town manager except on ten days' notice in writing.

(d) With respect to the wage or salary and classification of employees appointed by the town manager, he shall be governed by the provisions of the Wage and Salary Classification Plan — Town of Adams, Massachusetts, as the same may be amended from time to time and for so long as the same may remain in force.

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

(f) The town manager shall keep full and complete records of his office, and shall render as often as may be required by the selectmen a full report of activities under his supervision.

(g) The town manager 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) The town manager 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 school and library and except as otherwise specifically voted by the town.

(i) The town manager shall purchase all supplies, materials and equipment and shall award all contracts, for all departments of the town except the library and public schools unless, and to the extent that, the school committee and the library trustees so request. He shall make purchases for departments not under his supervision only upon requisition duly signed by the head of such department.

(j) The town manager shall administer either directly or through a person or persons appointed by him in accordance with this act, all pro-

visions of general and special laws applicable to the town, all by-laws, and all regulations established by the selectmen.

(k) The town manager 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.

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

(m) The town manager shall have access to all town books and papers for information necessary for the proper performance of his duties, and may without notice cause the affairs of any department or activity under his control or the conduct of any officer or employee appointed by him to be examined.

SECTION 16. *Acting Manager.* — The town manager 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 manager should fail to make such a designation, the selectmen shall so designate a qualified town officer to perform the duties of the town manager until he shall return or his disability shall cease.

SECTION 17. *Annual Budget.* — All officers, boards, and commissions of the town shall submit to the town manager in writing detailed estimates of their appropriations required for the efficient and proper conduct of their respective offices and departments and such information, in such form and at such time as the town manager 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 manager shall prepare and submit to the finance committee and to the board of selectmen 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 18. *Approval of Warrants.* — The town manager 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 manager. The approval of any such warrant by the town manager shall be sufficient authority to authorize payment by the town treasurer, but the selectmen shall approve all warrants in the event of the absence of the town manager or a vacancy in the office of the town manager.

SECTION 19. *Investigation of Claims.* — Whenever any payroll, bill or other claim against the town is presented to the town manager, he shall, if the same seems to him to be of doubtful validity, excessive in amount, or otherwise contrary to the interest 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 20. *Certain Officers not to make Contracts with the Town.* — It shall be unlawful for any selectman, the town manager, or any other elective or appointive official of the town, directly or indirectly, to make a contract with the town, 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 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 an 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 21. *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 22. *Investigations or Surveys.* — For the purpose of making investigations or surveys, the town manager may with the approval of the selectmen expend such sums for the employment of experts, counsel and other assistance, and for other expenses in connection therewith, as the town may appropriate for such purpose.

SECTION 23. *Revocation of Acceptance.* — At any time after the expiration of three years from the date on which this act is accepted, and not less than sixty days before the date of an annual meeting, a petition, signed by not less than ten percent 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 next annual town meeting. At said election the question shall be printed on the official ballot: — "Shall the acceptance by the town of Adams of an act passed by the General Court in the year nineteen hundred and sixty-two, entitled 'An Act establishing the selectmen-manager form of government in the town of Adams', be revoked?" If such revocation is favored by a majority of the qualified voters voting thereon, the acceptance of this act shall be revoked and this act shall become null and void beginning with the annual town meeting next following such vote, provided that all town officers holding office under this act shall continue to hold office until their successors have been duly qualified. At the first annual town election following such vote of revocation the registered voters of the town shall elect by ballot all elective officers, boards, and committees whose election to office was required immediately prior to the acceptance of this act, provided, however, that the town does not vote to accept other plans which provide for a different arrangement from that existing immediately prior to the acceptance of this act. It shall be the duty of the selectmen and the town clerk in office and any other town official upon whom by reason of his office a duty devolves when this act is revoked, to comply with all of the requirements of this section relating to elections, to the end that all things may be done necessary for the nomination and election of the officers required to be elected following the revocation of this act. The said revocation shall not affect any contract then existing or any action at law or any suit in equity or any other proceedings then pending, with the exception of any contract made by the town with the town manager then in office, whose contract shall be terminated immediately upon such vote, but who shall receive three months compensation from the date following such vote. The board of selectmen shall be charged with

all the powers and duties of the town manager which duties and responsibilities may be discharged by themselves or by a temporary town manager appointed by them. Any special laws relative to said town which are repealed by this act shall be revived by such revocation. By-laws, votes, rules and regulations repealed and annulled, as provided in section two, shall be revived by such revocation. By-laws, votes and rules and regulations in force when said revocation takes effect, so far as they are consistent with the general laws respecting town government and town officers and with special laws, shall not be affected thereby. 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 May 24, 1962.*

**Chap. 483.** AN ACT AUTHORIZING THE TOWN OF FOXBOROUGH TO ERECT AN ADDITION TO ITS LIBRARY BUILDING ON CERTAIN LAND USED FOR CEMETERY PURPOSES.

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

The town of Foxborough is hereby authorized to erect an addition to its present library building on land adjacent thereto used for cemetery purposes and to remove any remains interred on said land and re-inter the same in another portion of said cemetery, or in any other duly established and operating cemetery within said town, marking the new graves in so far as now marked, or to permit any descendant or relative of any person interred to remove the remains of such person and re-inter such remains, all in accordance with applicable laws and regulations concerning burial.

*Approved May 24, 1962.*

**Chap. 484.** AN ACT AUTHORIZING CITIES AND TOWNS TO PURCHASE SHOES FOR MEMBERS OF THE POLICE AND FIRE DEPARTMENTS, AND RUBBER BOOTS AND OTHER OUTER CLOTHING FOR MEMBERS OF THE POLICE DEPARTMENT.

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

Chapter 40 of the General Laws is hereby amended by striking out section 6B, as amended by chapter 213 of the acts of 1957, and inserting in place thereof the following section: — *Section 6B.* A city or town which accepts or has accepted this section may appropriate money for the purchase of uniforms for members of its police and fire departments, which may include the purchase of rubber boots, shoes, and other outer clothing necessary for the use of members of the police and fire departments when traveling to or from or during the course of their employment.

*Approved May 24, 1962.*

**Chap. 485.** AN ACT RELATIVE TO ASCERTAINING THE WILL OF THE VOTERS AS TO THE FLUORIDATION OR DISCONTINUANCE OF THE FLUORIDATION OF A PUBLIC WATER SUPPLY SYSTEM.

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

SECTION 1. Chapter 40 of the General Laws is hereby amended by striking out section 41B, inserted by chapter 254 of the acts of 1958,



and inserting in place thereof the following two sections: — *Section 41B.* No public water supply for domestic use in any city, town or district supplying such water shall be fluoridated by any such city, town or district or combination of two or more towns supplying such water jointly unless the will of the voters of such city, town or district, or of the towns being supplied such water by such combination of towns is first ascertained as herein provided. Upon petition of five per cent of the registered voters of said city, town or district the following question shall be placed upon the official ballot to be used at the next regular municipal election or for the election of town officers at the next annual town meeting or meetings: — “Shall the public water supply for domestic use in (this city) (this town) (the towns of \_\_\_\_\_ and \_\_\_\_\_), be fluoridated?”, or in such district the following question shall be placed before the next annual meeting of the inhabitants of the district: — “Shall the public water supply for domestic use in this district 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 the said city, town or towns or district that the public water supply for domestic use shall 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 such supply shall not be fluoridated.

*Section 41C.* Upon petition of five per cent of the registered voters of a city, town or district, in which the public water supply for domestic use is being fluoridated by such city, town or district, the following question shall be placed upon the official ballot to be used at the next regular municipal election or for the election of town officers at the next annual town meeting or meetings: — “Shall the fluoridation of the public water supply for domestic use in (this city) (this town) (the towns of \_\_\_\_\_ and \_\_\_\_\_), be discontinued?”, or in such district the following question shall be placed before the next annual meeting of the inhabitants of the district: — “Shall the fluoridation of the public water supply for domestic use in this district be discontinued?”

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 the said city, town or towns or district that fluoridation of the public water supply for domestic use shall be discontinued, 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 such supply shall continue to be fluoridated.

SECTION 2. Section forty-one B of chapter forty of the General Laws, as amended by section one of this act shall not be construed to prohibit the fluoridation of a public water supply for domestic use by a city, town or district in which, upon the effective date of this act, such water supply is being fluoridated or in which, in accordance with the provisions of section forty-one B of chapter forty of the General Laws, as in effect prior to said effective date, it has been voted to fluoridate such supply.

*Approved May 24, 1962.*

**Chap. 486.** AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH TO CONVEY CERTAIN LAND IN THE TOWN OF RUTLAND TO SAID TOWN.

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

SECTION 1. The department of public health, in the name of and on behalf of the commonwealth, is hereby authorized, subject to the approval of the governor and council, to convey to the town of Rutland, for school purposes, a certain parcel of land known as the Robert Stevenson lot, owned by the commonwealth and located in said town; said parcel of land consisting of approximately five and one-half acres. For a description see Worcester Registry of Deeds, Book 1550, Page 509 and Book 2876, Page 536.

SECTION 2. The parcel of land described in section one of this act and conveyed to the town of Rutland shall revert to the commonwealth at such time as it ceases to be used for school purposes.

*Approved May 25, 1962.*

**Chap. 487.** AN ACT ESTABLISHING A MOBILE HOMES COMMISSION.

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

SECTION 1. Section 17 of chapter 6 of the General Laws is hereby amended by inserting after the words "control commission", in line 15, as appearing in section 1 of chapter 623 of the acts of 1958, the words: —, the mobile homes commission.

SECTION 2. Said chapter 6 is hereby further amended by adding after section 107, the following section under the caption MOBILE HOMES COMMISSION: —

*Section 108.* There shall be a mobile homes commission, hereinafter called the commission, consisting of five members, not more than three of whom shall be members of the same political party, to be appointed by the governor, with the advice and consent of the council, of whom one shall reside in a mobile home. Said commission shall carry on a continuous study of mobile homes and the problems of mobile home residents. Said commission shall report annually to the general court its activities and its recommendations, with accompanying legislation. The members of said commission shall be appointed initially for terms of one, two, three, four and five years respectively, as the governor may designate. Upon the expiration of the term of a member his successor shall be appointed by the governor, with like advice and consent, for a term of five years. The members of the commission shall receive no compensation for their services, but shall be reimbursed for necessary traveling expenses incurred in the performance of their duties.

*Approved May 25, 1962.*

**Chap. 488.** AN ACT REQUIRING PLUMBERS TO HAVE A PRACTICAL KNOWLEDGE OF GAS FITTING.

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

Section 4 of chapter 142 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: — They shall

examine each applicant desiring to engage in the business of a master plumber or to work as a journeyman, as to his practical knowledge of plumbing, house drainage, plumbing ventilation and gas fitting, as such term is construed in section twelve H of chapter twenty-five, and shall subject him to a practical test satisfactory to the examiners, who if satisfied of his competence shall issue to him a license as applied for.

*Approved May 25, 1962.*

**Chap. 489.** AN ACT EXTENDING THE TIME FOR THE EXPENDITURE OF CERTAIN APPROPRIATIONS FOR THE REMOVAL OF WEEDS FROM LAKE QUINSIGAMOND AND CERTAIN PONDS.

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

SECTION 1. Item 2002-24 of section 2 of chapter 784 of the acts of 1960 is hereby amended by striking out, in lines 3 and 4, the words "June thirtieth" and inserting in place thereof the words: — December fifth.

SECTION 2. Item 2002-26 of said section 2 of said chapter 784 is hereby amended by striking out, in line 2, the words "June thirtieth" and inserting in place thereof the words: — December fifth.

*Approved May 25, 1962.*

**Chap. 490.** AN ACT PROVIDING FOR THE ASSIGNMENT OF QUARTERS IN THE STATE HOUSE FOR THE USE OF THE RESERVE OFFICERS ASSOCIATION OF THE UNITED STATES.

*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 416 of the acts of 1962, 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 the Reserve Officers Association of the United States, 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., of the Amputee Veterans Association of America, Inc., and of the Legion of National Guard Veterans of Massachusetts, Inc., respectively, such room or rooms to be under the charge of the state commanders of the respective departments, subject to this chapter. The headquarters thus established for each of the aforesaid departments shall be used for storing and preserving the records and other property of the department and relics and mementos of the World Wars and the Spanish War.

*Approved May 25, 1962.*

**Chap. 491.** AN ACT RELATIVE TO THE CANCELING OF STAMPS ON DEEDS AND OTHER INSTRUMENTS.

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

SECTION 1. Chapter 64D of the General Laws is hereby amended by striking out section 2, as amended by section 2 of chapter 651 of the acts of 1955, and inserting in place thereof the following section: —  
*Section 2.* The tax imposed by this chapter shall be paid by the person who makes or signs the deed, instrument or writing, or for whose benefit the same is made or signed. The payment of the tax shall be denoted by adhesive stamps affixed to the deed, instrument or writing, or to the vellum, parchment or paper upon which it is written or printed.

The person using or affixing a stamp shall cancel the same by writing or stamping thereon the initials of his name and the date when the same is affixed or used, in such manner that it cannot be used again; provided, however, that the stamp shall not be so defaced as to prevent determination of its denomination and genuineness.

The word "person" shall, for the purposes of this chapter only, include political subdivisions of the commonwealth.

SECTION 2. This act shall take effect on January first, nineteen hundred and sixty-three.

*Approved May 25, 1962.*

**Chap. 492.** AN ACT AMENDING THE SPECIAL CAPITAL OUTLAY PROGRAM OF NINETEEN HUNDRED AND SIXTY-ONE TO PROVIDE FOR AN EMERGENCY PROGRAM OF GYPSY MOTH SPRAYING.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to provide for an emergency program to prevent the spread of gypsy moths, 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 8262-32 of section two of chapter five hundred and forty-four of the acts of nineteen hundred and sixty-one is hereby amended by adding at the end the following: — ; and provided further, that an amount not exceeding sixty thousand dollars may be expended from this item for the suppression of gypsy moths.

*Approved May 28, 1962.*

**Chap. 493.** AN ACT PROVIDING THAT CERTAIN LICENSES FOR THE PURPOSE OF PLACING AND MAINTAINING FILL IN TIDEWATER IN THAT PART OF BOSTON KNOWN AS SOUTH BAY BE IRREVOCABLE.

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

Any provision of general or special law to the contrary notwithstanding, any licenses issued pursuant to chapter ninety-one of the General Laws, by the department of public works or by any predecessor or successor authority to fill or maintain existing fill so much of that area in that part of the city of Boston known as South Bay and described in Certificate of Title No. 67945, in the name of Boston & Taunton Transportation Co., filed with the Suffolk Registry District of the Land Court and further described in license No. 4449 granted by said department to said company and filed as Document No. 248588, in Book 335, page 145 and noted on said certificate, and that portion of the license of said department

numbered 189, which portion is described in said certificate and now under license to said company, said license #189 being recorded with the Suffolk County Registry of Deeds, in Book 4332, page 301, as may lie below original high water mark, shall be deemed irrevocable, and with respect to any license hereafter issued within said area shall upon compliance with the following conditions, be deemed irrevocable.

1. Application therefor, pursuant to the provisions of section fourteen of chapter ninety-one of the General Laws;

2. Recording thereof with accompanying plan within one year after the date thereof in the registry of deeds for Suffolk County, pursuant to the provisions of section eighteen of said chapter;

3. Payment to the Commonwealth of such compensation, if any, as may properly be assessed by said department for tidewater displacement, pursuant to the provisions of section twenty-one of said chapter;

4. Payment to the Commonwealth of such compensation, if any, as may be determined by the Governor and Council to be properly due to the Commonwealth for occupation of Commonwealth flats, so called, pursuant to the provisions of section twenty-two of said chapter;

5. Performance of any work authorized by any such license in accordance with plans submitted to and approved by said department pursuant to the provisions of section twenty of said chapter;

6. Completion of said authorized work within five years after the date of any such license, or of any extension or extensions thereof, pursuant to the provisions of section fifteen of said chapter; and

7. The actual building or making in good faith of valuable structures, fillings or enclosures under the authority of any such license and during the term thereof, or of any extensions thereof, pursuant to the provisions of section fifteen of said chapter; provided, however, that no building or structure shall be erected on any such property nearer than twenty feet from the street line thereof.

*Approved May 29, 1962.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, May 29, 1962.

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 493 of the Acts of 1962, entitled "An Act Providing That Certain Licenses For The Purpose Of Placing And Maintaining Fill In Tidewater In That Part Of Boston Known As South Bay Be Irrevocable" and the enactment of which received my approval on May 29, 1962, 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 would defeat its purpose which is to expedite forthwith utilization of the premises described therein.

Very truly yours,

JOHN A. VOLPE,  
*Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, BOSTON, May 31, 1962.

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, 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 ninety-three of the acts of nineteen hundred and sixty-two.

KEVIN H. WHITE,  
*Secretary of the Commonwealth.*

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**Chap. 494.** AN ACT PROVIDING THAT THE SPORT PARACHUTING COMMISSION MAY ACCEPT AS MATCHING FUNDS PRIVATE OR PUBLIC FUNDS OR SERVICES IN CONNECTION WITH THE SIXTH WORLD PARACHUTING CHAMPIONSHIP 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 that the value of services shall be deemed the equivalent of matching funds for the purpose of making a certain appropriation for the Sport Parachuting Commission available to it forthwith, 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 3 of chapter 527 of the acts of 1960 is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: — The commission is hereby authorized to co-operate with and accept aid or services from the federal government or any agency thereof, and may accept any other private or public funds or services in connection with the planning, financing and administration of the Sixth World Parachuting Championship, and to avail itself of such aid and co-operation as will enable it to carry out the duties conferred upon it and to conduct successfully said championship meeting.

SECTION 2. Chapter 617 of the acts of 1961 is hereby amended by striking out section 1 and inserting in place thereof the following section: — *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 co-operating agency of the federal government, as authorized by section three of said chapter five hundred and twenty-seven for a grant, reimbursement, guarantee, loan or services in an aggregate amount of not less than one hundred thousand dollars in value as certified by the commission. 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 3. Said chapter 617 is hereby further amended by striking out section 3 and inserting in place thereof the following section: — *Section 3.* 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. Said chapter 617 is hereby further amended by striking out section 4 and inserting in place thereof the following section: — *Section 4.* Funds authorized by this act shall not become available until matching funds or services, as provided for in section one of this act, are made available. Any surplus funds held by the commission on its termination date shall be transferred to the General Fund of the commonwealth.

*Approved May 29, 1962.*

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**Chap. 495.** AN ACT VALIDATING CERTAIN PROCEEDINGS OF THE TOWN OF IPSWICH RELATIVE TO THE EXTENSION OF THE SEWAGE SYSTEM FOR THE TOWN.

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

SECTION 1. The proceedings taken by the town of Ipswich under Article 23 of the warrant for the annual town meeting held on March fifth, nineteen hundred and sixty-two, transferring the sum of twenty-seven thousand five hundred dollars from the Sewer Receipts Reserve Account and authorizing the borrowing of fifty-nine thousand four hundred dollars for sewer extensions are hereby in all respects validated and confirmed.

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

*Approved May 29, 1962.*

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**Chap. 496.** AN ACT VALIDATING CERTAIN PROCEEDINGS OF THE ANNUAL TOWN MEETING OF THE TOWN OF SWAMPSCOTT IN THE CURRENT YEAR.

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

SECTION 1. The proceedings taken by the town of Swampscott under article fifty-seven of the warrant for the annual town meeting in the current year, in voting to raise ten thousand dollars by taxation and authorizing the issue of five hundred ninety thousand dollars bonds or notes under chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, as amended, for improvements to the present high school, are hereby in all respects validated and confirmed; provided, however, that the provisions in said vote for either an addition to or changes in the existing building shall be deemed to mean an addition with accompanying changes in the existing building substantially in accordance with the plans incorporated by reference in the vote of the town, and shall be deemed to include original equipment and furnishings incidental to the changes as well as to the addition. The bonds or notes may be issued under said chapter six hundred and forty-five notwithstanding that a portion of the project may not be approved by the

school building assistance commission for state aid thereunder. Nothing in this act shall be construed to qualify any portion of the project for state aid under said chapter six hundred and forty-five if such portion is not of a kind which would qualify otherwise.

SECTION 2. No proceedings taken at the annual town meeting of the town of Swampscott in the current year shall be deemed invalid for failure to mail, within the time provided by section three of chapter three hundred of the acts of nineteen hundred and twenty-seven, notice of said town meeting to town meeting members.

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

*Approved May 29, 1962.*

**Chap. 497.** AN ACT REQUIRING THAT NOTICE OF PROPOSED CHANGES OF RULES AND REGULATIONS RELATIVE TO GAS FITTING IN BUILDINGS THROUGHOUT THE COMMONWEALTH BE GIVEN BY ADVERTISING IN A NEWSPAPER IN THE CITY OF NEW BEDFORD.

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

Section 12H of chapter 25 of the General Laws, inserted by section 1 of chapter 737 of the acts of 1960, is hereby amended by inserting after the word "Springfield", in line 9, the words: — , New Bedford.

*Approved May 29, 1962.*

**Chap. 498.** AN ACT CHANGING THE NAMES OF THE DIVISION AND COUNCIL ON THE EMPLOYMENT OF THE AGING TO THE DIVISION AND COUNCIL ON THE EMPLOYMENT OF OLDER WORKERS.

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

SECTION 1. The third sentence of section 3 of chapter 23 of the General Laws, as most recently amended by section 1 of chapter 578 of the acts of 1954, is hereby further amended by striking out, in line 4, the words "the aging" and inserting in place thereof the words: — older workers.

SECTION 2. Section 11M of said chapter 23, as amended by chapter 136 of the acts of 1955, is hereby further amended by striking out, in line 3, the words "the aging" and inserting in place thereof the words: — older workers.

SECTION 3. Said chapter 23 is hereby further amended by striking out section 11N, inserted by section 2 of chapter 578 of the acts of 1954, and inserting in place thereof the following section: — *Section 11N.* The council, in co-operation with the assistant commissioner, shall —

1. Develop through research and education a program to eliminate age as a barrier to employment.

2. Institute a program to encourage employers to hire older workers.

3. Compile for industry a list of jobs for which older workers have been found particularly suitable.

4. Conduct studies on utilization of older workers in industry.

5. Develop a sound program for expanding the work of older workers at home and in sheltered workshops.

6. Develop a sound program in the rehabilitation and training of older workers.



7. Develop a sound program for the community employment of older workers.

8. Help to prepare older workers for retirement.

9. Recommend to the general court such legislation as it deems advisable for the employment of older workers.

In the performance of these duties the council shall not be bound by any arbitrary age limit, but shall use its discretion in preparing workers in general against the advance of age.

SECTION 4. Section 110 of said chapter 23, as so appearing, is hereby amended by striking out, in line 9, the words "the aging" and inserting in place thereof the words: — older workers.

*Approved May 29, 1962.*

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**Chap. 499.** AN ACT RELATIVE TO THE ADMINISTRATION AND PERSONNEL OF THE LOWELL TECHNOLOGICAL INSTITUTE OF MASSACHUSETTS, THE BRADFORD DUFFEE COLLEGE OF TECHNOLOGY, AND THE NEW BEDFORD INSTITUTE OF TECHNOLOGY.

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

SECTION 1. Section 12 of chapter 75A of the General Laws, as most recently amended by chapter 563 of the acts of 1960, is hereby further amended by adding at the end the following three paragraphs: —

The trustees may hire such professors, tutors, instructors, teachers and other officers and assistants of the institute at a rate above the minimum and within the grade to which the position is allocated upon determination of the trustees that the person to be employed has served satisfactorily in a comparable position for a period of time equivalent to the period required by the general salary schedule had such service been entirely in the service of the commonwealth.

The trustees may, without prior approval, within the limits of appropriation made therefor, engage consultants and lecturers and employ such temporary professors, tutors, instructors, teachers and other officers and assistants at rates and in titles corresponding to permanent positions authorized for the institute as they shall determine necessary for the operation of the institute for periods not exceeding the fiscal year.

The trustees may, notwithstanding the provisions of section twenty-one of said chapter thirty, authorize the payment of overtime or extra compensation to such professors, tutors, instructors, teachers and other officers and assistants of the institute, within the limits of appropriations made therefor, for such services rendered in summer sessions or other periods outside the session periods of the normal academic year; provided, that the trustees shall determine that such services shall not interfere with regular full-time activities as provided by law required of such professors, tutors, instructors, teachers and other officers and assistants of the institute.

SECTION 2. Section 42C of chapter 74 of the General Laws, added by section 2 of chapter 538 of the acts of 1958, is hereby amended by adding the following three paragraphs: —

The board of trustees of said college and of said institute may hire such professors, tutors, instructors, teachers and other officers and assistants of the college or institute at a rate above the minimum and within the grade to which the position is allocated upon determination of the

trustees that the person to be employed has served satisfactorily in a comparable position for a period of time equivalent to the period required by the general salary schedule had such service been entirely in the service of the commonwealth.

Said trustees may, without prior approval, within the limits of appropriation made therefor, engage consultants and lecturers and employ such temporary professors, tutors, instructors, teachers and other officers and assistants at rates and in titles corresponding to permanent positions authorized for the college or institute as they shall determine necessary for the operation of said college or institute for periods not exceeding the fiscal year.

The trustees may, notwithstanding the provisions of section twenty-one of said chapter thirty, authorize the payment of overtime or extra compensation to such professors, tutors, instructors, teachers and other officers and assistants of the college or institute, within the limits of appropriations made therefor, for such services rendered in summer sessions or other periods outside the session periods of the normal academic year; provided, that the trustees shall determine that such services shall not interfere with regular full-time activities as provided by law required of such professors, tutors, instructors, teachers and other officers and assistants of the college or institute.

*Approved May 29, 1962.*

**Chap. 500.** AN ACT PROVIDING THAT THE ALCOHOLIC BEVERAGES CONTROL COMMISSION SHALL, UPON PETITION, INVESTIGATE THE GRANTING OF CERTAIN LICENSES BY LOCAL LICENSING AUTHORITIES OR THE CONDUCT OF THE BUSINESS BEING DONE THEREUNDER.

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

Section 67 of chapter 138 of the General Laws is hereby amended by striking out the fourth paragraph, as appearing in chapter 672 of the acts of 1953, and inserting in place thereof the following paragraph:—

Pending a decision on the appeal, the action of the local licensing authorities shall have the same force and effect as if the appeal had not been taken. Upon the petition of twenty-five persons who are taxpayers of the city or town in which a license has been granted by such authorities, or who are registered voters in the voting precinct or district wherein the licensed premises are situated, the commission shall, or upon its own initiative the commission may, investigate the granting of such a license or the conduct of the business being done thereunder, and shall, after a hearing, modify, suspend, revoke or cancel such license if, in its opinion, circumstances warrant.

*Approved May 29, 1962.*

**Chap. 501.** AN ACT RELATIVE TO THE OPERATION OF MOTOR VEHICLES OF NON-RESIDENTS IN THE COMMONWEALTH BY NON-RESIDENT OPERATORS.

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

Section 10 of chapter 90 of the General Laws is hereby amended by striking out the second sentence, as amended by chapter 130 of the acts of 1948, and inserting in place thereof the following sentence:— The

motor vehicle of a non-resident may be operated on the ways of the commonwealth in accordance with section three by its owner or by any non-resident operator without a license from the registrar if the non-resident operator is duly licensed under the laws of the state or country where such vehicle is registered and has such license on his person or in the vehicle in some easily accessible place. *Approved May 29, 1962.*

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**Chap. 502.** AN ACT AUTHORIZING CITIES AND TOWNS TO BORROW ON ACCOUNT OF PUBLIC WELFARE AND VETERANS' BENEFITS.

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

SECTION 1. Subject to the provisions of this act, any city or town, by a two-thirds vote as defined in section one of chapter forty-four of the General Laws, and with the approval of the mayor or selectmen and of the emergency finance board established under section one of chapter forty-nine of the acts of nineteen hundred and thirty-three, may borrow in each of the years nineteen hundred and sixty-two and nineteen hundred and sixty-three inside its limit of indebtedness as prescribed by section ten of said chapter forty-four, for use only for meeting appropriations made or to be made for public welfare, including in such term old age assistance, medical assistance for the aged, aid to dependent children and disability assistance, and for veterans' benefits to an amount not more than one half of one per cent of the average of the assessors' valuation of its taxable property for the three preceding years, such valuation to be reduced and otherwise determined as provided in said section ten of said chapter forty-four, and may issue bonds or notes therefor, which shall bear on their face the words (name of city or town) Municipal Relief Loan, Act of 1962. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than five years from their dates, as said board shall fix, and, except as herein provided, shall be subject to said chapter forty-four, exclusive of the limitation contained in the first paragraph of section seven thereof.

Loans may be issued hereunder in the year nineteen hundred and sixty-two or nineteen hundred and sixty-three, as the case may be, only by a city or town which in such year has appropriated to be raised by taxation, or appropriated from available funds for the purposes enumerated in the preceding paragraph, an amount not less than ninety per cent of the aggregate of its expenditures made in the year preceding the year of issue for old age assistance, medical assistance for the aged, aid to dependent children and disability assistance to be met otherwise than from the proceeds of federal grants, and of its expenditures made in said preceding year for veterans' benefits, together with an amount equal to not less than ninety per cent of its expenditures made in said preceding year for all public welfare purposes all as determined by the board.

If a loan under authority of this act has been approved by said board during the year nineteen hundred and sixty-two or nineteen hundred and sixty-three for a city or town, the amount of any appropriation voted by such city or town for said year for public welfare, including in such term old age assistance, medical assistance for the aged, aid to dependent children, disability assistance, and veterans' benefits, shall not be reduced during the said year by appropriation, transfer or otherwise, except with the written approval of the board. Whenever used in this act, the words

"veterans' benefits" shall include the forms of aid to veterans now or formerly known as state aid, military aid, soldiers' relief, and soldiers' burials, or any words or phrases connoting the same.

SECTION 2. The members of the board aforesaid, when acting under this act, shall receive from the commonwealth compensation as follows:— Each appointive member, thirty-two dollars for each day's attendance at board meetings, provided that the total amount paid hereunder to such member as aforesaid shall not exceed three thousand dollars in any period of twelve months; each non-appointive member, thirty dollars for each day's attendance at board meetings, provided that the total amount paid hereunder to such member as aforesaid shall not exceed two thousand dollars in any period of twelve months.

SECTION 3. A loan order voted in any city under authority of this act shall be deemed to be an emergency order and as such may be passed in such manner as is provided for emergency orders or ordinances in its charter, and shall be in full force and effect immediately upon final favorable action thereon by its city council or chief executive, as the case may be, or upon expiration of any period specified by such charter for the approval or disapproval of such orders by its chief executive in any case where he fails to approve or disapprove such an order within such period, notwithstanding any provision of general or special law or ordinance to the contrary; provided, that in the city of Boston such loan orders may be passed in the manner provided in its charter for loan orders for temporary loans in anticipation of taxes.

SECTION 4. In any city a loan order under authority of this act may be passed by vote of two thirds of all the members of the city council, or of each branch thereof where there are two branches, notwithstanding any provision of law to the contrary.

*Approved May 29, 1962.*

**Chap. 503. AN ACT FURTHER REGULATING THE GRANTING OF AID TO THE BLIND.**

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to further regulate the granting of aid to the blind, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. The first paragraph of section 23 of chapter 69 of the General Laws, as most recently amended by section 1 of chapter 585 of the acts of 1956, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:— In furnishing aid to each claimant for aid to the blind, the director shall disregard the first eighty-five dollars of earned income per month plus one half of earned income in excess of said eighty-five dollars of such claimant.

SECTION 2. This act shall take effect on July first, nineteen hundred and sixty-two.

*Approved May 29, 1962.*

**Chap. 504.** AN ACT IMPOSING A PENALTY FOR VIOLATION OF THE LAW PROTECTING THE RIGHT OF CERTAIN PUBLIC EMPLOYEES TO FORM AND JOIN VOCATIONAL OR LABOR ORGANIZATIONS OR TO REFRAIN FROM JOINING SUCH ORGANIZATIONS.

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

Section 178D of chapter 149 of the General Laws, inserted by chapter 460 of the acts of 1958, is hereby amended by adding at the end the following sentence: — Whoever violates any provision of this section shall be punished by a fine of not more than two hundred dollars.

*Approved May 29, 1962.*

**Chap. 505.** AN ACT RELATIVE TO THE PAYMENT OF THE FUNERAL AND BURIAL EXPENSES OF CERTAIN BLIND PERSONS.

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

The last paragraph of section 23 of chapter 69 of the General Laws, added by section 1 of chapter 541 of the acts of 1945, is hereby amended by striking out, in line 5, the words "two hundred" and inserting in place thereof the words: — three hundred and fifty.

*Approved May 29, 1962.*

**Chap. 506.** AN ACT RELATIVE TO PENSIONS TO BE PAID TO SURVIVING SPOUSES OF MEMBERS OF THE STATE RETIREMENT SYSTEM.

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

Notwithstanding any provision of chapter thirty-two of the General Laws to the contrary, upon the death of any member of the state employees retirement system who was retired prior to April first, nineteen hundred and fifty-one, and had completed thirty-five years of service, and had attained sixty-five years of age at the time of retirement and who had complied with the provisions of said chapter thirty-two, the surviving spouse shall, so long as he or she remains unmarried, receive one half of the retirement allowance which said retired member was receiving.

The provisions of this act shall not apply to the surviving spouse of any such member who had retired under option (c) of subdivision (2) of section twelve of chapter thirty-two of the General Laws nor to the surviving spouse of any such member who was not his or her spouse at the time of his or her retirement.

*Approved May 29, 1962.*

**Chap. 507.** AN ACT AUTHORIZING THE DIRECTOR OF THE DIVISION OF FISHERIES AND GAME TO CONVEY CERTAIN LAND IN THE TOWN OF MASHPEE.

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

SECTION 1. The director of the division of fisheries and game, with the approval of the fish and game board and upon such terms and conditions as said board may establish, and with the approval of the commission on administration and finance, may convey to the town of Mashpee, for library purposes, a certain parcel of land in said town, on

the northerly side of state highway route 130 containing approximately one acre, and shown on a plan entitled "Plan of Land in Mashpee, Mass. David H. Greene, Reg. Land Surveyor", on file with the division.

SECTION 2. The title to said land shall revert to the commonwealth at such time as said land ceases to be used for library purposes by said town.

*Approved May 29, 1962.*

**Chap. 508.** AN ACT DIRECTING THE TOWN OF IPSWICH TO USE, SUBJECT TO APPROPRIATION, THE RECEIPTS FROM SEWER RENTAL OR USE CHARGES FOR THE MAINTENANCE AND OPERATION OF ITS SYSTEM OF SEWERAGE AND SEWAGE DISPOSAL AND FOR THE PAYMENT OF INTEREST UPON, OR THE REDEMPTION OF, BONDS OR NOTES ISSUED FOR SEWER PURPOSES.

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

SECTION 1. Chapter 30 of the acts of 1946 is hereby amended by striking out section 9 and inserting in place thereof the following section: — *Section 9.* The receipts from sewer rental or use charges, from sewer assessments and from payments made in lieu thereof shall, subject to appropriation by the town, 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 2. This act shall be submitted for acceptance to the voters of the town of Ipswich at its annual town meeting to be held in the year nineteen hundred and sixty-three, in the form of the following question which shall be placed upon the official ballot to be used at said meeting for the election of town officers: — "Shall an act passed by the General Court in the year nineteen hundred and sixty-two, entitled 'An Act directing the town of Ipswich to use, subject to appropriation, the receipts from sewer rental or use charges for the maintenance and operation of its system of sewerage and sewage disposal and for the payment of interest upon, or the redemption of, bonds or notes issued for sewer purposes', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

*Approved May 31, 1962.*

**Chap. 509.** AN ACT REQUIRING THAT NOTICE OF CLASSIFICATION OF RISKS AND PREMIUM CHARGES FOR COMPULSORY MOTOR VEHICLE LIABILITY INSURANCE BE ADVERTISED IN A NEWSPAPER IN THE CITY OF LOWELL.

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

The third paragraph of section 113B of chapter 175 of the General Laws, as amended by chapter 251 of the acts of 1951, is hereby amended by striking out, in line 5, the words "Holyoke and Lawrence", and inserting in place thereof the words: — Holyoke, Lawrence and Lowell, — so as to read as follows: — The commissioner shall cause notice of every such hearing to be given by advertising the date thereof once in at least one newspaper printed in each of the cities of Boston, Worcester,

Springfield, Newburyport, Gloucester, Pittsfield, Fall River, New Bedford, Haverhill, Holyoke, Lawrence and Lowell, at least ten days prior to said date, and he shall incorporate in such notice or publish therewith a schedule clearly and precisely setting forth the premium charges proposed to be fixed and established for the ensuing calendar year. Such notice and schedule shall be in such form as the commissioner may deem expedient.

*Approved May 31, 1962.*

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**Chap. 510.** AN ACT RELATIVE TO THE ELIGIBILITY OF PUBLIC EMPLOYEES WHO TRANSFER FROM ONE DEPARTMENT TO ANOTHER TO TAKE CERTAIN COMPETITIVE PROMOTIONAL EXAMINATIONS UNDER THE CIVIL SERVICE LAWS.

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

Section 15D of chapter 31 of the General Laws is hereby amended by striking out paragraph 2, as amended by chapter 426 of the acts of 1947, and inserting in place thereof the following paragraph:—

2. In the event of a change of service, whether by appointment or promotion, of such an officer or employee, from one department of the commonwealth to another department thereof, from one department to another in the same or another municipality, or from a municipality to the commonwealth, or from the commonwealth to a municipality, the length of his service shall be computed from the date of said change until the completion of one year's service in the position to which he is changed, upon the completion of which the length of his service shall be again computed from the same date from which computed immediately prior to such change. In the event of a change of service by transfer of such an officer or employee from one department of the commonwealth to another department thereof, from one department to another in the same or another municipality, or from a municipality to the commonwealth, or from the commonwealth to a municipality, the length of his service shall be computed from the date of said change until the completion of three years' service in the position to which he is changed, upon the completion of which the length of his service shall be again computed from the same date from which computed immediately prior to such change.

*Approved May 31, 1962.*

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**Chap. 511.** AN ACT RELATIVE TO ABSENT VOTING BY PERSONS IN THE ARMED FORCES AND BY CERTAIN PERSONS IN THE EMPLOY OF THE UNITED STATES, AND BY CERTAIN DEPENDENTS THEREOF, AND RELATIVE TO THE REGISTRATION OF SUCH PERSONS.

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

SECTION 1. Chapter 54 of the General Laws is hereby amended by inserting after section 103A, under the caption ABSENT VOTING FOR FEDERAL SERVICE PERSONNEL, the following sixteen sections:—

*Section 103B.* In this section and in sections one hundred and three C to one hundred and three Q, inclusive, the following words shall have the following meanings:—

"Election", the regular biennial state election or any regular annual or biennial city or town election at which absent voting is permitted.

"Kindred", a spouse, father, mother, sister or brother of the whole or half blood, son, daughter, adopting parent or adopted child, step parent or step child, uncle, aunt, niece or nephew.

"Federal service personnel", persons on active service in the armed forces or merchant marine of the United States, civilian employees of the United States serving outside the territorial limits of the United States, except Alaska and Hawaii and the District of Columbia, or in Alaska or Hawaii, and spouses, parents or children of, and accompanying or being with, such persons or employees, and having the qualifications entitling them to register in the same election district.

*Section 103C.* Any legal resident of the commonwealth who is included in the definition of "federal service personnel" and whose name is included in the current annual register of voters of any city or town therein, or who may be determined to be qualified for voting therein in accordance with section one hundred and three J, may be furnished with an official absent voting ballot, prepared substantially in accordance with clause (a) of section eighty-seven of chapter fifty-four and section one hundred and three E, and may vote by means of such ballot at an election; provided an application therefor is filed with the clerk of the city or town of which he is such legal resident and the same is certified by the registrars of voters thereof, in the manner hereinafter provided.

*Section 103D.* Application for an official absent voting ballot to be furnished to such resident referred to in section one hundred and three C may be made to the clerk of the city or town in which such resident is registered as a voter, or in which he has been determined to be qualified to vote as provided in section one hundred and three J, by any registered voter of the commonwealth who is kindred of such resident. The applicant shall state therein his name, the city or town in which he is registered as a voter, together with the street and number of his address, if any, the name of the resident in whose behalf the application is made, the place of such resident's legal residence on January first of the current year, or on such subsequent date when he first became a legal resident of such city or town, and the address to which such ballot is to be mailed. The applicant shall also make a statement of his relationship to such resident, shall make oath to the truth of all statements in such application, and shall sign the same.

Any form of written communication from such a resident, evidencing a desire that an absent voting ballot be sent to him for use in voting at an election shall be given the same effect as an application for an absent voting ballot made in a form prescribed by law, and any such communication, whether or not in the form of any application so prescribed, shall, if such resident is not a registered voter, be given the same effect as an application to qualify him for voting made by kindred in compliance with section one hundred and three J. No such communication shall be acted upon adversely except after investigation by the registrars of voters or election commissioners, as the case may be.

*Section 103E.* The state secretary, or the clerk of a city or town, as the case may be, shall seasonably prepare, prior to an election, in such quantities as he shall deem necessary, absent voting ballots and all of the papers prescribed by section eighty-seven of chapter fifty-four with such changes therein as may, in his opinion, be necessary for facilitating voting by absent voting ballot by federal service personnel,



and may make provision for the mailing and delivery of said ballots to said personnel, and may provide suitable forms and blanks.

He may also prescribe and determine the weight, color and kind of paper to be used for such absent voting ballots. On the back of each such ballot when folded shall be printed the words "Official Absent Voting Ballot". He may utilize fully any federal facilities afforded in connection with such voting.

On the envelopes prepared for returning an official absent voting ballot furnished to any person determined to be qualified to vote under section one hundred and three J, except as to his ability to sign his name and read, there shall be provided a space for him to sign his name and there shall be printed five lines of the constitution of the commonwealth in English. There shall be included in the jurat to be executed by the officer in whose presence such person makes his affidavit a statement setting forth that the affiant has signed his name in the officer's presence, and has read the said five lines in such a manner as to show that he was neither prompted nor reciting from memory, or that he was prevented by a physical disability from so signing or reading.

*Section 103F.* The state secretary may prescribe and determine the size of absent voting ballots for federal service personnel, envelopes and instructions, the size of type to be used thereon and he may take such steps and do such things of an administrative nature as in his opinion are necessary to make effective any provision of law facilitating voting by absent voting ballot by such personnel at state elections and utilize fully any facilities afforded in connection with such voting.

*Section 103G.* When an application is made for an official absent voting ballot as provided in section one hundred and three D and the same is filed with the city or town clerk, it shall be transmitted by said clerk forthwith to the registrars of voters of the city or town and, if they are satisfied that the statements therein are true and that the person in whose behalf the application is made is a duly registered voter of such city or town or has been determined to be qualified to vote therein at such election as provided in section one hundred and three J, they shall so certify thereon and return such application to the city or town clerk. If the person in whose behalf such an application is made is a duly registered voter, the clerk shall cause to be placed upon the voting list to be used at the election, to vote at which such application is made, the letters SAV, in capitals, opposite the name of such voter. The said clerk shall then mail, postage prepaid, to such resident at the address designated in such application, such ballot together with all blank forms and envelopes required.

*Section 103H.* Any such resident who has received an official absent voting ballot furnished in accordance with sections one hundred and three B to one hundred and three Q, inclusive, may vote by mailing the same to the clerk of the city or town of which he is a legal resident. He shall mark such ballot in the presence of a commissioned or warrant officer, non-commissioned officer not below the rank of sergeant or petty officer in the military or naval service of the United States, or in the presence of any other person authorized to administer and attest oaths, or in the presence of a clerk of a court of record, in a municipality or place other than the city or town in which it is determined that such voter is qualified to vote. Before marking his ballot he shall exhibit it to said officer, who shall satisfy himself that it is unmarked, but he

shall not allow such officer to see how he marks it. Such officer shall hold no communication with such voter, nor he with such officer, as to how he votes. After marking his ballot he shall enclose it in the proper envelope provided for the purpose and shall execute in the presence of such officer the affidavit thereon. He shall then seal the envelope with the ballot therein and shall mail the same, postage prepaid, to the clerk of the city or town of which he is a legal resident on or before the day of the election in a municipality or place other than the city or town in which he has been determined to be qualified for voting. The postmark, if legible, shall be evidence of the time and place of mailing.

*Section 103I.* In addition to the duties prescribed by section ninety-five of chapter fifty-four the warden or his deputy shall, in comparing the statements in the affidavits upon the envelopes in which such absent voting ballots are enclosed with the applications therefor, determine whether the statements appearing in such affidavits conform to those appearing in such applications, and whether the persons signing such affidavits have been determined to be qualified to vote at such election. All envelopes, opened and unopened, enclosing ballots returned by persons determined to be qualified to vote at such election in accordance with section one hundred and three J shall, instead of being retained with the ballots cast, be enclosed and sealed in an envelope provided for the purpose of returning the same to the city or town clerk, and said clerk shall retain such envelopes as long as he retains the ballots cast, after which he shall transmit the same to the registrars of voters who shall preserve such envelope for five years from the date of such election.

*Section 103J.* Any legal resident of the commonwealth who is included in the definition of "federal service personnel" and who has the qualifications for voting prescribed by the constitution of the commonwealth, but whose name is not included in the current annual register of voters of the city or town of his legal residence, may be qualified for voting by absent voting ballot at an election upon the personal application of a registered voter of the commonwealth who is kindred of such resident made to the registrars of voters of the city or town in which the right of such resident to vote may be claimed. Such application may be made not less than thirty-two days before the day of a state election or twenty days before the day of a city or town election, at any time during regular business hours or at sessions held for the purpose of registering voters for such election, and shall be upon a form prescribed by law. The person making such application shall state thereon his name, and that of the city or town in which he is registered as a voter, with the street and number of his address, if any; the name of the person in whose behalf the application is made, his place of legal residence when he entered the service, on January first of the preceding year, on January first of the current year or on such later date when he first became a legal resident of such city or town, and at the time of making such application, and the place and date of his birth, and shall make a declaration that such resident has legally resided in the commonwealth for one year, and in the city or town in which his right to vote is claimed for six months, next preceding the election at which such right is claimed. The applicant shall also make thereon a statement of his relationship to the resident in whose behalf such application is made, shall make oath to the truth of the statements therein and sign his name thereto.

If the resident in whose behalf such an application is made claims to be a naturalized citizen, or to derive United States citizenship through the naturalization or citizenship of some other person, the applicant shall produce for inspection papers of naturalization, certificate of citizenship made under federal authority, or any other papers upon which he relies to prove the citizenship of such resident, and, if the registrars are satisfied that such resident is a citizen, they shall make upon such papers a memorandum of the date of such inspection.

The registrars shall make and certify on the application made under this section a statement of their determination as to whether or not the resident in whose behalf the application is made appears to have the qualifications for voting at such election, other than this ability to sign his name and to read in the manner prescribed by Article XX of the Amendments to the Constitution. In case it is determined that such resident is not so qualified, the registrars shall give written notice thereof to the applicant and give him an opportunity to be heard.

If the registrars certify that such resident has the qualifications for voting, except that his ability to sign his name and to read as prescribed by Article XX of the Amendments to the Constitution has not been determined, he shall nevertheless be entitled to receive an official absent voting ballot and application therefor may be made in the manner provided in section one hundred and three D. Before permitting him to mark his ballot the officer designated in section one hundred and three H shall require him to sign his name if he is physically able to do so, and to read in his presence and in such a manner as to show that he was neither prompted nor reciting from memory the five lines of the constitution printed on the return envelope as provided in section one hundred and three E. If he is unable to do either, and is not prevented by physical disability from so doing, the officer shall so certify on said envelope, and shall not permit him to vote, but shall return the envelope with the ballot enclosed and unmarked, and the ballot shall not be counted.

Applications for the qualifications of such residents for voting under this section shall be preserved by the registrars for five years and the registrars shall cause a suitable index to be made containing the name of each person determined to be so qualified, his place of legal residence, with the street and number of his address, if any, at the time of making such application, the name of the unit of the armed forces, merchant marine or federal service in which he, or the person of whom he is the spouse or dependent, as the case may be, is then serving or to which he is attached, and the rank or title of such person, his place and date of birth and, if he is a naturalized citizen or has derived United States citizenship through the naturalization of some other persons, the facts appearing in such application relating thereto. Such index shall be preserved as a public record, but shall not be deemed to be a part of the general register of voters.

Persons qualified for voting under this section shall be subject to the provisions of sections forty-eight and forty-nine of chapter fifty-one and, except as herein otherwise provided, to all of the provisions of said chapter fifty-one prescribing qualifications for voting. The provisions of sections one, two, five, six, seven, eight and nine of chapter fifty-six prescribing penalties for offenses concerning the listing or registration

I, \_\_\_\_\_, a duly registered voter of the city or town of \_\_\_\_\_,  
 \_\_\_\_\_, residing at \_\_\_\_\_,  
 \_\_\_\_\_, in such city or town, do hereby make application for  
 an official absent voting ballot for the \_\_\_\_\_ to be held in \_\_\_\_\_,  
 \_\_\_\_\_ on \_\_\_\_\_, 19\_\_\_\_, for \_\_\_\_\_,  
 \_\_\_\_\_ who is serving (or who is the \_\_\_\_\_  
 \_\_\_\_\_ of \_\_\_\_\_ who is serv-

I, ..... serving (or being the .....  
(spouse, parent or child)

of ..... who is serving) in the United States ..... (branch  
 ..... , with the rank or title of ..... , do hereby  
 or type of service)  
 make oath that on the first day of January last year I was a legal resident of  
 ..... at ..... , that on the first day  
 (city or town and state) (street and number)  
 of January this year I was a legal resident of ..... at  
 ..... (city or town and state)  
 ..... , and that I am now a legal resident of .....  
 (street and number) (city  
 ..... at ..... ; that I was born on .....  
 or town and state) (street and number) (date of birth)  
 in ..... ; and that I have been a legal resident of the 12  
 (city or town and state or country)  
 Commonwealth of Massachusetts one year and of the city or town of .....  
 six months next preceding the election at which I claim this right to vote.  
 (The voter shall then sign his name and read the following aloud to the officer  
 taking his oath)

(Print five lines of the State Constitution here)

I do hereby further make oath that the place where I now am is not the mun-  
 icipality in which I claim this right to vote; that I have carefully read the instruc-  
 tions forwarded to me with the ballot herein enclosed; and that I have marked and  
 sealed the within ballot as stated hereon by the person taking my oath.

(Signature of Voter) .....

Subscribed and sworn to before me by the above affiant this ..... day of  
 ..... , 19 ..... ; and I hereby certify that such affiant has signed his name in  
 my presence, or was prevented by physical disability from so doing, read aloud the  
 five lines of the state constitution appearing hereon in such a manner as to show  
 that he was neither prompted nor reciting from memory, and that, when I was alone  
 with him, 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  
 the said ballot in this envelope. I had no communication with the affiant as to how  
 he was to vote.

Name of officer .....  
 Residence or unit .....  
 Official title or military  
 or naval rank .....  
 Date of expiration of commission of notary public  
 or justice of the peace .....

(d) Blank forms of application for qualification of federal service per-  
 sonnel for voting as provided in section one hundred and three J, worded  
 substantially as follows:—

I, ..... , a duly registered voter of the city or town fo  
 (name of applicant)  
 ..... , residing at .....  
 (name of city or town where applicant is registered as a voter) (street and number)  
 hereby make oath that ..... is now serv-  
 (name of person in whose behalf application is made)  
 ing (or is the ..... of .....  
 (spouse, parent or child)  
 who is now serving) in the United States ..... ; that on  
 (branch or type of service)  
 January first of last year he was a legal resident of ..... at  
 ..... (city or town and state)  
 (street and number) and, on January first of this year, of .....  
 (city or town and state)  
 at ..... ; that he is now a legal resident of .....  
 (street and number) (city or town and state)  
 at ..... ; that he was born in ..... on  
 (street and number) (city or town and state or country)  
 ..... ; and that he has legally resided in the Commonwealth of  
 (date of birth)  
 Massachusetts for one year and in the city or town of ..... for  
 six months next preceding the election at which his right to vote is now being  
 claimed.

I hereby further declare that I am ..... of the person herein  
(degree of relationship)  
named in whose behalf this application for qualification for voting at said election  
is being made.

Personally appeared before me the above named ..... and  
made oath that the foregoing statements are true to the best of his knowledge and  
belief.

(Registrar of Voters)

(If the person in whose behalf the application is made is a naturalized citizen or has derived United States citizenship through the naturalization of another, the registrars shall record in the space below, from the papers presented by the applicant, the facts required to show the citizenship of such person.)

(Not to be filled in by applicant)

We, the undersigned, a majority of the registrars of voters of the city or town of \_\_\_\_\_, acting under authority of section one hundred and three J of chapter fifty-four of the General Laws, do hereby determine that \_\_\_\_\_ is (is not) qualified to vote at the \_\_\_\_\_ (name of person in whose behalf application is made) \_\_\_\_\_ to be held in Precinct \_\_\_\_\_, Ward \_\_\_\_\_, of the city \_\_\_\_\_ (name of election) \_\_\_\_\_ or town of \_\_\_\_\_ on \_\_\_\_\_ 19 \_\_\_\_\_.

(Four blank lines for signatures of registrars of voters)

(e) Blank forms of report of police investigation, worded substantially as follows:—

This is to certify that, after investigation, I find that, on January first of this year  
 ..... was a legal resident of ..... (city or  
 (name of person in whose behalf application is made)  
 town and state) ..... , and that he is now a legal resident of ..... (city or town and state)  
 at ..... This information was furnished to me by ..... (name of  
 (street and number)  
 ..... residing at ..... (place of residence of informant)  
 (Signed) .....  
 (Police Officer)

(f) Suitable forms of certificates of listing, notices of omitted, additional or corrected listings to assessors, and collectors of taxes and notices to registrars of voters of other cities or towns.

*Section 103P.* Notwithstanding any contrary provisions of general or special laws, the provisions of sections one hundred and three B to one hundred and three Q, inclusive, shall be operative for any regular annual or biennial city or town election in cities or towns where absent voting is permitted. The mayor and aldermen in such cities or selectmen in such towns may fix the day of holding preliminary elections or primaries in such cities or towns. Where the filing of nomination papers and certification of names thereon in such cities and towns that have preliminary elections is based upon the day of the election, they may fix the time for filing nomination papers and for certification of the names thereon. Where nominations for election at a city or town election at which absent voting is permitted are made by nomination papers, or by caucuses or conventions, they may fix the last day for filing certificates of nomination and nomination papers. In any such city or town where petitions to place questions on the official ballot are filed, they may also fix the

last day for filing such petitions. All such petitions shall be submitted to the registrars of voters for certification of the names thereon on or before the seventh day preceding the day so fixed for filing.

In any city or town election at which absent voting is permitted, wherein the voting list of the current year is not available for the purpose of certifying names, the voting list of the preceding year, as amended or revised from time to time, may be used therefor.

Any action taken by the mayor and aldermen or selectmen fixing any day as authorized by this section shall be taken not later than the sixtieth day prior to the day so fixed, and such day so fixed shall be prior to the day otherwise provided by general or special law, and if not so fixed general or special laws shall otherwise apply thereto.

Notice of such action shall be published in one or more local newspapers, if any, or posted in at least five public places within the city or town.

*Section 103Q.* No mere informality in the manner of carrying out any provision of law affecting voting by absent voting ballot by federal service personnel at an election shall invalidate such election or constitute sufficient cause for the rejection of the returns thereof, and such provisions shall be construed liberally to effectuate their purposes.

SECTION 2. Chapter 51 of the General Laws is hereby amended by striking out section 50, as most recently amended by chapter 378 of the acts of 1945, and inserting in place thereof the following: — *Section 50.* Any person, or his spouse or dependent, who, by reason of his service, or by reason of being with or accompanying a person serving, in the armed forces or merchant marine of the United States, in the civilian employ of the United States outside of the territorial limits of the several states of the United States, except Alaska or Hawaii, and the District of Columbia, or in Alaska or Hawaii, was absent from the city or town of his legal residence during the periods when sessions for listing and registration were held may appear before a registrar of voters of such city or town, during regular business hours, and, in accordance with this chapter, prove his qualifications as a voter under section one and be registered, if he so appears not less than three days before the primary or election; but such registration shall be subject to the revision and acceptance of the board.

SECTION 3. Said chapter 51 is hereby further amended by striking out section 51, as appearing in the Tercentenary Edition, and inserting in place thereof the following: — *Section 51.* To every person registered under section fifty the registrars shall issue a certificate, similar to that provided for in section fifty-nine, entitled "Supplementary Registration — Federal Service Personnel", and referring by chapter and section number to this section and section fifty. Upon presentation of such certificate to the presiding officer at the proper polling place, he shall have the same right to vote as any other registered voter. After he has voted, the presiding officer shall attach the certificate to the voting list and it shall be considered a part thereof, and shall be returned to the registrars and preserved in accordance with law.

SECTION 4. Chapter five hundred and thirty-one of the acts of nineteen hundred and forty-eight and chapter three hundred and fifty-one of the acts of nineteen hundred and fifty-two are hereby repealed.

SECTION 5. This act shall take effect on January first, nineteen hundred and sixty-three.

*Approved May 31, 1962.*



**Chap. 512.** AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE CITY OF NEW BEDFORD MAY BORROW FOR OFF-STREET PARKING FACILITIES, AND AUTHORIZING THE PAYMENT OF CERTAIN SUMS FOR LIABILITIES INCURRED BY SAID CITY IN EXCESS OF AVAILABLE APPROPRIATIONS.

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

SECTION 1. The second sentence of section 1 of chapter 242 of the acts of 1958 is hereby amended by striking out, in line 4, the words "seven hundred and fifty thousand" and inserting in place thereof the words: — one million, — so as to read as follows: — Said city may, for the purposes of this act, 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 one million dollars, and may issue bonds or notes therefor which shall bear on their face the words, City of New Bedford, Public Parking Loan, Act of 1958.

SECTION 2. From the proceeds of the borrowing authorized by chapter two hundred and forty-two of the acts of nineteen hundred and fifty-eight, as amended by section one of this act, the city of New Bedford is hereby authorized to appropriate and pay (a) for the acquisition of land and buildings under the provisions of said act, irrespective of the availability of funds therefor at the time of any such acquisition, and (b) to Sullivan-Foster, Inc., the sum of eighty thousand four hundred and one dollars and forty-four cents, being the balance owed under a contract, entered into under the provisions of said act, for work and materials, but which is uncollectible by reason of having been incurred in excess of available appropriations.

*Approved May 31, 1962.*

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**Chap. 513.** AN ACT REQUIRING PERSONS ENGAGED IN THE BUSINESS OF DIGGING OR DRILLING WELLS TO BE REGISTERED, AND TO FILE CERTAIN REPORTS.

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

Chapter 21 of the General Laws is hereby amended by adding after section 15 the following section: —

Section 16. No person shall engage in the business of digging or drilling wells within the commonwealth unless he is registered with the water resources commission. Each person intending to engage in said business shall register annually with said commission, and upon payment of a fee of ten dollars shall be issued a certificate indicating that he is so registered. Each registration shall be in force, unless sooner cancelled, suspended or revoked, until July first following the year of its issuance.

Within thirty days after completion of any well by digging or drilling, a registered well digger or driller shall submit a report to the commissioner setting forth such information as may be required under the rules and regulations established by said commission.

Whoever engages in the business of digging or drilling wells without being registered, as provided in the first paragraph, shall be punished by a fine of not more than one hundred dollars.

*Approved May 31, 1962.*

**Chap. 514.** AN ACT PROVIDING FOR THE PAYMENT OF FEES FOR ATTENDANCE AND TRAVEL TO PERSONS ASSISTING A DISTRICT ATTORNEY IN THE INVESTIGATION OF CRIME.

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

Section 29 of chapter 262 of the General Laws, as amended by chapter 697 of the acts of 1949, is hereby further amended by adding the following paragraph: —

Any person who, at the request of a district attorney, for the purpose of assisting him in the investigation of any matter within his jurisdiction as such district attorney, attends the office of such district attorney at a court house, shall receive the fees provided in the preceding paragraph for a witness attending the superior court and subject to the same provisions, except that the certificate required by the last sentence of said paragraph shall be accompanied by a voucher signed by the district attorney that such fees are due said person for his attendance as provided in this paragraph.

*Approved May 31, 1962.*

**Chap. 515.** AN ACT REGULATING THE LICENSING OF OPERATORS OF SCHOOL BUSES.

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

SECTION 1. Section 7B of chapter 90 of the General Laws is hereby amended by striking out clause (4), as appearing in section 1 of chapter 241 of the acts of 1945, and inserting in place thereof the following clause: — (4) Each school bus shall be operated by a person twenty-one years of age or over who is licensed under section eight A, or who is licensed under section nine of chapter one hundred and fifty-nine A and is subject to an annual physical examination in accordance with the regulations of the carrier employing such person as an operator;.

SECTION 2. Said chapter 90 is hereby further amended by inserting after section 8 the following section: —

Section 8A. Application for a license to be a school bus operator may be made by any person who shall have attained the age of twenty-one years and who shall have been a duly licensed motor vehicle operator for a period of three continuous years prior to his application; but before such a person shall be so licensed the registrar shall be satisfied that he is of good moral character and has successfully completed a driving performance test, a visual test, and a physical examination by a licensed physician within a three-month period of the date of his application in conformity with such minimum physical qualifications as shall be determined by the registrar.

Any such license or special permit issued under the provisions of this section shall be valid for a period of twelve months from date of issue.

Upon application for a renewal of such license the registrar shall require evidence of physical fitness and may require evidence of continuing good character.

The registrar may suspend or revoke a license granted under authority of this section for a violation of any of the provisions of this chapter, or on other reasonable grounds, or where, in his opinion, the licensee is either physically or morally unfit to retain the same.

The registrar may make such rules and regulations as he may deem necessary to carry out the provisions of this section.

*Approved May 31, 1962.*

**Chap. 516.** AN ACT RELATIVE TO THE COMPUTATION OF RETIREMENT ALLOWANCES PAYABLE TO CERTAIN PERSONS WHO RETIRE OR ARE RETIRED BEFORE REACHING AGE FIFTY-FIVE.

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

SECTION 1. Paragraph (a) of subdivision (2) of section 10 of chapter 32 of the General Laws, as amended by section 3 of chapter 661 of the acts of 1957, is hereby further amended by adding at the end the following sentence: — 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.

SECTION 2. The retirement allowance payable to any member who is a veteran, as defined in section one of chapter thirty-two of the General Laws, and whose retirement allowance was computed under the provisions of paragraph (a) of subdivision (2) of section ten of said chapter thirty-two, shall be increased to provide the additional amount of yearly allowance which would have been included in his retirement allowance had section one of this act been in effect at the time of his retirement.

SECTION 3. This act shall take effect as of July first, nineteen hundred and sixty-two.

*Approved May 31, 1962.*

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**Chap. 517.** AN ACT PROVIDING THAT FIRE FIGHTERS AND CERTAIN OTHERS IN CERTAIN CITIES AND TOWNS SHALL BE GRANTED AN ADDITIONAL DAY OFF DUTY OR, UNDER CERTAIN CIRCUMSTANCES, AN ADDITIONAL DAY'S PAY WHEN THEY ARE REQUIRED TO WORK ON CERTAIN LEGAL HOLIDAYS.

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

Chapter 48 of the General Laws is hereby amended by inserting after section 57C, inserted by chapter 291 of the acts of 1962, the following section: —

*Section 57D.* If any permanent member of the fire fighting force or fire alarm division of a fire department of a city or town which accepts this section is required to be on duty at any time on January first, February twenty-second, April nineteenth, May thirtieth, July fourth, the first Monday of September, October twelfth, November eleventh, Thanksgiving day or Christmas day, or the day following when any of the five days first mentioned, or October twelfth, November eleventh or Christmas day, occurs on Sunday, he shall be given an additional day off, or, if such additional day off cannot be given because of personnel shortage or other cause, he shall be entitled to an additional day's pay; provided, that in the case of any such member whose regular day off or vacation day falls on any of the aforementioned holidays, an additional day off shall be allowed, or payment in lieu of one day shall be allowed. Such day's pay shall be one-fifth of his regular weekly salary. Section fifty-seven A shall not apply in any such city or town.

*Approved June 1, 1962.*

**Chap. 518.** AN ACT PROVIDING THAT THE WORDS "COMBINATION OF PERSONS" AS USED IN THE CORRUPT PRACTICES ACT INCLUDE CORPORATIONS FORMED FOR CHARITABLE AND CERTAIN OTHER PURPOSES.

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

Section 6 of chapter 55 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 10 of chapter 537 of the acts of 1946, and inserting in place thereof the following sentence:— No person or combination of persons, including a corporation formed under the provisions of chapter one hundred and eighty, shall in connection with any nomination or election receive money or its equivalent, expend or disburse or promise to expend or disburse the same, except as authorized by this chapter.

*Approved June 4, 1962.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, June 5, 1962.

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 of 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 518 of the Acts of 1962, entitled "An Act Providing That The Words "Combination of Persons" As Used In The Corrupt Practices Act Include Corporations Formed For Charitable And Certain Other Purposes" and the enactment of which received my approval on June 4, 1962, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and that 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 require corporations formed for charitable and certain other purposes to be required to comply with the provisions of Chapter 444 of the Acts of 1962.

Respectfully submitted,

JOHN A. VOLPE,  
*Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, BOSTON, June 5, 1962.

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 three 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 five hundred and eighteen of the acts of nineteen hundred and sixty-two.

KEVIN H. WHITE,  
*Secretary of the Commonwealth.*

**Chap. 519.** AN ACT REPEALING PROVISIONS OF LAW PROVIDING FOR LOCAL ACCEPTANCE OF THE LAW REQUIRING EQUAL PAY FOR MEN AND WOMEN TEACHERS.

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

Section 40 of chapter 71 of the General Laws is hereby amended by striking out the last sentence, as appearing in chapter 684 of the acts of 1949.

*(This Bill, returned by the governor, to the Senate, the branch in which it originated, with his objections thereto, was passed by the Senate, May 23, 1962, and, in concurrence, by the House of Representatives, May 28, 1962, the objections of the governor, notwithstanding, in the manner prescribed by the constitution; and thereby has "the force of a law".)*

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**Chap. 520.** AN ACT ESTABLISHING A MINIMUM ANNUAL COMPENSATION FOR FIRE FIGHTERS IN CERTAIN CITIES AND TOWNS.

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

Chapter 41 of the General Laws is hereby amended by inserting after section 108E, inserted by chapter 228 of the acts of 1959, the following section: —

*Section 108F.* Notwithstanding the provisions of any general or special law to the contrary, the minimum annual compensation of each fire fighter, permanently employed, in the fire department of any city or town which accepts the provisions of this section, except a fire fighter who, by virtue of section twenty D of chapter thirty-one is not regarded as holding employment, shall be not less than the following:

For the first year of service five thousand five hundred dollars.

For the second year of service six thousand dollars.

For the third and each succeeding year of service six thousand three hundred dollars.

*(This Bill, returned by the governor, to the House of Representatives, the branch in which it originated, with his objections thereto, was passed by the House of Representatives, May 24, 1962, and, in concurrence, by the Senate, May 28, 1962, the objections of the governor, notwithstanding, in the manner prescribed by the constitution; and thereby has "the force of a law".)*

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**Chap. 521.** AN ACT ESTABLISHING A PESTICIDE BOARD IN THE DEPARTMENT OF PUBLIC HEALTH AND REGULATING THE APPLICATION OF PESTICIDES WITHIN THE COMMONWEALTH.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the further regulation of the use of pesticides, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and safety.

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

SECTION 1. Chapter 17 of the General Laws is hereby amended by inserting after section 9 the following section: —

*Section 9A.* There shall be in the department a pesticide board, hereinafter referred to as the board, consisting of the commissioner, who shall be the chairman, the commissioner of natural resources, the commissioner of agriculture, the commissioner of public works and the chairman of the state reclamation board or their designees. The board shall meet at

least four times annually and from time to time at the call of the chairman or upon written request of any member of the board. All decisions of the board shall be by majority vote and shall be executed and administered by the commissioner of public health. The board may employ such qualified experts, technicians and other employees as it may require for the proper discharge of its duties.

The commissioner of public health shall, upon written request of the board, include in his budget such amounts of money as may be necessary to carry out the duties of the board.

SECTION 2. Chapter 94B of the General Laws, added by section 2 of chapter 727 of the acts of 1960, is hereby amended by striking out the caption preceding section 11 and inserting in place thereof the following caption: — DISTRIBUTION OF PESTICIDES.

SECTION 3. Section 18 of said chapter 94B, as appearing in section 2 of said chapter 727, is hereby amended by striking out, in line 3, the words "this chapter" and inserting in place thereof the words: — sections one to seventeen, inclusive.

SECTION 4. Section 19 of said chapter 94B, as so appearing, is hereby amended by striking out, in line 2, the words "this chapter" and inserting in place thereof the words: — sections one to eighteen, inclusive.

SECTION 5. Section 20 of said chapter 94B, as so appearing, is hereby amended by striking out, in line 3, the words "this chapter" and inserting in place thereof the words: — sections one to eighteen, inclusive.

SECTION 6. Section 21 of said chapter 94B, as so appearing, is hereby amended by striking out, in line 3, the words "this chapter" and inserting in place thereof the words: — sections one to eighteen, inclusive.

SECTION 7. Said chapter 94B is hereby further amended by inserting after section 21, under the caption APPLICATION OF PESTICIDES, the following three sections: —

*Section 21A.* In this section and in sections twenty-one B and twenty-one C the following words shall, unless the context requires otherwise, have the following meanings: —

"Application of pesticides", the treatment, by any method, of soil, air, water, plants, animals or products with pesticides, as defined in section eleven.

"Board", the pesticide board established under section nine A of chapter seventeen.

"Farmer", one who engages in agriculture or farming as defined in section one A of chapter one hundred and twenty-eight.

*Section 21B.* The board shall undertake a continuous study, including the support of laboratory and field research by the University of Massachusetts or other agencies, on methods of applying and using pesticides, and the effects thereof. Said board shall from time to time publish and distribute the results of such study so as to educate the public in the application, use and effect of pesticides.

The board may authorize in writing agencies of the commonwealth or its political subdivisions whose duties involve the use of pesticides to carry out the provisions of section twenty-one C and the rules and regulations adopted thereunder. In carrying out said provisions and said rules and regulations adopted thereunder, employees of said agencies may enter, pass through or over private property, excluding a dwelling house, and shall not be subject to prosecution for trespass. Nothing in said section twenty-one C shall divest any agency, or employee thereof,

of the authority to carry out any provisions of law, except that in the application of pesticides said agency or employee shall conform to rules and regulations adopted by the board.

*Section 21C.* No person shall use any aircraft for the application of pesticides unless licensed by the board. Persons, including governmental agencies and municipal corporations, who apply pesticides, other than by aircraft, on the land of another may be required by the board to be licensed therefor, but the board shall not require a farmer who makes application of pesticides nor a person who applies pesticides in, on or under any structure whether on land of another or not, to be licensed, but the board may require that such farmer or person file with the board, on such form as it may require, a statement signed under the penalties of perjury that he shall use only such pesticides as are registered as required under section thirteen and that such pesticides shall be applied only in accordance with the directions as appear on the label of containers thereof. If a license is required under this section, it shall be issued on such conditions, rules and regulations as the board deems necessary but the annual fee for such license shall not exceed five dollars.

The board may adopt and may amend such rules and regulations relating to the application and use of pesticides as it may determine necessary to protect the public health and to protect the public interests in the soils, waters, forests, wetlands, wildlife, agriculture and other natural resources of the commonwealth. Before adopting or amending such rules and regulations, the board shall consult scientific experts and individuals representing manufacturers, applicators, users and the general public affected by such use.

Whoever violates any provision of this section, or whoever furnishes false information to said board, shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than two months, or both.

Rules and regulations issued by the board hereunder may provide penalties for violations thereof not exceeding, for the first offense, a fine of one hundred dollars and, for the second or subsequent offense, a fine not exceeding five hundred dollars.

*Approved June 4, 1962.*

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**Chap. 522.** AN ACT PROVIDING FOR THE REINSTATEMENT OF MARCELLA GARRICK AS A MEMBER OF THE TEACHERS' RETIREMENT SYSTEM.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is in part to make the reinstatement of Marcella Garrick as a member of the teachers' retirement system effective without delay, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

Any provision of chapter thirty-two of the General Laws to the contrary, notwithstanding, the teachers' retirement board is hereby authorized and directed to cancel the application for retirement and the retirement of Marcella Garrick of Somerville and to reinstate her as a members of the teachers' retirement system, provided, that said Marcella Garrick returns all retirement allowances paid to her in connection with said retirement. Upon such reinstatement said Marcella Garrick shall be eligible for employment as a teacher in the public schools.

*Approved June 4, 1962.*

**Chap. 523.** AN ACT PROVIDING A CRIMINAL PENALTY FOR CHARGING A GREATER RATE OF INTEREST THAN IS ALLOWED BY THE LAW GOVERNING THE FINANCING OF CERTAIN HOME MORTGAGES.

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

Chapter 140 of the General Laws is hereby amended by adding after section 90D, added by section 1 of chapter 505 of the acts of 1959, the following section: —

*Section 90E.* Whoever directly or indirectly charges, takes or receives for any loan which is subject to the provisions of section ninety A a greater rate of interest than is allowed by said section 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 June 4, 1962.*

**Chap. 524.** AN ACT RELATIVE TO SEWERS, DRAINS AND SIDEWALKS IN THE TOWN OF WAKEFIELD.

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

SECTION 1. The board of public works existing in the town of Wakefield under chapter forty-eight of the acts of nineteen hundred and fifty shall hereafter have all the powers and perform all the duties conferred or imposed upon the sewer commissioners or road commissioners of a town by chapter eighty-three of the General Laws and acts in amendment thereof; and all provisions of said chapter eighty-three shall hereafter apply to said town notwithstanding any contrary provision of special law, provided, however, that any uniform rate now in force under section two of chapter seventy-nine of the acts of nineteen hundred and twenty-four, as amended by section two of chapter one hundred and sixty-four of the acts of nineteen hundred and twenty-nine, shall be deemed to have been fixed under section fifteen of said chapter eighty-three and shall apply until a redetermination under section fifteen A of chapter eighty-three.

SECTION 2. Chapter three hundred and seventy-seven of the acts of nineteen hundred, chapter two hundred and forty-seven of the acts of nineteen hundred and two, chapter one hundred and six of the acts of nineteen hundred and ten, chapter seventy-nine of the acts of nineteen hundred and twenty-four, and chapter one hundred and sixty-four of the acts of nineteen hundred and twenty-nine are hereby repealed; provided, that the repeal of said Chapters shall not affect any act done, any liability incurred, or any right accrued or established, under any of said chapters.

SECTION 3. This act shall take effect upon its acceptance by the town of Wakefield.

*Approved June 4, 1962.*

**Chap. 525.** AN ACT RELATIVE TO THE DATE OF THE COMMENCEMENT OF THE TERM OF OFFICE OF SELECTMEN IN THE TOWN OF WINCHESTER.

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

SECTION 1. Notwithstanding the provisions of section one hundred and seven of chapter forty-one of the General Laws, a person who is



elected selectman at an annual town meeting in the town of Winchester shall hold office from the first Monday next following the final adjournment or dissolution of such annual town meeting or from May first, whichever is earlier, and until another person is qualified in his stead.

SECTION 2. This act shall take effect upon its acceptance by the town of Winchester.

*Approved June 4, 1962.*

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**Chap. 526.** AN ACT AUTHORIZING AND DIRECTING THE COMMISSIONER OF PUBLIC SAFETY TO TRANSFER TO THE DEPARTMENT OF PUBLIC WORKS A CERTAIN PARCEL OF LAND IN THE TOWN OF RUSSELL, FORMERLY USED FOR A STATE POLICE BARRACKS.

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

The commissioner of public safety is hereby authorized and directed to transfer from the department of public safety to the department of public works a certain parcel of land situated in the town of Russell, on the westerly side of the state highway leading from Russell to Huntington, formerly used for a state police barracks.

*Approved June 4, 1962.*

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**Chap. 527.** AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH TO GRANT TO PIONEER VALLEY COUNCIL, INC., BOY SCOUTS OF AMERICA, PERMISSION TO USE A CERTAIN PARCEL OF LAND IN THE CITY OF WESTFIELD.

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

SECTION 1. The department of public health is hereby authorized to grant to Pioneer Valley Council, Inc., Boy Scouts of America, permission to use a certain parcel of land situated in the city of Westfield, being the northerly portion of land of Westfield state sanatorium, containing approximately ten acres and shown as Plot #9 on the sanatorium hay chart, on file at the Westfield state sanatorium, for the growing, cutting and removing for sale or otherwise of shrubbery, Christmas trees and flowers. Said department may withdraw such permission upon six months' notice in writing to said council. Such permission shall not deny to said sanatorium the right to use, in common with said council, any roads running through said land.

SECTION 2. This act shall become inoperative ten years after its effective date.

*Approved June 4, 1962.*

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**Chap. 528.** AN ACT TO ESTABLISH A NORTHERN MIDDLESEX INDUSTRIAL DEVELOPMENT COUNCIL AND TO AUTHORIZE CERTAIN CONTRIBUTIONS THERETO BY MEMBER CITIES AND TOWNS.

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

There is hereby established the Northern Middlesex Industrial Development Council, hereinafter referred to as the Council. Membership in the Council shall be open to the city of Lowell and the towns of Acton, Ayer, Bedford, Billerica, Burlington, Carlisle, Chelmsford, Concord, Dracut, Dunstable, Groton, Littleton, Pepperell, Shirley, Tewksbury, Townsend, Tyngsborough, Westford and Wilmington, and each

such city or town shall be admitted to membership upon the vote of its industrial development commission.

The industrial development commission of each city and town which votes to become a member of the Council may contribute from its annual appropriation a sum of money to help defray the expense of promoting the industrial advantages of the northern Middlesex county region, or the greater Lowell area.

The government of the Council shall be vested in a board of directors, consisting of one representative from the industrial development commission of each city or town which votes to become a member of said Council.

The objects and purposes of the Council shall be to co-ordinate the industrial development efforts of the cities and towns in northern Middlesex county, or the greater Lowell area; to develop a co-operative industrial development promotion program; and to enhance the industrial and economic growth of the participating communities through strength of united efforts.

*Approved June 4, 1962.*

**Chap. 529.** AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO REIMBURSE ALFRED H. MARTEL AND EVELYN C. MARTEL FOR REAL ESTATE TAXES PAID BY THEM IN ERROR.

*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 Alfred H. Martel and Evelyn C. Martel of Agawam, the sum of two hundred eighty-four dollars and sixty cents as reimbursement for taxes paid under mistake of law by said Alfred H. Martel and Evelyn C. Martel on certain real estate consisting of lots thirty-eight and thirty-nine on Roseland Street in said city of Springfield for certain years from nineteen hundred and forty-three to nineteen hundred and fifty-nine.

SECTION 2. This act shall take effect upon its acceptance by the city of Springfield.

*Approved June 4, 1962.*

**Chap. 530.** AN ACT AUTHORIZING THE INDEPENDENT WORKMEN'S CIRCLE CEMETERY ASSOCIATION TO TRANSFER ALL OR PART OF ITS REAL AND PERSONAL PROPERTY.

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

SECTION 1. The Independent Workmen's Circle Cemetery Association, a corporation duly organized under the provisions of section one of chapter one hundred and fourteen, and sections one to thirteen, inclusive, of chapter one hundred and seventy-nine of the General Laws, and having a usual place of business in the city of Boston, hereinafter called the corporation, may, by deed, instrument of trust, or other instrument of conveyance, duly executed, convey and transfer to any bank, trust company, corporate trustee, or charitable organization, and said bank, trust company, corporate trustee, or charitable organization is hereby authorized and empowered to receive, and thereafter to hold and maintain, but for cemetery and charitable purposes only, and subject to all rights heretofore existing in any burial lots, all or part of the real and personal property of the corporation subject to the terms of said deed, instrument of trust, or other instrument of conveyance.

SECTION 2. In so far as authorized by the deed, instrument of trust, or other instrument of conveyance, said bank, trust company, corporate trustee, or charitable organization, upon taking possession and assuming control of said property as provided in section one, may receive from the corporation all funds and other property held by the corporation in trust for the perpetual care of the lots in said cemetery and for other charitable purposes, and also any property devised or bequeathed to the corporation under the will of any person living at the time of said transfer or conveyance, or under the will of any deceased person, which will has not then been probated. Interest and dividends accruing on funds deposited in trust with any savings bank under authority of section twenty-five of chapter one hundred and sixty-eight of the General Laws, or with any other banking institution, for the benefit of the corporation, or of any lot in said cemetery, may, after such conveyance, be paid by such bank or institution to the treasurer of said bank, trust company, corporate trustee, or charitable organization; and upon such payment, said treasurer shall use the same for the purposes of said trust.

SECTION 3. All real and personal property and property rights acquired by said bank, trust company, corporate trustee, or charitable organization, from said corporation under authority of this act, shall be held and managed by said bank, trust company, corporate trustee, or charitable organization in accordance with the terms of the deed, instrument of trust, or other instrument of conveyance, provided that all rights which any persons have acquired in the cemetery of the corporation or in any lot therein shall remain in force to the same extent as if this act had not been passed and such transfer had not occurred.

*Approved June 4, 1962.*

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**Chap. 531.** AN ACT REQUIRING THE LICENSING OF THE SALE OF  
AUTOMOTIVE LUBRICATING OIL.

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

SECTION 1. Paragraph (1) of section 295A of chapter 94 of the General Laws, as appearing in section 1 of chapter 515 of the acts of 1950, is hereby amended by inserting after the word "fuel", in line 3, the words: — or automotive lubricating oil.

SECTION 2. Section 295B of said chapter 94, as most recently amended by chapter 443 of the acts of 1957, is hereby further amended by inserting after the word "fuel", in line 2, the words: — or automotive lubricating oil.

*Approved June 4, 1962.*

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**Chap. 532.** AN ACT PROVIDING FOR THE MAINTENANCE OF A CERTAIN  
BRIDGE ACROSS THE CHARLES RIVER IN THE CITY OF BOS-  
TON WITHOUT A DRAW.

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

The bridge constructed by the Boston Elevated Railway Company and maintained by the Metropolitan Transit Authority, under chapter five hundred and twenty of the acts of nineteen hundred and six, across the Charles River, being part of the East Cambridge viaduct, so called, may be maintained without a draw, subject to the laws of the United States.

*Approved June 4, 1962.*

**Chap. 533.** AN ACT PROVIDING THAT THE STATE DEPARTMENT OF PUBLIC WORKS SHALL INSTALL AND MAINTAIN ADEQUATE LIGHTING ON THE TYNGSBOROUGH BRIDGE.

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

The department of public works is hereby authorized and directed to install and maintain adequate lighting on the Tyngsborough bridge across the Merrimack river in the town of Tyngsborough. For said purpose the said department may expend such sums as may be appropriated therefor.

*Approved June 5, 1962.*

**Chap. 534.** AN ACT PROVIDING THAT THE SELECTMEN OF THE TOWN OF EDGARTOWN SHALL, AS RESPECTS THE CHAPPAQUIDDICK FERRY IN SAID TOWN, HAVE THE POWERS AND DUTIES WHICH ARE VESTED IN COUNTY COMMISSIONERS.

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

The selectmen of the town of Edgartown shall, as respects the Chappaquiddick ferry in said town, have the powers and duties which are vested in county commissioners under the provisions of sections one, two and six of chapter eighty-eight of the General Laws.

*Approved June 6, 1962.*

**Chap. 535.** AN ACT CLARIFYING THE RESPONSIBILITY OF THE DEPARTMENT OF PUBLIC WELFARE IN PROVIDING FOSTER CARE FOR CHILDREN.

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

The first sentence of section 23 of chapter 119 of the General Laws, as appearing in section 1 of chapter 646 of the acts of 1954, is hereby amended by inserting after the word "responsibility", in line 1, the words: — , including financial responsibility.

*Approved June 6, 1962.*

**Chap. 536.** AN ACT REDUCING THE FEES FOR FILING AND RECORDING ARTICLES OF ORGANIZATION OF CREDIT UNIONS.

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

Section 3 of chapter 171 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 21 of chapter 493 of the acts of 1961, 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 and recording the articles of organization, including the issuing by the state secretary of the certificate of incorporation, shall be ten dollars.

*Approved June 6, 1962.*

**Chap. 537.** AN ACT TO PROVIDE ADDITIONAL WATER SUPPLY FOR THE CITY OF LEOMINSTER.

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

SECTION 1. For the purpose of supplying the inhabitants of the city of Leominster and the towns of Lancaster and Bolton with water, the city of Leominster is hereby authorized to contract with the town of Bolton for obtaining a water supply in the town of Bolton and to contract with the towns of Lancaster and Bolton for the construction and laying of water transmission lines and to enter into agreements with each other as to the use of such water supply, and to make such other agreements as may be necessary to carry out the purposes of this act; provided, that no such contract or agreement shall be valid until it shall have received the approval of the water resources commission as to the adequacy of the supply and the amounts of water to be available to the towns of Bolton and Lancaster and the city of Leominster; and provided further, that no source of water supply and no lands necessary for protecting and preserving the purity of the water shall be taken or used under the authority of this act without first obtaining the advice and approval of the state department of public health. Such contract or agreement shall take effect upon its acceptance by a two-thirds vote of the city council of Leominster and a majority of the votes of an annual or special town meeting of the town of Bolton and of the town of Lancaster.

SECTION 2. Upon the acceptance of the contract or contracts by the three contracting municipalities, the city of Leominster is hereby authorized to acquire by eminent domain under chapter seventy-nine of the General Laws, or by lease, purchase, gift, devise or otherwise acquire and hold lands, rights of way and other easements necessary for putting into effect the said contract or agreement and construct, build, lay out or otherwise provide such wells, pipe lines, pumping stations or other facilities as may be necessary for the purposes of this act.

SECTION 3. This act shall take effect upon its acceptance by the affirmative vote of two thirds of all the members of the city council of the city of Leominster and upon its acceptance by a majority vote at an annual or special town meeting of the town of Bolton and of the town of Lancaster held within two years after the effective date of this act, but not otherwise.

*Approved June 6, 1962.*

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**Chap. 538.** AN ACT RELATIVE TO THE TERMS OF CERTAIN NOTES TO BE ISSUED BY THE COMMONWEALTH.

*Whereas*, The deferred operation of this act would cause great inconvenience in the issue of notes to carry out the purposes of chapter four hundred and fifty 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:*

Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section two of chapter four hundred and fifty of the acts of the current year, further extending the opportunity to cities and towns to borrow under the act creating the

emergency finance board, 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, as recommended by the governor in a message to the general court, dated May sixteenth, nineteen hundred and sixty-two, in pursuance of section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

*Approved June 7, 1962.*

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**Chap. 539.** 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. Chapter three hundred and fifty-eight of the acts of nineteen hundred and sixty-one is hereby repealed.

SECTION 2. 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 either of the parcels of land with the building thereon hereinafter described and to renovate, originally furnish and equip the building so purchased.

*Parcel 1.* The land with a building thereon located on the south side of State street in the city of Springfield, 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.

*Parcel 2.* The land with a building thereon located on the north side of said State Street in said city, said land being bounded and described as follows: — Beginning at a stone bound located on the southerly line of Elm Street, said bound being located at the northeasterly corner of land herein described; thence southerly along land of the county of Hampden two hundred thirty-seven (237.75) and 75/100 feet; thence westerly along the northside of State Street one hundred and thirty-five (135.93) and 93/100 feet to land now or formerly of the city of Springfield; thence northerly along land now or formerly of the city of Springfield and now or formerly of Socony-Vacuum Oil Co. Inc., two hundred thirty-eight (238.23) and 23/100 feet to Elm Street; and thence easterly along said Elm Street to the place of beginning, one hundred thirty (130) and no/100 feet.

SECTION 3. 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 1962. 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 4. This act shall take effect upon its passage.

*Approved June 7, 1962.*

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**Chap. 540.** AN ACT TO AUTHORIZE THE SOUTH DEERFIELD WATER SUPPLY DISTRICT TO OBTAIN AN ADDITIONAL WATER SUPPLY.

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

SECTION 1. The South Deerfield Water Supply District, for the purpose of increasing and protecting its water supply by means of driven, artesian or other wells and ponds, and by the construction and maintenance of filter beds, reservoirs and other works or structures, may acquire from time to time by purchase or otherwise, and hold any portion of a certain parcel of land in the town of Whately, bounded and described as follows:—Beginning at a point in the easterly sideline of Interstate Route 91, said point being opposite station one hundred seventy-five plus seventy-nine and fifty-seven hundredths in the base line of location of said Interstate Route 91; thence north, eight degrees thirty-one minutes nineteen seconds east a distance of one thousand sixty-eight and thirty-five hundredths feet to a point; thence north, eight degrees thirty-one minutes twenty-six seconds east a distance of two hundred fifty-two and eight hundredths feet to a drill hole in a Mass. Highway Bound; thence north, eleven degrees fifteen minutes forty-one seconds east a distance of one hundred twenty-eight and thirty-seven hundredths feet to a point; thence north, eight degrees thirty-one minutes twenty-one seconds east a distance of one hundred four feet to a point; thence north, twenty-four degrees eleven minutes thirty-eight seconds east a distance of two hundred fifty-six and seventy hundredths feet to a Mass. Highway Bound; thence north twenty-eight degrees three minutes fifty-five seconds east a distance of one hundred forty and forty hundredths feet to a point, the last six courses being along the easterly sideline of said Interstate Route 91 and Route 510 relocations; thence north, eighty-one degrees twenty-nine minutes twenty seconds east along land of Walter F. and Caroline E. Puchalski and along land of Toefila Karas a distance of six hundred eight and eighty-seven hundredths feet to a point; thence south, seven degrees zero minutes zero seconds west along land of Boston and Maine Railroad, a distance of one thousand eight hundred eighty-six and fifty-two hundredths feet to

a point; thence south, eighty-one degrees fifty-six minutes fifty seconds west along land of Lena Ciborowski a distance of seven hundred eighty-five and fifteen hundredths feet to the point of beginning. Containing thirty-one and two hundred and two thousandths acres, more or less, together with any water or water rights therein or any water tributary to water therein, and also all lands, rights of way and easements necessary for procuring, holding and distributing said water, and for any other purpose connected with the maintenance of said water supply.

SECTION 2. Said district may erect on the lands taken or held under authority of this act such wells, galleries, dams, fixtures, reservoirs and other structures as it may deem proper, and may make such excavations and procure and operate such machinery and do such other things as may be necessary for providing and maintaining effective water works; and for that purpose may lay and maintain aqueducts, conduits, pipes and other works under and over any lands or ways in said territory, and under or along any ways in said town, in such manner as shall not unnecessarily obstruct the same; provided, that no source of water supply or lands necessary for preserving the quality of the water shall be so taken or used without first obtaining the advice and approval of the department of public health.

SECTION 3. The inhabitants of the town of Whately shall at all times have free access to and use of water in the area described in section one for all normal domestic and commercial uses, for fire purposes, and a reasonable amount for industrial use as determined by the water resources commission.

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

*Approved June 7, 1962.*

**Chap. 541.** AN ACT FURTHER REGULATING CERTAIN HAWKERS AND PEDDLERS.

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

Chapter 101 of the General Laws is hereby amended by inserting after section 22 the following section: —

Section 22A. No license shall be issued pursuant to section twenty-two to a person for the business of selling or exposing for sale from a mobile vending or peddling vehicle prepared food, meals or lunches intended to be consumed by the purchaser without further preparation or processing thereof by the purchaser, unless a certificate of registration as required by section three hundred and five C of chapter ninety-four has been issued for the premises or place of business at which such food, meals or lunches are prepared, handled or processed. The location of said premises or place of business and the fact that they have been so registered shall be endorsed upon the license issued under said section twenty-two.

*Approved June 7, 1962.*

**Chap. 542.** AN ACT AUTHORIZING THE ARMORY COMMISSION TO CONVEY CERTAIN LAND IN THE CITY OF PITTSFIELD TO SAID CITY.

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

SECTION 1. The armory commission, in the name and on behalf of the commonwealth, is hereby authorized, subject to the approval of the



governor and council, to convey to the city of Pittsfield, a certain parcel of land with the building thereon, owned by the commonwealth and located in said city, said land to be used by said city for municipal purposes. Said parcel of land is shown on a plan of land entitled "Armory Site, now or formerly Powers and Burbank, Pittsfield, Mass.; dated May, 1907" and recorded in the Registry of Deeds for Berkshire County, Middle District, Book 337, Page 216, and bounded and described as follows: — Northerly, one hundred six and fifteen hundredths (106.15) feet by the southerly line of Summer Street; easterly, one hundred forty-six and forty-four hundredths (146.44) feet by land now or formerly of George W. Burbank; southerly, one hundred six and fifty-three hundredths (106.53) feet by land now or formerly of C. I. Bigley and C. C. Gamwell; and westerly, one hundred fifty and fifteen hundredths (150.15) feet by land now or formerly of Charles H. Burbank. The deed conveying said parcel of land shall be approved as to form by the attorney general.

SECTION 2. Title to said parcel of land described in section one shall revert to and revert in the commonwealth, whenever it ceases to be used for municipal purposes.

*Approved June 7, 1962.*

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**Chap. 543.** AN ACT RELATIVE TO PENSIONS OF CERTAIN JUSTICES OF THE DISTRICT COURTS.

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

Section thirteen of chapter seven hundred and thirty-eight of the acts of nineteen hundred and fifty-six is hereby repealed.

*Approved June 7, 1962.*

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**Chap. 544.** AN ACT PROVIDING FOR THE EXTENSION OF THE DATES OF TERMINATION OF CERTAIN ACTS RELATING TO THE RIGHTS AND PRIVILEGES OF VETERANS.

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

SECTION 1. Chapter 708 of the acts of 1941 is hereby amended by striking out section 25, as most recently amended by section 1 of chapter 619 of the acts of 1960, and inserting in place thereof the following section: — *Section 25.* Service in the military or naval forces of the United States referred to in this act shall, except as otherwise provided thereby, mean such service occurring between January first, nineteen hundred and forty and July first, nineteen hundred and sixty-four.

SECTION 2. Paragraph (h) of subdivision (1) of section 4 of chapter 32 of the General Laws is hereby amended by striking out the third subparagraph, as most recently amended by section 2 of said chapter 619, and inserting in place thereof the following subparagraph: —

Any member who served in the armed forces between January first, nineteen hundred and forty and July first, nineteen hundred and sixty-four, shall have such actual service credited to him as creditable service when reinstated or re-employed in his former position or in a similar position within two years of his discharge or release from such service. The provisions of sections nine and nine A of chapter seven hundred and

eight of the acts of nineteen hundred and forty-one, as amended, and as may be further amended, shall be applicable to any such veteran referred to therein.

SECTION 3. Said chapter 32 is hereby further amended by striking out section 58A, as most recently amended by section 3 of said chapter 619, and inserting in place thereof the following section: — *Section 58A.* A veteran eligible to retirement under section fifty-six, fifty-seven or fifty-eight, who was employed in the service of the commonwealth, or any county, city, town or district thereof, prior to his entry into wartime service as defined in section twenty-one of chapter thirty-one, and upon whose discharge or release therefrom was reinstated or re-employed within two years in his former position or a similar position, shall have credited to him as creditable service the period of his wartime service until the date of his discharge or release from such service, which shall include credit for any actual service in the armed forces between January first, nineteen hundred and forty and July first, nineteen hundred and sixty-four.

SECTION 4. This act shall take effect as of July first, nineteen hundred and sixty-two.

*Approved June 7, 1962.*

**Chap. 545.** AN ACT RELATIVE TO THE COMPILATION AND PUBLICATION OF REGULATIONS UNDER THE STATE ADMINISTRATIVE PROCEDURE ACT.

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

Chapter 30A of the General Laws is hereby further amended by striking out section 6, as appearing in section 1 of chapter 681 of the acts of 1954, and inserting in place thereof the following section: — *Section 6.* Unless exempted in whole or in part therefrom by the commissioner of administration, each agency shall compile all of its regulations currently in effect and cause them to be published in pamphlet, looseleaf or other appropriate form in printed, mimeographed or other written manner, and shall make the publication available for distribution to any interested person on request. The publication may be compiled in separate parts and shall be kept currently up to date in any manner the said commissioner deems practicable. In such publication may be included an informal description of the organization and procedures of the agency, and any other explanatory information the agency considers useful to aid interested persons in dealing with it. Except where any law requires distribution to designated persons or groups without request, the agency is authorized to charge not more than cost for each copy of the publication distributed upon request. The charge shall be subject to the approval of the state purchasing agent, in accordance with the procedure provided in section twenty-nine of chapter seven. The commissioner of administration, if he finds that any agency fails to comply with this section, shall report the matter to the governor and council and to the house and senate committees on ways and means. All agencies shall file with the state secretary copies of their publications of compiled regulations.

*Approved June 7, 1962.*

**Chap. 546.** AN ACT CHANGING THE NAME OF WESTFIELD STATE SANATORIUM TO WESTERN MASSACHUSETTS HOSPITAL.

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

SECTION 1. The name of the Westfield state sanatorium is hereby changed to Western Massachusetts hospital.

SECTION 2. Section 63 of chapter 111 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 2 and 3, the words "Lakeville and Westfield" and inserting in place thereof the words: — and Lakeville, and the Western Massachusetts hospital.

SECTION 3. Section 64 of said chapter 111, as so appearing, is hereby amended by inserting after the word "department", in line 4, the words: — and at Western Massachusetts hospital, — and by inserting after the word "sanatorium", in line 5 and in line 7, in each instance, the words: — and Western Massachusetts hospital.

SECTION 4. Section 65 of said chapter 111, as most recently amended by chapter 460 of the acts of 1957, is hereby further amended by striking out, in line 5, the words "Westfield state sanatorium" and inserting in place thereof the words: — Western Massachusetts hospital.

SECTION 5. Section 69E of said chapter 111, as most recently amended by chapter 494 of the acts of 1959, is hereby further amended by striking out, in lines 8 and 9, the words "the Westfield state sanatorium" and inserting in place thereof the words: — Western Massachusetts hospital, — and by striking out, in lines 12 and 13, the words "hospital and sanatorium" and inserting in place thereof the words: — hospitals and sanatoria.

SECTION 6. Section 69H of said chapter 111, as amended by section 3 of chapter 459 of the acts of 1957, is hereby further amended by striking out, in line 3, the words "or sanatorium".

SECTION 7. The last sentence of section 69 I of said chapter 111, as amended by section 4 of said chapter 459 of the acts of 1957, is hereby amended by striking out, in line 3 and in line 8, in each instance, the words: — or sanatorium.

*Approved June 7, 1962.*

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**Chap. 547.** AN ACT REQUIRING THAT PROMOTIONS IN THE CLASSIFIED LABOR SERVICE BE POSTED.

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

Section 8 of chapter 31 of the General Laws, as most recently amended by chapter 318 of the acts of 1959, is hereby further amended by adding at the end thereof the following paragraph: —

Within fourteen days after the approval of the director of civil service of a promotion in the classified labor service, the appointing authority shall cause to be posted in all areas under the control of such authority where five or more civil service employees start their tour of duty, the name, permanent title, position to which promoted, and date of seniority of the person or persons so promoted. Any such appointing officer who neglects or wilfully refuses to post a copy of such list shall be punished by a fine of not more than one hundred dollars.

*Approved June 7, 1962.*

**Chap. 548.** AN ACT PROVIDING THAT CERTAIN PUBLIC EMPLOYEES EMPLOYED IN TEMPORARY, PROVISIONAL, OR SUBSTITUTE POSITIONS MAY BECOME MEMBERS OF THE CONTRIBUTORY RETIREMENT SYSTEM.

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

Subdivision (5) of section 3 of chapter 32 of the General Laws is hereby amended by striking out the first sentence, as amended by chapter 409 of the acts of 1961, and inserting in place thereof the following sentence: — Any member of any system who had rendered service as an employee of any governmental unit other than that by which he is presently employed, for any previous period during which the first governmental unit had no contributory retirement system or during which he had inchoate rights to a non-contributory pension or in a position which was not subject to an existing retirement system, or which was specifically excluded therefrom but which would be covered under the law now in effect, or any member who during any period of service for the governmental unit by which he is presently employed had such inchoate rights or was so excluded from membership, 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, or any member who had a right to become a member of an existing system in any other governmental unit and who did not exercise such right, and who, when he left the service of such other governmental unit, had such right, or any member of any system who rendered service in any governmental unit other than that by which he is presently employed, in a temporary, provisional, or substitute position and who was excluded from membership by the rules of any board, may, before the date any retirement allowance becomes effective for him, pay into the annuity savings fund of the system in one sum, or in instalments, upon such terms as the board may prescribe, an amount equal to that which would have been withheld as regular deductions from his regular compensation for such previous period, or most recent portion thereof, as he may elect, in no event aggregating more than twenty years, had such service been rendered in the governmental unit by which he is presently employed and in a position subject to the provisions of this chapter, or to corresponding provisions of earlier laws. *Approved June 7, 1962.*

**Chap. 549.** AN ACT AUTHORIZING AND DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO CONSTRUCT AN ATHLETIC PLANT IN THE CITY OF MEDFORD.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the construction of an athletic plant in the city of Medford by the metropolitan district commission, 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 metropolitan district commission is hereby authorized and directed to construct an athletic plant in the city of Med-

ford on land to be acquired by said commission and may expend for such purpose a sum not to exceed five hundred thousand dollars.

SECTION 2. For the purpose set forth in section one the sum of five hundred thousand dollars is hereby transferred from funds made available by item 9027-01 of section two of chapter five hundred and seventeen of the acts of nineteen hundred and sixty-one, provided, however, that the city of Medford shall make available to the metropolitan district commission any funds received by it from the commonwealth for the taking by eminent domain of Gillis Stadium in said city.

*Approved June 11, 1962.*

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**Chap. 550.** AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO CONSTRUCT, MAINTAIN AND OPERATE A DAM ACROSS THE CHARLES RIVER.

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

SECTION 1. The metropolitan district commission, hereinafter called the commission, is hereby authorized and directed to construct, maintain and operate a dam with locks, a drawbridge if needed, works and appurtenances across the estuary of the Charles river at or in the vicinity of the abandoned Warren Avenue bridge in the city of Boston.

SECTION 2. The word "basin", as defined in section two of chapter five hundred and twenty-four of the acts of nineteen hundred and nine, shall include the waters and lands lying between the present Charles River dam and the dam to be constructed under this act.

SECTION 3. The commission, for the purposes 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, waters, water rights, rights of way, easements or other property or interest in property, and shall have all the rights, powers and duties and be subject to the limitations of sections thirty-two, thirty-three and thirty-five of chapter ninety-two of the General Laws, and all other applicable provisions of said chapter ninety-two; provided, however, that the city of Boston shall grant to said commission the right to enter upon any public land or way and to construct, maintain and operate such facilities as may be necessary, without recourse to damages therefor; and provided, further, that the commission may accept grants of properties, rights or monies and enter into agreements, in form approved by the attorney general, with any department, commission or agency of the commonwealth or any railroad or other public franchise holder or agency as provided by said chapter ninety-two.

SECTION 4. The commission may, on behalf of the commonwealth, make application for and use such federal funds or assistance or both as it may obtain for the planning or construction of the said dam or any part of the total project.

SECTION 5. To meet the expenditure 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 five million dollars. Funds provided in this act are to be in addition to the

amount appropriated in chapter six hundred and forty-six of the acts of nineteen hundred and fifty-seven. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Charles River Basin Improvement Loan, Act of 1962, and shall be on the serial payment plan for such maximum term of years, not exceeding thirty 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 ninety-five. All interest payments and payments on account of principal on such obligations shall be paid from the metropolitan district park funds, to be assessed by methods fixed by law.

SECTION 6. This act shall take effect upon its passage.

*Approved June 11, 1962.*

**Chap. 551.** AN ACT RELATIVE TO THE ANTICIPATORY REPAYMENT OF CERTAIN NOTES SECURED BY A MORTGAGE OF REAL ESTATE.

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

SECTION 1. Chapter 183 of the General Laws is hereby amended by adding at the end the following section: —

*Section 56.* Any mortgage note secured by a first lien on a dwelling house of three or less separate households occupied or to be occupied in whole or in part by the mortgagor shall be subject to the condition that, if, upon the bona fide sale of such dwelling house by the mortgagor the note be paid before the date fixed for payment, (a) any additional amount required to be paid in such event shall be an amount which shall not be in excess of the greater of three months' interest or the balance of the first year's interest, and (b) no such additional amount shall be charged when such anticipatory payment upon such sale shall be made after the expiration of thirty-six months from the date of the note. The provisions of this section limiting the amount of such additional payments shall not apply in the event of refinancing of such loans or to mortgage loans insured by the Federal Housing Administrator or guaranteed by the Administrator of Veterans' Affairs. No provision hereof shall prevent any note from being a negotiable instrument under the Uniform Commercial Code.

SECTION 2. The provisions of this act shall not apply to any mortgage note executed prior to the effective date of this act.

*Approved June 11, 1962.*

**Chap. 552.** AN ACT RELATIVE TO THE CONSTRUCTION OF FLOOD PROTECTION WORKS IN THE CHICOPEE RIVER AND PROVIDING FOR THE FINANCING IN PART OF SAID WORKS BY THE COMMONWEALTH AND THE CITY OF CHICOPEE.

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

SECTION 1. For the purpose of participating with the federal government in the construction of certain works for the protection of property against flood in the Chicopee River at Chicopee Falls in the city of Chicopee, as authorized by the Congress by the federal Flood Control Act (Public Law 645-86th Congress), known as the Chicopee Falls Project, the water resources commission is hereby authorized to give the necessary assurances to the Secretary of the Army that the conditions imposed on the local interests by the law will be met.

SECTION 2. The water resources commission, hereinafter called the commission, is authorized to pay to the Secretary of the Army of the United States, on his demand, such sums as may be required to pay for the non-federal share of the cost of the project, not exceeding four hundred thousand dollars, providing the city of Chicopee gives satisfactory assurances to the commission to maintain and operate all the works after completion in accordance with regulations prescribed by the Secretary of the Army. The value of land acquired by the city and other non-federal project costs paid by the city as a part of the project cost, which are approved by the commission, will be charged to the commission for payment out of the funds made available under section four of this act.

SECTION 3. The city of Chicopee shall provide the land for the project and 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 other easements, public or private, as required by the Secretary of the Army for the construction of the works authorized under this act.

SECTION 4. To meet the non-federal cost of the project for the construction of the Chicopee Falls Flood Protection Project, 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 four hundred thousand dollars. All bonds issued by the commonwealth as aforesaid shall be designated on their face Chicopee Falls Flood Protection Loan, Act of 1962, and shall be on the serial payment plan for such maximum term of years, not exceeding ten years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issuance thereof.

SECTION 5. The governor and council may request the state treasurer to enter into an agreement with the Secretary of the Army to finance the

payment of the eligible portion of the non-federal cost under the provisions of section 203 of title II of the federal Flood Control Act, if considered in the best interest of the commonwealth.

SECTION 6. The state treasurer shall notify annually on January first the city of Chicopee of its assessment based on fifty per cent of the interest and principal payments on the bonds issued in accordance with section four of this act and the annual payment, if any, made to the federal government under the provisions of section five of this act with the assessments to be paid to the commonwealth by the following May first.

*Approved June 11, 1962.*

**Chap. 553.** AN ACT RELATIVE TO THE ADMINISTRATION AND PERSONNEL OF THE STATE COLLEGES.

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

Section 1 of chapter 73 of the General Laws, as most recently amended by section 6 of chapter 403 of the acts of 1960, is hereby further amended by adding the following five paragraphs: —

The board of education shall have complete authority with respect to the election or appointment of officers and professional staff of the above named colleges, including the dismissal, promotion, demotion and transfer, including the assignment of their respective ranks and duties within quotas and titles established in the appropriation act by the general court. For the purposes of this section, professional staff shall include all persons employed for actual instruction of students and corresponding positions in the fields of experiment, extension, law enforcement and related activities.

The board may hire such professional personnel at a rate above the minimum and within the grade to which the position is allocated upon determination of the board that the person to be employed has served satisfactorily in a comparable position for a period of time equivalent to the period required by the general salary schedule had such service been entirely in the service of the commonwealth.

The board may, without prior approval, within the limits of appropriation made therefor, engage consultants and lecturers and employ such temporary professional employees at rates and in titles corresponding to permanent positions authorized for said colleges as they shall determine necessary for the operation of said colleges for periods not exceeding the fiscal year.

Notwithstanding the provisions of paragraph (4) of section forty-six of chapter thirty, the board shall have full authority to grant or to withhold as therein provided step-rate increases for officers and professional employees; provided, however, that each such employee denied a step-rate increase as authorized in the general salary schedule shall be notified and shall have the same right of appeal as provided in said paragraph (4).

The board may, notwithstanding the provisions of section twenty-one of said chapter thirty, authorize the payment of overtime or extra compensation to such professional employees, within the limits of appropriations made therefor, for such services rendered in summer sessions or other periods outside the session periods of the normal academic year; provided, that the board shall determine that such services shall not interfere with regular full-time activities as provided by law required of such professional employees.

*Approved June 11, 1962.*



**Chap. 554.** AN ACT PROVIDING FOR THE IMPROVEMENT AND EXTENSION BY THE METROPOLITAN DISTRICT COMMISSION OF MEMORIAL DRIVE IN THE CITY OF CAMBRIDGE.

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

The metropolitan district commission is hereby authorized and directed to construct an overpass or underpass and necessary approaches thereto on Memorial Drive in the city of Cambridge at River street, at Western avenue, and at Boylston street, in order to relieve congestion, to expedite the flow of vehicular traffic and to promote the public safety.

The metropolitan district commission is hereby further authorized and directed to continue and complete said Memorial Drive from Eliot Circle in said city of Cambridge to the Watertown line.

For the purposes of this act said commission may expend such sums as may be appropriated.

*Approved June 11, 1962.*

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**Chap. 555.** AN ACT TO PROVIDE FOR JOINT SPECIAL EDUCATION PROGRAMS FOR EMOTIONALLY DISTURBED CHILDREN.

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

Chapter 71 of the General Laws is hereby amended by inserting after section 46I the following section: —

*Section 46J.* Any city or town or regional school district may, with the approval of the department of education and the department of mental health, join with any other city, town or regional school district to provide the special instruction and training for emotionally disturbed children authorized under section forty-six H.

*Approved June 11, 1962.*

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**Chap. 556.** AN ACT RELATIVE TO AID TO DEPENDENT CHILDREN.

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

SECTION 1. Section 2 of chapter 118 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by chapter 385 of the acts of 1959, and inserting in place thereof the following sentence: — In every town the board of public welfare, subject to the supervision of the department and in compliance with the rules and regulations adopted by the department pursuant to the provisions of this chapter, shall aid every parent in properly bringing up, in his or her own home, each dependent child but no aid shall be granted under this chapter for or on account of any child unless (1) such child has resided in the commonwealth one year immediately preceding the application for such aid, or (2) such child was born within one year immediately preceding such application, if its parent has resided in the commonwealth for one year immediately preceding the application or birth.

SECTION 2. Said chapter 118 is hereby amended by striking out section 3, as appearing in section 1 of chapter 413 of the acts of 1936, and inserting in place thereof the following section: — *Section 3.* Except as hereinafter provided, the board of public welfare shall determine that aid is necessary to enable such parent to bring up such child or children. For this purpose the board shall make an immediate and

careful inquiry, including the resources of the family and the ability of its other members, if any, to work or otherwise contribute to its support, the existence of relatives able to assist the family, and societies or agencies who may be interested therein; shall take all lawful means to compel all persons bound to support such parent and such child or children to support them, and to enforce any other legal rights for their benefit; shall press all members of the family who are able to work, other than such parent and such child or dependent children, to secure work; shall try to secure work for them; and shall secure all necessary aid for such parent and such child or children which can be secured from relatives or organizations. This section shall not prevent such board of public welfare from giving prompt and suitable temporary aid, pending compliance with the requirements of this section, when in its opinion such aid is necessary. A detailed statement of expenses incurred under this section shall be rendered to the department, together with such certificates or other guarantees as it may require.

*Approved June 11, 1962.*

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**Chap. 557.** AN ACT RELATING TO THE ASSESSMENT OF THE CORPORATION EXCISE.

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

SECTION 1. Chapter 63 of the General Laws is hereby amended by striking out section 44, as most recently amended by section 9 of chapter 548 of the acts of 1960, and inserting in place thereof the following section: — *Section 44.* The commissioner shall determine, from the returns required by this chapter and from any other available information, and shall assess, the excise provided by sections thirty to fifty-two, inclusive, of this chapter, at any time within three years after the date the return was filed or the date it was due, whichever occurs later. Any excise not assessed within said period, or such further period as may be agreed upon under section forty-five A, shall be deemed to be assessed at the amount shown on the return as the excise due; provided, that the return is not false or fraudulent and filed with intent to evade a tax. He shall not be required to assess the excise provided by subsection (d) of section thirty-two upon any corporation with respect to which he may apply to the supreme judicial court for dissolution pursuant to the provisions of section fifty A of chapter one hundred and fifty-five, or to assess the excise provided by subsection (d) of section thirty-nine on any foreign corporation which he determines to be in default of the obligations assumed by it upon its registration to do business in this commonwealth in accordance with the pertinent provisions of law relating to such registration. He shall include in such assessment interest upon any portion of the excise overdue at the time of assessment which shall thereupon become a part of the tax and bear interest as provided in section forty-eight. Except as otherwise provided in this chapter, the excise, or the part thereof, provided by clause (1) of subsection (a) and subsections (b), (c) and (d) of section thirty-two and clause (1) of subsection (a) and subsections (b), (c) and (d) of section thirty-nine, shall be assessed and collected in the same manner and with the same powers as provided in this chapter for the taxation of corporate franchises, and shall be subject to the other administrative provisions thereof. He shall not

determine the income of any corporation, which has filed a return within the time prescribed by law, to be in excess of the income shown by its return without first giving notice to the corporation to be assessed of his intention and giving it an opportunity, within thirty days after the date of such notification, to explain the apparent incorrectness of its return. After the expiration of thirty days from the date of such notification, the commissioner shall determine and assess the excise of such corporation with interest as aforesaid.

SECTION 2. Said chapter 63 is hereby further amended by striking out section 45, as most recently amended by section 2 of chapter 549 of the acts of 1955, and inserting in place thereof the following section: — *Section 45.* If the commissioner discovers from the verification of a return, or otherwise, that the full amount of any tax due under sections thirty to fifty-one, inclusive, or under section sixty-seven, has not been assessed, he may assess the same, with interest as provided in section forty-eight to the date when the additional tax so assessed is required to be paid hereunder, first giving notice to the corporation to be assessed of his intention, at any time within three years after the date the return was filed or the date it was due, whichever occurs later; and a representative of the corporation shall thereupon have an opportunity, within thirty days after the date of such notification, to confer with the commissioner as to the proposed assessment. After the expiration of thirty days from the date of such notification the commissioner shall assess the amount of the tax remaining due the commonwealth with interest as aforesaid and shall give notice to the corporation so assessed. Any tax so assessed shall be required to be paid to the commissioner fourteen days after the date of the notice.

SECTION 3. Said chapter 63 is hereby further amended by striking out section 46, as most recently amended by section 3 of said chapter 549, and inserting in place thereof the following section: — *Section 46.* If a corporation which has been notified by the commissioner that it has failed to file a return or has filed an incorrect or insufficient return, refuses or neglects within thirty days after the date of such notification to file a proper return, or if a corporation has filed a fraudulent return, the commissioner shall determine, according to his best information and belief, the excise due and shall assess the same at double the amount so determined, which additional tax shall be in addition to the other penalties provided by this chapter.

If a corporation has filed no return or has filed a false or fraudulent return with intent to evade a tax, the commissioner may make an assessment at any time.

SECTION 4. Section 48 of said chapter 63, as most recently amended by section 1 of chapter 379 of the acts of 1956, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — If the assessment of any tax is in excess of the amount shown on the return as the excise due, the commissioner shall, as soon as may be, give written notice to the corporation of the amount of the assessment, the amount of any tax due from it and the time when the same is required to be paid, but failure to receive such notice shall not affect the validity of the tax.

SECTION 5. This act shall take effect with respect to assessments made after December thirty-first, nineteen hundred and sixty-two.

*Approved June 11, 1962.*

**Chap. 558.** AN ACT AUTHORIZING THE DEPARTMENT OF AGRICULTURE TO OFFER PRIZES FOR AND TO CONDUCT EXHIBITS OF BREEDING PONIES.

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

Section 2 of chapter 128 of the General Laws is hereby amended by striking out paragraph (f), as most recently amended by chapter 694 of the acts of 1956, and inserting in place thereof the following paragraph:—

(f) Offer prizes for and conduct exhibits of flowers, fruit, vegetables, grasses, grains or other farm crops, dairy products, honey, horses, breeding ponies, cattle, sheep, swine, poultry, poultry products, rabbits, hares, dairy goats, farm operations, and canned and dried fruits and vegetables, and offer prizes for, and in aid of, the elimination and suppression of insect pests. To properly display exhibits authorized in this paragraph, the department may expend such sums as may be appropriated therefor for the painting, renovation, remodeling and maintenance of the state agricultural and industrial building in the town of West Springfield and in the city of Brockton.

*Approved June 11, 1962.*

**Chap. 559.** AN ACT PERMITTING COMMUNITY COLLEGES TO CONDUCT SUMMER SESSIONS.

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

Section 27 of chapter 15 of the General Laws is hereby amended by adding at the end the following paragraph:—

Each regional community college may conduct summer sessions, provided that such sessions are operated at no expense to the commonwealth.

*Approved June 11, 1962.*

**Chap. 560.** AN ACT RELATIVE TO THE TAXATION OF CORPORATIONS DEALING EXCLUSIVELY IN SECURITIES ON THEIR OWN BEHALF.

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

SECTION 1. Section 38B of chapter 63 of the General Laws, as most recently amended by section 8 of chapter 550 of the acts of 1956, is hereby further amended by inserting after the word "broker", in line 4, the words:— and which either makes application with the commissioner for such classification before the end of the taxable year or has been so classified by the commissioner for a prior taxable year and such classification has not been revoked before the end of the taxable year.

SECTION 2. Said chapter 63 is hereby further amended by inserting after section 42B the following section:—

Section 42C. Every foreign corporation, which is engaged exclusively in buying, selling, dealing in, or holding, securities on its own behalf and not as a broker, shall be subject to the excise imposed by section thirty-nine.

SECTION 3. Section 56A of said chapter 63 is hereby amended by striking out the first sentence, as amended by section 13 of chapter 641 of the acts of 1951, and inserting in place thereof the following sentence:— A domestic business corporation or a foreign corporation

which is engaged exclusively in buying, selling, dealing in, or holding, securities on its own behalf and not as a broker may, before the end of the taxable year or such further period as the commissioner may permit, request determination of its tax under this chapter by a method other than that hereinbefore provided and hereinafter referred to as "the statutory method".

SECTION 4. This act shall take effect with respect to taxable years commencing after December thirty-first, nineteen hundred and sixty-two.

*Approved June 11, 1962.*

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**Chap. 561.** AN ACT PROVIDING THAT CERTAIN RECIPIENTS OF VETERANS' BENEFITS BE EXCLUDED FROM THE PROVISIONS OF LAW IMPOSING A LIEN UPON REAL ESTATE OWNED BY THEM.

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

Section 5A of chapter 115 of the General Laws, inserted by chapter 487 of the acts of 1958, is hereby amended by adding at the end the following paragraph: —

The provisions of this section shall not be applicable if the applicant for or the recipient of veterans' benefits is the dependent mother or father of a person who while in the armed forces of the United States during wartime was killed in action or died from service connected disability incurred in wartime service.

*Approved June 11, 1962.*

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**Chap. 562.** AN ACT PROVIDING THAT A CERTAIN BRIDGE CROSSING LAKE QUINSIGAMOND IN THE CITY OF WORCESTER, SHALL, WHEN CONSTRUCTED, BE DESIGNATED AS THE REPRESENTATIVE ERNEST A. JOHNSON MEMORIAL BRIDGE.

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

The bridge crossing Lake Quinsigamond in the city of Worcester and being a part of Interstate Route 290 shall, when constructed, be known and designated as the Representative Ernest A. Johnson Memorial Bridge in honor of the late Ernest A. Johnson, a member of the general court from the city of Worcester, who died while in office. A suitable marker bearing said designation shall be attached to said bridge by the department of public works; provided, however, that said marker does not conflict with the federal regulations for the national system of interstate and defense highways.

*Approved June 11, 1962.*

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**Chap. 563.** AN ACT TO PROVIDE DOMICILIARY FACILITIES FOR WOMEN VETERANS AT THE SOLDIERS' HOME IN MASSACHUSETTS.

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

Chapter 115A of the General Laws is hereby amended by adding after section 8 the following section: —

Section 9. Domiciliary facilities, not to exceed fourteen beds, and within the limitation of physical facilities, are hereby authorized for the

admission of female veterans at the Soldiers' Home in Massachusetts. Female veterans seeking admission shall be subject to all requirements, both federal and state, as may presently apply to other veteran applicants and services provided for domiciliary care shall be identical and equal to services provided male veterans.

*(The foregoing was laid before the governor on the fifth day of June, 1962, and after five days it had "the force of a law", as prescribed by the constitution, as it was not returned by him with his objections thereto within that time.)*

**Chap. 564.** AN ACT FURTHER REGULATING THE APPOINTMENT OF A SUPERINTENDENT OF A STATE INSTITUTION UNDER THE GENERAL SUPERVISION OF THE DEPARTMENT OF MENTAL HEALTH.

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

Section 28 of chapter 123 of the General Laws is hereby amended by inserting after the second sentence, as appearing in section 3 of chapter 598 of the acts of 1954, the following sentence: — If there are no physicians available with the aforesaid qualifications, the commissioner may submit to the trustees the name of a physician whom he shall certify to said trustees as qualified and eligible for the next scheduled examination for certification as a diplomate in psychiatry by the American Board of Psychiatry and Neurology, Incorporated, and the trustees may appoint said physician as superintendent on a temporary basis for a period not to exceed one year.

*Approved June 13, 1962.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, June 13, 1962.

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 564 of the Acts of 1962, entitled "An Act Further Regulating The Appointment Of A Superintendent Of A State Institution Under The General Supervision Of The Department Of Mental Health" and the enactment of which received my approval on June 13, 1962, 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 forthwith the temporary appointment of a superintendent of a state institution supervised by the Department of Mental Health so that proper supervision may be continued and maintained without costly and harmful interruption.

Very truly yours,

JOHN A. VOLPE,  
*Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, BOSTON, June 13, 1962.

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, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter five hundred and sixty-four of the acts of nineteen hundred and sixty-two.

KEVIN H. WHITE,  
*Secretary of the Commonwealth.*

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**Chap. 565.** AN ACT AUTHORIZING THE COMMONWEALTH TO BORROW MONEY FOR THE NON-FEDERAL COST OF A HURRICANE PROTECTION BARRIER IN NEW BEDFORD HARBOR AND PROVIDING FOR THE ASSESSMENT OF HALF OF SUCH COST UPON THE CITY OF NEW BEDFORD AND THE TOWNS OF ACUSHNET AND FAIRHAVEN.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the construction of a hurricane protection barrier in New Bedford Harbor, 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. For the purpose of participating with the federal government in building a hurricane protection barrier in New Bedford harbor, as authorized by the federal Flood Control Act of 1958, the water resources commission is hereby authorized to give the necessary assurance to the Secretary of the Army that the conditions imposed on the local interests by the law will be met.

SECTION 2. The water resources commission, hereinafter called the commission, is authorized to pay to the Secretary of the Army of the United States, on his demand, such sums as may be required to pay for the non-federal share of the cost of the project, including the estimated capitalized cost of the annual maintenance and operation of the hurricane protection barrier by the Corps of Engineers, not exceeding seven million dollars, providing the city of New Bedford, the town of Fairhaven, and the town of Acushnet give satisfactory assurances to the commission to reimburse the commonwealth, either jointly or individually, for fifty per cent of the non-federal costs of the project. The value of land acquired by any municipality and other non-federal project costs paid by a municipality as a part of the project cost, which are approved by the commission, shall be considered a part of the share that the municipality is obligated to pay to the commonwealth under this act.

SECTION 3. The city of New Bedford or the town of Fairhaven within their jurisdiction, or the commission, acting for and in behalf of either the above municipalities or the commonwealth, 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 other easements, public or private, as required by the Secretary of the Army for the construction of the works authorized under this act.

Lands acquired for the project pertaining to portions of the project which, upon completion, will be maintained by the United States will, if so requested by the United States, be conveyed by a quitclaim deed from the local interest acquiring same to the United States; or, if a formal conveyance is deemed unnecessary by the United States, permission to enter upon same for maintenance purposes shall be granted by the local interest acquiring same to the United States in the form of a permit or license, the terms of which are mutually agreed upon.

SECTION 4. To meet the non-federal cost of the project for the construction of the New Bedford harbor hurricane barrier and auxiliary works, 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 seven million dollars. All bonds issued by the commonwealth as aforesaid shall be designated on their face New Bedford Hurricane Barrier Loan, Act of 1962, and shall be on the serial payment plan for such maximum term of years, not exceeding thirty years, as the governor may recommend to the general court pursuant to section three 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 issuance thereof.

The state treasurer shall notify annually on January first the city of New Bedford and the towns of Fairhaven and Acushnet of their assessments for interest and principal payments on the bonds issued in accordance with this act, with the assessments to be paid to the commonwealth by the following May first.

SECTION 5. Up to fifty per cent of the amount each of the above municipalities is obligated to pay to the commonwealth under this act shall be assessed by said municipality on the land benefited by said hurricane protection barrier, in accordance with the provisions of chapter eighty of the General Laws.

SECTION 6. If any provision of this act or the application of such provision to any person, industries or circumstances is held invalid, the remainder of this act and the application of such provision to other persons, industries or circumstances shall not be affected.

*Approved June 13, 1962.*

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**Chap. 566.** AN ACT AUTHORIZING THE TURNERS FALLS FIRE DISTRICT TO TAKE WATER FROM ADDITIONAL SOURCES AND TO SELL WATER TO CERTAIN INDIVIDUALS.

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

SECTION 1. Chapter 266 of the acts of 1886 is hereby amended by striking out section 2 and inserting in place thereof the following section: — *Section 2.* Said fire district for the purpose aforesaid may take,



by purchase or otherwise, and hold the waters of Lake Pleasant and Green pond, or the waters of either of them with the water rights and water sources connected therewith and the waters, or any portion thereof, of any pond, spring or stream, or of any ground sources of supply by means of driven, artesian or other wells within the town of Montague and not already appropriated for the purposes of a public supply, and also that area in the village of Montague Center, bounded and described as follows: — Beginning at a point on Central street being that building housing the post office at the intersection of North and Central streets; thence easterly on Central street to Federal street; thence on Federal street to North Leverett road; thence northwesterly on North Leverett road to Sunderland road; thence northerly on Sunderland road to the house of one Kells at the intersection of Lower Taylor Hill road, so called; thence westerly on Lower Taylor Hill road to Taylor Hill road; thence northerly on Taylor Hill road to Meadow or Ferry road, so called; thence southeasterly on Meadow or Ferry road to Greenfield road; thence continuing southerly and southeasterly on Greenfield road to Bridge street; thence southerly on Bridge street to Central street; thence easterly on Central street to the post office building being the point of beginning; and may also, if it so elects, take a supply of water sufficient for all the purposes of this act from the Connecticut river at any point within the limits of the town of Montague. Said fire district may also take by purchase or otherwise and hold all lands in said town of Montague necessary for taking, holding and preserving such waters and conveying the same to and through any and all parts of the said Turners Falls Fire District and elsewhere in said town of Montague as hereinafter mentioned; provided, also, that in case the Western Massachusetts Electric Company, successors to Turners Falls Company and the said fire district cannot agree upon the location, laying and construction of the conduits, pipes and other works, upon, over or under, or along the present or projected canal and raceway of the Western Massachusetts Electric Company, then the conduits, pipes and other works shall be located, laid down and constructed under the direction of the county commissioners for the county of Franklin; and said fire district may erect and construct on the lands thus taken or held proper dams, buildings, fixtures and other structures, and may make excavations and procure and run machinery therefor, with such other means and appliances as may be necessary for complete and effective water works; and for that purpose may construct, lay down and maintain aqueducts, conduits, pipes and other works under or over any lands, water courses, roads, railroads, or other ways, and along any street, highway, or other way in said town of Montague, in such manner as not to unnecessarily obstruct the same; and for the purpose of constructing, laying down, maintaining and repairing such aqueducts, conduits, pipes and other works, and for all other purposes of this act, said fire district may dig up, raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel; but all things done upon any street, road or highway shall be subject to the direction of the selectmen of said town of Montague; provided, that all conduits, pipes or other works, crossing or occupying the premises or property of any railroad corporation in said town of Montague shall be located, laid down and constructed under the direction of the department of public utilities. Said fire district may enter

upon any lands for the purpose of making surveys, test wells or pits and borings, and may take or otherwise acquire the right to occupy temporarily any lands necessary for the construction of any work or for any other purpose authorized by this act.

SECTION 2. Said chapter 266 is hereby further amended by inserting after section 2 the following section:—

*Section 2A.* Said Turners Falls Fire District, acting by and through its board of water commissioners, may supply and sell water to any inhabitant of the town of Montague who resides without said district; provided, however, that, if such inhabitant resides in any other district which supplies and sells water, the consent of the commissioners of such other district shall be first obtained. If such consent is refused or withheld, the department of public utilities may, upon application, authorize such supply and sale to any such inhabitant by said Turners Falls Fire District.

*Approved June 13, 1962.*

**Chap. 567.** AN ACT AUTHORIZING THE TRANSFER OF CERTAIN EQUITY PROCEEDINGS FOR DISPOSITION IN PROBATE COURTS.

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

SECTION 1. Chapter 214 of the General Laws is hereby amended by inserting after section 32 the following section:—

*Section 32A.* Any justice of the superior court may transfer for disposition in a probate court subject to the conditions hereinafter provided any proceeding in equity pending in the superior court, except cases arising from a labor dispute as defined in section twenty C of chapter one hundred and forty-nine. Upon such transfer such proceeding shall thereafter be subject to any laws and the rules regulating procedure in equity in the probate courts.

All such transfers shall be subject to the approval of the chief justice of the superior court, of the administrative committee of the probate courts, and of the judge of the probate court for the county to which the case is to be transferred, if such county has one probate judge, or of a majority of the probate judges if such county has more than one probate judge. No such proceeding shall be transferred except to a probate court for a county in which such proceeding could have been originally brought.

SECTION 2. The first sentence of section 3 of chapter 215 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "court", in line 9, the words:— ; of proceedings transferred to it under the provisions of section thirty-two A of chapter two hundred and fourteen.

*Approved June 13, 1962.*

**Chap. 568.** AN ACT RELATIVE TO THE TRANSFER OF CERTAIN PROPERTY OF THE CHELSEA MEMORIAL HOSPITAL FOR THE BENEFIT OF THE INHABITANTS OF THE CITY OF CHELSEA, AND AUTHORIZING THE CONVEYANCE OF LAND OWNED BY THE COMMONWEALTH TO SAID HOSPITAL.

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

SECTION 1. Section 1 of chapter 142 of the acts of 1960 is amended to read as follows:— *Section 1.* The Chelsea Memorial Hospital, a non-profit corporation located in the city of Chelsea, formerly known as the Rufus S. Frost General Hospital and organized under chapter one

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

SECTION 2. Section 3 of said chapter 142 is hereby amended by striking out the last three sentences.

SECTION 3. Said chapter 142 is hereby further amended by inserting after section 3 the following two sections: —

*Section 3A.* The board of trustees of the Soldiers' Home in Massachusetts, in the name and on behalf of the commonwealth, is hereby authorized, subject to the approval of the governor and council, to convey to the city of Chelsea by deed without consideration the following parcel of land located in the city and owned by the commonwealth and under the control of said board of trustees; such parcel being part of a larger parcel of land conveyed to the commonwealth by the city of Chelsea by deed without consideration pursuant to chapter one hundred and seven of the acts of nineteen hundred and forty-six, and such parcel being shown as lot 1 on a plan dated October fourth, nineteen hundred and sixty-one, by John Marion, Registered Land Surveyor, and being bounded and described according to said plan as follows: — Northeasterly by Summit Ave., 450 feet; Southeasterly by land of the commonwealth, 290.84 feet; Southwesterly by Lafayette Ave., 535.81 feet; containing 65439 square feet. The city, upon such conveyance from the commonwealth, by a two thirds vote as defined in section one of chapter forty-four of the General Laws, as amended, without regard to the provisions of sections fifteen and fifteen A of chapter forty of the General Laws, as amended, may convey the said parcel of land to said Chelsea Memorial Hospital by deed without consideration to be held for the purposes of the trust provided for in section one.

*Section 3B.* The city of Chelsea is authorized to borrow not exceeding one hundred and ninety thousand dollars under chapter six hundred and seventy of the acts of nineteen hundred and fifty-eight, as amended by chapter one hundred and forty-two of the acts of nineteen hundred and sixty, and as amended by this act, and to transfer the same to Chelsea Memorial Hospital. Nothing in this act shall be deemed to be a pledge of the faith and credit or taxing power of the city for the purpose

of paying debts of said corporation, and the city is not authorized to extend further financial aid to said corporation. The city, by vote of its board of aldermen, and said corporation, by vote of its board of governors, are authorized to contract for the repayment for the aid extended hereunder without interest by credits against charges for hospitalization of indigent residents or otherwise.

SECTION 4. Said chapter 142 is hereby further amended by inserting after section 4 the following section: —

*Section 4A.* Any property, real or personal, which is owned by Chelsea Memorial Hospital at the time when new hospital facilities are completed and which is then no longer needed by the corporation in carrying out its purposes, may be sold by said corporation, and the proceeds shall be held or used for the purposes of the trust provided for in section one.

SECTION 5. Section 1 of chapter 670 of the acts of 1958, as amended by section 4 of chapter 142 of the acts of 1960, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — For the purpose of aiding Chelsea Memorial Hospital to construct, originally equip and furnish a hospital building or buildings or an addition or additions to a hospital building or buildings, the city of Chelsea may borrow from time to time within a period of ten years from the passage of this act such sums as may be necessary, not exceeding, in the aggregate, one hundred and ninety thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words "Chelsea Memorial Hospital Loan, Act of 1958".

SECTION 6. This act shall take effect upon its passage.

*Approved June 19, 1962.*

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**Chap. 569.** AN ACT PROVIDING FOR THE DISPOSITION OF CERTAIN FUNDS OF INMATES IN PENAL INSTITUTIONS.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the expenditure of certain available funds for the general welfare of inmates of penal institutions, 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 3 of chapter 127 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following sentence: — Any interest accruing as a result of the deposit of such money may, by agreement with the prisoners concerned, be expended for the general welfare of all the inmates at the discretion of the superintendent.

*Approved June 19, 1962.*

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**Chap. 570.** AN ACT AUTHORIZING THE TOWN OF LEXINGTON TO APPROPRIATE MONEY TO COMPENSATE SUBDIVIDERS FOR CONSTRUCTING WAYS OR SERVICES TO GREATER WIDTH OR SIZE THAN WOULD BE REQUIRED TO SERVE A SUBDIVISION ALONE.

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

SECTION 1. The town of Lexington may at any town meeting appropriate money to be expended by the board of selectmen for reimbursing subdividers for part of the cost of constructing ways or installing mu-

nicipal services, as required by the town planning board in its approval of definitive subdivision plans under the subdivision control law, of a greater width or size than would be required to serve the subdivision alone. The reimbursement as to any subdivision shall not exceed the amount recommended by the town planning board.

SECTION 2. The action taken by said town at its annual town meeting on March twenty-sixth in the current year, subject to the authority contained in section one of this act, is hereby validated and confirmed and shall have the same effect as though this act were in full force and effect on the date of the posting of the warrant for said meeting.

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

*Approved June 19, 1962.*

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**Chap. 571.** AN ACT AUTHORIZING THE WATER RESOURCES COMMISSION TO CONSTRUCT RESERVOIRS AND OTHER WORKS FOR FLOOD CONTROL AND OTHER PURPOSES IN THE WATERSHED OF THE QUABOAG RIVER.

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

SECTION 1. The water resources commission, hereinafter called the commission, is hereby authorized to enter into and execute with the United States Department of Agriculture an agreement or contract, in accordance with the provisions of the Watershed Protection and Flood Prevention Act, for the construction of certain works of improvement in the watershed area of the Quaboag River in the county of Worcester for the purpose of flood prevention and related purposes, including water resources utilization in accordance with the watershed work plan, which project shall hereafter be designated as the Quaboag River Watershed Project.

SECTION 2. The commission, acting on behalf of the commonwealth, may enter into agreements providing for the construction of reservoirs for the storage of flood water and other necessary works of improvement in said watershed area at such sites as it may deem necessary to carry out the purposes of this act. In the event that unforeseen conditions are encountered or if excessive land taking or other costs are likely to arise at any of the above sites, the commission, in its discretion and with the approval of the Secretary of Agriculture may relocate any reservoir site or other works contemplated by the plan to another site within the watershed area referred to in section one, in order to more effectively or economically carry out the purposes of this act.

SECTION 3. The commission, acting for and in behalf of the commonwealth, may take by eminent domain under chapter seventy-nine of the General Laws or acquire by purchase, gift, or otherwise any land, water rights, rights of way, or other easements, public or private, necessary for accomplishing any purpose mentioned in this act; provided, however, that any such taking shall in each instance make specific provision for public access to the reservoir area or areas included in the project works. The commission may, in its discretion, when it appears to be necessary, advantageous, or in the best interest of the commonwealth, in lieu of the taking or acquisition of land, expend out of the funds appropriated under section ten such sums as may be required to carry

out or expedite the purposes of this act in the construction of works not included in the costs reimbursable by the federal government under said Watershed Protection and Flood Prevention Act, and determined by the commission to be necessary to carry out the commonwealth's share of the project, including but not limited to, the construction of dikes or other water retardation works, changes in private property grades, highway locations and grades, the location or relocation of culverts, water and sewer pipes, utility poles and lines, conduits or other fixtures, pipe lines, wells, septic tanks, cesspools, or similar works whether privately or publicly owned.

SECTION 4. Any reservoir authorized by this act, which is located upon land owned or acquired by a town shall, when constructed by the commission, and upon the request of the town, become the property of the town and the town shall thereafter be charged with the operation and maintenance of said reservoir in a manner satisfactory to the commission.

SECTION 5. When the Secretary of Agriculture and the commission have agreed upon a project for works of improvement for flood prevention in the watershed area referred to in section one, the commission may construct such works of improvement and shall be the contracting authority for the construction of such works and may employ such temporary technical and clerical assistance as may be necessary to carry out its duties and responsibilities under this act.

SECTION 6. In the event that the works of improvement herein authorized require the construction of local protective structures which the commission determines to be required solely for the protection of designated local areas, the land or the funds required for the acquisition of the land by the commission under the provisions of section three and other non-federal costs of the project shall be made available to the commonwealth prior to the construction of the project by the city or town in which the structures are located.

SECTION 7. The commission or its duly authorized agents 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 8. The commission may for purposes other than flood prevention increase the capacity of any reservoir constructed under this act within the sum authorized in section ten. The commission may also enter into agreements with any agency of the commonwealth, any municipality, county, district, or others, to increase the capacity of any reservoir constructed under this act for purposes other than flood prevention, with the additional non-federal cost involved caused by increasing the capacity of any reservoir to be paid to the commonwealth prior to the awarding of the construction contract by the commission. Funds so deposited in the treasury of the commonwealth shall be placed in a special account to the credit of the commission, and shall be in addition to the funds made available by the commonwealth under section ten of this act, and shall be disbursed without further appropriation by the commission for the purposes agreed upon, with any unexpended balances being returned to the donors at the conclusion of the project. The commission may also receive donations of land, water rights, rights

of way, easements, and other rights, and may accept contributions of money from any source to accomplish the proposed multi-purpose use of any reservoir.

SECTION 9. The agreements entered into as authorized by section two shall set forth the sums to be paid by the federal government on account of the construction of the works of improvement allocated to flood control or other flood retardation works, and such other sums as the federal government is to pay on account of other works to be included in the overall project and authorized by said Watershed Protection and Flood Prevention Act. Federal funds deposited in the treasury of the commonwealth shall be placed in a special account to the credit of the commission and shall be disbursed without further appropriation to pay for federal obligations provided for in the agreements between the United States Soil Conservation Service and the commission and for no other purposes. Any unexpended balances remaining in the account upon completion of the project shall be returned to the federal government.

SECTION 10. To meet the expenditures necessary to pay the cost of the commonwealth's share of the provisions of this act, the state treasurer shall, upon request of the governor and council, issue and sell to the appropriate federal agency or at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor and council from time to time, but not exceeding, in the aggregate, the sum of three hundred and ten thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Quaboag River Watershed Project, Act of 1962, and shall be on the serial payment plan for such maximum term of years, not exceeding ten years, as the governor may recommend to the general court pursuant to section three 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 issuance thereof and the entire issue not later than June thirtieth, nineteen hundred and seventy-seven.

SECTION 11. The commission shall be charged with the operation and maintenance of the works constructed under this act. The costs to the commonwealth arising out of the operation and maintenance of the works so constructed shall be reimbursed by the towns benefited by such works. The share of each town so benefited shall be computed and determined annually as of June thirtieth for the preceding year by the commission.

SECTION 12. The commonwealth shall pay annually to any town in which a reservoir is located the tax losses on the real estate acquired under the provisions of section three. The tax losses shall be determined by taking the average assessed valuations of the land and structures located on the land at the time of acquisition for the three years next preceding the taking or acquisition by the commission in the name of

the commonwealth, multiplied by the then current tax rate. In the event there is a general revaluation of the assessed valuations of property in any of the said towns, the assessed valuations for the three-year period determined above shall be increased or decreased in the same proportion that the assessments on other properties in the town are increased or decreased.

The commission shall compute and determine the benefits accruing to each town, resulting from the construction and operation of specific reservoirs. The commission shall assess the annual cost to the commonwealth of tax losses as determined in this section to each town in proportion to the benefits, as determined by this paragraph.

The commission shall notify the state tax commission on or before January first of each year of the estimated net liability, as determined by sections eleven and twelve of this act to be apportioned to any town and on or before October fifteenth of each year, the commission shall certify to the state treasurer the amount to be collected and paid to the state treasurer as provided by section twenty of chapter fifty-nine of the General Laws.

SECTION 13. For the purpose of protecting the health, safety and property of persons in the event of floods, 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 Quaboag 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 14. 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 thirteen, 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 15. 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 16. 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 June 19, 1962.*

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**Chap. 572.** AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH TO COLLECT CHARGES OF PATIENTS AT MIDDLESEX COUNTY SANATORIUM.

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

The department of public health is hereby authorized and directed to collect charges for support and care of each patient admitted to Middlesex county sanatorium under the provisions of item 2023-00 of section two of chapter four hundred and thirty of the acts of nineteen hundred and sixty-one. The charges shall be fixed by the department and paid quarterly. Such charges for those not having known settlements in the commonwealth shall be paid by it. For those having known settlements in the commonwealth, the charges shall be paid either by persons bound to pay them or by the town where such patients had their settlement. If any person or town refuses or neglects to pay such charges, the state treasurer may recover the same to the use of the commonwealth. A town which pays the charges for the support of a patient, shall have like rights and remedies to recover the amount thereof, with interest and costs, from the town of settlement or from such person of sufficient ability or from any person bound by law to maintain him, as if such charges had been incurred in the ordinary support of such patient.

*Approved June 19, 1962.*

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**Chap. 573.** AN ACT ELIMINATING THE MAXIMUM REGISTRATION FEE FOR A SEMI-TRAILER.

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

Section 33 of chapter 90 of the General Laws is hereby amended by striking out subdivision (2), as amended by section 2 of chapter 121 of the acts of 1961, 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 in the case of a non-gasoline driven tractor which is a part of a semi-trailer unit, or less than twenty-four dollars if gasoline driven.

*Approved June 19, 1962.*

**Chap. 574.** AN ACT RELATIVE TO THE ELIGIBILITY OF APPLICANTS TO TAKE CERTAIN FIREMEN'S AND ENGINEERS' EXAMINATIONS.

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

SECTION 1. Chapter 146 of the General Laws is hereby amended by striking out section 50, as most recently amended by chapter 36 of the acts of 1951, and inserting in place thereof the following section: —

*Section 50.* To be eligible for examination for a second class fireman's license, a person must furnish evidence as to his previous training, and, except students attending all day state aided vocational high schools in the steam engineering course, be at least eighteen years of age; provided, however, that no such license issued shall be used in employment by the holder thereof unless he is at least eighteen years of age.

To be eligible for examination for a first class fireman's license, a person must furnish evidence as to his previous training and experience and must have been employed as a steam engineer or fireman in charge of or operating boilers for not less than one year, or he must have held and used a second class fireman's license for not less than six months.

To be eligible for examination for a third class engineer's license, a person must be a citizen or furnish proof of having filed a declaration of his intention to become a citizen of the United States, must furnish evidence as to his previous training and experience and must have been employed as a steam engineer or fireman in charge of or operating boilers for not less than one and one half years, or held and used an equivalent license in the United States merchant marine for one year or used a current third class steam license issued by another state for one year or must have held and used a first class fireman's license for not less than one year.

To be eligible for examination for a second class engineer's license, a person must be a citizen or furnish proof of having filed a declaration of his intention to become a citizen of the United States, must furnish evidence as to his previous training and experience and must have been employed as an engineer in charge of or operating a steam plant or plants having at least one engine or turbine of not less than fifty horse power for not less than two years, or held and used an equivalent license in the United States merchant marine for two years, or have held and used an equivalent license from another state for two years or must

have held and used a third class engineer's license either as an engineer, assistant engineer or a fireman for not less than one year, or must be a person who has held and used a special license to operate a first class plant for not less than two years, except any person who is a United States citizen and served three years as an apprentice to the machinist or boiler making trade in stationary, marine or locomotive engine or boiler works and who has been employed one year in connection with the operation of a steam plant, or any person who has a bachelor of science degree in engineering from any duly recognized school of engineering, who has been employed for one year in connection with the operation of a steam plant, shall be eligible for examination for a second class engineer's license.

To be eligible for examination for a first class engineer's license, a person must be a citizen or furnish proof of having filed a declaration of his intention to become a citizen of the United States, must furnish evidence as to his previous training and experience and must have been employed for not less than three years as an engineer in charge of a steam plant or plants having at least one engine or turbine of over one hundred and fifty horse power, or must have held and used a second class engineer's license in a second class plant for not less than one and one half years, or in a first class plant as assistant engineer for one and one half years or held and used an equivalent license in the United States merchant marine for three years or have held and used an equivalent license from another state for three years.

Every application for any grade of license except a special application granted under the provisions of chapter one hundred and forty-six, shall be indorsed by an engineer or fireman holding the same or higher grade of license. The indorsee shall state his name, address, grade of license currently in force and that he has personal knowledge of the applicant's experience and trustworthiness. The license of an indorsee making a wilful falsification shall be suspended or revoked. District engineering inspectors of the department of public safety shall not indorse applications, except when applying the oath when the applicant is being examined.

SECTION 2. Section 64 of said chapter 146, as amended by chapter 310 of the acts of 1961, is hereby further amended by inserting after the second sentence the following two sentences:— The applicant may request a written or oral examination. Records of written examinations shall be retained for at least sixty days after the examination.

*Approved June 19, 1962.*

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**Chap. 575.** AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC SAFETY TO CONSTRUCT A DRIVEWAY OVER CERTAIN LAND UNDER THE CONTROL OF THE DEPARTMENT OF PUBLIC WORKS.

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

For the purpose of providing a public entrance and exit to and from the new state police substation in the town of Bourne, the department of public safety may construct a thirty foot driveway with thirty foot radii to the curb line over land of the commonwealth now under the control of the department of public works from said substation to the South Bourne rotary, so called, located south of the Bourne bridge.

*Approved June 19, 1962.*

**Chap. 576.** AN ACT EXEMPTING FROM THE INCOME TAX LAW INCOME FROM AN ANNUITY, PENSION, ENDOWMENT OR RETIREMENT FUND OF THE UNITED STATES GOVERNMENT.

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

SECTION 1. Section 8 of chapter 62 of the General Laws is hereby amended by striking out paragraph (g), as most recently amended by chapter 555 of the acts of 1952, and inserting in place thereof the following paragraph: —

(g) All sums deducted from wages as contributions to an annuity, pension, endowment or retirement fund of the United States government, the commonwealth or any political subdivision thereof, or any private association formed in pursuance of sections thirty-nine and forty of chapter thirty-two, and any income from a contributory annuity, pension, endowment or retirement fund of the United States government or the commonwealth or any political subdivision thereof, or any income from a contributory annuity, pension, endowment or retirement fund as set forth in section forty-one of chapter thirty-two, to any of which the employee has contributed.

SECTION 2. This act shall apply to deductions made and income received in taxable years commencing after December thirty-first, nineteen hundred and sixty-two.

*Approved June 19, 1962.*

**Chap. 577.** AN ACT PROVIDING FOR WORK INCIDENTAL TO THE RECONSTRUCTION OF THE COVERED BRIDGE ON GROTON STREET IN THE TOWN OF PEPPERELL.

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

Chapter 639 of the acts of 1958 is hereby amended by striking out section 1 and inserting in place thereof the following section: — *Section 1.* The department of public works is hereby authorized and directed to reconstruct the covered bridge on Groton street in the town of Pepperell and do all work necessary or incidental thereto. For said purpose, said department may expend such sums as may be appropriated therefor.

*Approved June 19, 1962.*

**Chap. 578.** AN ACT FURTHER REGULATING THE QUALIFICATIONS FOR THE LIMITED REGISTRATION OF INTERNES.

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

Chapter 112 of the General Laws is hereby amended by striking out section 9, as most recently amended by chapter 483 of the acts of 1960, and inserting in place thereof the following section: — *Section 9.* An applicant for limited registration under this section who shall furnish the board with satisfactory proof that he is twenty-one or over and of good moral character, that he has creditably completed two years of a pre-medical course of study in a college or university and not less than three and one half years of study in a legally chartered medical school having the power to grant degrees in medicine, and that he has been appointed an interne, fellow or medical officer in a hospital or other institution of the commonwealth, or of a county or municipality thereof, or in a hospi-

tal or clinic which is incorporated under the laws of the commonwealth or in a clinic which is affiliated with a hospital licensed by the department of public health under authority of section seventy-one of chapter one hundred and eleven, or in an out-patient clinic operated by the department of mental health, or in the department of public health for duty in clinics or in programs operated or approved by the department of public health, or in programs approved by the board of registration in medicine in the commonwealth and leading toward certification by specialty boards recognized by the American Medical Association, may upon payment of five dollars, be registered by the board as an interne, fellow or medical officer for such time as it may subscribe; but such limited registration shall entitle the said applicant to practice medicine only in the hospital, institution, clinic or program designated on his certificate of limited registration, or outside such hospital, institution, clinic or program for the treatment, under supervision of one of its medical officers who is a duly registered physician, of persons accepted by it as patients, or in any hospital, institution, clinic or program affiliated for training purposes with the hospital, institution, clinic or program designated on such certificate, which affiliation is approved by the board and in any case under regulations established by such hospital, institution, clinic or program. The name of any hospital, institution, clinic or program so affiliated and so approved shall also be indicated on such certificate. Limited registration under this section may be revoked at any time by the board.

*Approved June 19, 1962.*

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**Chap. 579.** AN ACT PROVIDING FOR COMPENSATION FOR MUNICIPAL PUBLIC WELFARE EMPLOYEES.

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

SECTION 1. Chapter 31 of the General Laws is hereby amended by striking out section 47E, as amended by chapter 529 of the acts of 1961, and inserting in place thereof the following section:—*Section 47E.* Persons holding positions referred to in section forty-seven C shall be paid the salaries set forth for such positions in the compensation plan and in accordance with the rules and regulations providing for the application and administration of said compensation plan established under section forty-seven D. Such persons shall be given an annual step-rate increase, to be set forth in the compensation plan established under section forty-seven D, on the anniversary date of their appointment to the position which they hold or on such other date as the municipality uses for other employees, but such increase shall not entitle such persons to any change of rating or increased authority. Such increase shall be fixed by the board referred to in section forty-seven D and shall be paid annually until the maximum salary set forth in the compensation plan established under section forty-seven D for the positions so held has been reached.

Any amendment or change in such compensation plan shall become effective on the first day of July following the date on which such amendment or change is made for such position, and each person shall be paid the salary rate set forth in such compensation plan, as so amended or changed, which is equivalent in relative standing to the salary grade in effect prior to the amendment or change, as the case may be, commencing on such effective date.

The superior court, upon suit by the attorney general or petition of one or more taxable inhabitants of a city or town in which it is alleged that the provisions of this section or sections forty-seven C and forty-seven D are not enforced may, in law or equity, enforce said sections.

SECTION 2. Each person holding any such position who prior to the effective date of this act is receiving compensation below the maximum compensation set forth in the plan shall, commencing with the effective date of this act be paid a rate which is not less than the minimum set forth in the plan plus one increment for each year of service in the position held by such person; and each such person who prior to the effective date of this act received maximum compensation in accordance with the rate established in the compensation plan shall, commencing with the effective date of this act, be paid the maximum set forth in said compensation plan for the position held by such person. Each person holding any such position who prior to the effective date of this act has been employed by any city or town in any such position for at least five years shall, commencing with the effective date of this act, be paid the maximum salary set forth in said compensation plan for the position held by such person.

SECTION 3. No person's salary shall be decreased by reason of the application of any provision of this act, if such salary has been previously approved by the director of civil service.

*Approved June 19, 1962.*

**Chap. 580.** AN ACT RELATIVE TO THE INDEMNIFICATION OF FIRE FIGHTERS, POLICE OFFICERS AND CERTAIN OTHERS BY CITIES, TOWNS AND FIRE OR WATER DISTRICTS.

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

SECTION 1. Section 100 of chapter 41 of the General Laws is hereby amended by striking out the first paragraph and inserting in place thereof the following three paragraphs: —

Upon application by a fire fighter or police officer of a city, town or fire or water district, or in the event of the physical or mental incapacity or death of such fire fighter or police officer, by someone in his behalf, the board or officer of such city, town or district authorized to appoint fire fighters or police officers, as the case may be, shall determine whether it is appropriate under all the circumstances for such city, town or district to indemnify such fire fighter or police officer for his reasonable hospital, medical, surgical, nursing, pharmaceutical, prosthetic and related expenses incurred as the natural and proximate result of an accident occurring, or of undergoing a hazard peculiar to his employment, while acting in the performance and within the scope of his duty without fault of his own. If such board or officer determines that indemnification is appropriate, such board or officer shall certify for payment, either directly or by way of reimbursement, by such city, town or district, in the same manner as a bill lawfully incurred by such board or officer but out of an appropriation for the purposes of clause (32) of section five of chapter forty, such of said expenses as may be specified in such certificate. Whenever such board or officer denies an application in whole or in part, such board or officer shall set forth in writing its or his reasons for such denial and cause a copy thereof to be deliv-

ered to the applicant. At any time within two years after the filing of an application as aforesaid, an applicant aggrieved by any denial of his application or by the failure of such board or officer to act thereon within six months from the filing thereof may petition the superior court in equity to determine whether such board or officer has without good cause failed to act on such an application or, in denying the application, in whole or in part, has committed error of law or has been arbitrary or capricious, or has abused its or his discretion, or otherwise has acted not in accordance with law. After due notice and hearing, such court may order such board or officer to act on such application or to consider, or further consider, and determine the same in conformity with law.

A city, town or fire or water district shall further indemnify a fire fighter or police officer, or in the event of the death of such fire fighter or police officer, his estate, to an amount not more than the amount recommended by such board or officer, for expenses or damages incurred by such fire fighter or police officer in the defence or settlement of an action brought against him for acts done by him while acting as a fire fighter or police officer. The city of Boston shall also indemnify a member of its police or fire force, to the extent and in the manner herein provided, for expenses or damages incurred by him in the defence or settlement of a claim against him for acts done by him while acting as such member; but said city shall not indemnify under this section for expenses or damages incurred in the defence or settlement of any action or any claim unless the defence or settlement of such action or claim is made by the corporation counsel of said city. Neither the city of Boston or any other city, nor any town or any fire or water district shall indemnify under this paragraph if insurance providing indemnity for, or protection to, such fire fighter or police officer was in effect under authority of clause (1) of section five of chapter forty at the time when the expenses or damages for which indemnification is sought were sustained, unless and until all rights under such insurance in favor of such city, town or fire or water district shall have been exercised, determined and satisfied.

For the purposes of this section, call firemen and volunteer firemen shall be considered fire fighters. This section shall be construed to require a city, town or district to indemnify, in the manner and to the extent herein provided, any fire fighter or police officer who is assigned to special duty by a superior officer for expenses or damages sustained by such fire fighter or police officer in the performance of such duty, whether or not he is paid for such special duty by the city, town or district, or otherwise. This section shall also be construed to require a city, town or fire or water district to pay compensation, in the manner herein provided, for damages, including loss of pay, for personal injuries, whether or not death results, and for property damage sustained by a person while assisting a police officer thereof in the discharge of his duty upon his requirement, and to require a city, town or fire or water district to indemnify in the manner herein provided a person required to assist a police officer in the performance of his duty for expenses or damages incurred by such person in the defence or settlement of an action against him for acts done by him while so assisting such police officer.

SECTION 2. Section 5 of chapter 40 of the General Laws is hereby amended by striking out clause (32), as appearing in the Tercentenary Edition, and inserting in place thereof the following clause: —

(32) For the payment of reasonable hospital, medical, surgical, nursing, pharmaceutical, and prosthetic and related expenses incurred by any member of its fire fighting force or any member of its police force as the natural and proximate result of an accident occurring, or of undergoing a hazard peculiar to his employment, while acting in the performance and within the scope of his duty without fault of his own.

*Approved June 19, 1962.*

**Chap. 581.** AN ACT PROVIDING THAT PRIOR STATE SERVICE OF AN EMPLOYEE OF THE DIVISION OF MOTORBOATS BE COUNTED AS CREDITABLE SERVICE WITH SAID DIVISION FOR VACATION LEAVE AND SICK LEAVE PURPOSES.

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

The person employed in the division of motorboats on requisition number 19569A shall, for the purpose of computing her vacation leave and sick leave pursuant to rules and regulations relative thereto established by the director of personnel and standardization under authority of section twenty-eight of chapter seven of the General Laws, be credited with all prior service performed by her as an employee of the senate committee on rules as though such prior service were performed in the service of the motorboat division.

*Approved June 19, 1962.*

**Chap. 582.** AN ACT PROVIDING FOR THE EMPLOYMENT OF LEARNERS OR APPRENTICES TO WORK WITH AND UNDER THE SUPERVISION OF JOURNEYMEN ELECTRICIANS.

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

SECTION 1. Chapter 141 of the General Laws is hereby amended by striking out section 1, as amended by chapter 308 of the acts of 1943, and inserting in place thereof the following section: — *Section 1.* No person, firm or corporation shall enter into, engage in, or work at the business of installing wires, conduits, apparatus, fixtures or other appliances for carrying or using electricity for light, heat or power purposes, unless such person, firm or corporation shall have received a license and a certificate therefor, issued by the state examiners of electricians and in accordance with the provisions hereinafter set forth.

The words "master electrician" as used in this chapter shall mean a person, firm, or corporation having a regular place of business, who, by the employment of journeymen, learners or apprentices, performs the work of installing wires, conduits, apparatus, fixtures and other appliances used for light, heat or power purposes; provided, that no journeyman electrician in his employ shall have more than one learner or apprentice under his supervision; and provided, further, that not more than one such learner or apprentice be employed for each journeyman electrician.



The words "journeyman electrician" as used in this chapter shall mean a person qualified to do any work of installing wires, conduits, apparatus, fixtures and other appliances for hire.

SECTION 2. Said chapter 141 is hereby further amended by striking out section 8, as amended by section 1 of chapter 629 of the acts of 1948, and inserting in place thereof the following section: — *Section 8.* Electricians regularly employed by persons, firms or corporations other than holders of "Certificate A", may install such electrical wiring, conduits and appliances or make such repairs as may be required only on the premises and property of such persons, firms or corporations; provided that such electricians hold journeymen's licenses, and have otherwise complied with this chapter. Any such person, firm or corporation may employ learners or apprentices to work with and under the direct personal supervision of electricians referred to in this paragraph in said installation and repair work, provided that no such journeyman electrician shall have more than one learner or apprentice working with him and under his supervision as aforesaid; but not more than one such learner or apprentice shall be so employed for each journeyman electrician.

Electricians employed by theatrical companies may install temporary wiring and appliances required for the purpose of the engagement of any such company, subject to the supervision of a person licensed under this chapter.

SECTION 3. The provisions of sections one and eight of chapter one hundred and forty-one of the General Laws, as amended by sections one and two, respectively, of this act, in so far as they restrict the working by learners or apprentices with and under the direct personal supervision of journeymen electricians shall not apply to employees while they are engaged in an on-the-job training program, so called, conducted in co-operation with an accredited university, college or secondary school, nor shall they be construed to prohibit any veteran who is entitled to apprentice training under the G. I. Bill of Rights, so called, from acting, while so entitled, as such a learner or apprentice, and any such veteran may be employed as such learner or apprentice in addition to the number of such learners or apprentices permitted to be employed under section one or section eight of said chapter one hundred and forty-one.

SECTION 4. This act shall take effect on January first, nineteen hundred and sixty-three.

*Approved June 19, 1962.*

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**Chap. 583.** AN ACT PROHIBITING THE DUMPING OF REFUSE OR TRASH IN A CERTAIN SECTION OF THE DORCHESTER DISTRICT OF THE CITY OF BOSTON.

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

The city of Boston is hereby authorized and directed to prohibit the dumping of trash or refuse on land located in the Dorchester district in the area commonly called the Calf pasture, Mile road and Columbia point, said land being east and west of Mount Vernon street and east of Morrissey boulevard.

*Approved June 19, 1962.*

**Chap. 584.** AN ACT PROVIDING THAT CREDITABLE SERVICE FOR RETIREMENT PURPOSES SHALL BE ALLOWED FOR CERTAIN PUBLIC EMPLOYEES FOR ANY PERIOD OF ABSENCE DUE TO INJURY SUSTAINED IN THE COURSE OF THEIR EMPLOYMENT.

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

Subdivision (1) of section 4 of chapter 32 of the General Laws is hereby amended by inserting after paragraph (l), added by chapter 433 of the acts of 1961, the following paragraph: —

(m) Any employee who was a member in service at the time of sustaining an injury or undergoing a hazard on account of which he received weekly payments for total incapacity under the provisions of sections sixty-nine to seventy-five, inclusive, of chapter one hundred and fifty-two, or a lump sum settlement payable under section forty-eight of said chapter one hundred and fifty-two shall have credited to him as creditable service under the system any period prior to June first, nineteen hundred and fifty-one during which he received such weekly payments, or any such period prior to said date represented by the allocation of any lump sum settlement payable to him in lieu of such weekly payments; provided, that such employee returned to his former position, or a similar position, upon the termination of the leave caused by such injury or hazard.

*Approved June 20, 1962.*

**Chap. 585.** AN ACT PROVIDING FOR AN ADVISORY COMMISSION ON ACADEMICALLY TALENTED PUPILS.

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

SECTION 1. Chapter 15 of the General Laws is hereby amended by inserting after section 6B the following section: —

Section 6C. The board of education, with the advice of the commissioner, shall appoint an advisory commission on academically talented pupils, consisting of eleven members, of whom at least three shall be classroom teachers of the academically talented, of whom two shall be directors of gifted pupil programs, of whom two shall be specialists in educational research, and of whom two shall not be professional educators. Said members shall serve for a term of two years each. Said commission shall advise the board and the department and make recommendations on the education of the academically talented. No member shall receive any compensation, but said board may expend for clerical assistance and for other necessary expenses of said commission such sums as may be appropriated.

SECTION 2. Notwithstanding the provisions of section six C of chapter fifteen of the General Laws, inserted by section one of this act, the board of education in making its original appointments to the advisory commission on academically talented pupils shall appoint members to serve for terms of one, two and three years, as it may determine. Upon the expiration of the term of any such member his successor shall be appointed for the term provided in said section six C.

*Approved June 20, 1962.*

**Chap. 586.** AN ACT TO INCORPORATE HOLYOKE REGIONAL BUSINESS DEVELOPMENT CORPORATION.

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

SECTION 1. Holyoke Regional Business Development Corporation, incorporated under the laws of the commonwealth on September twenty-seventh, nineteen hundred and sixty-one, upon acceptance of this act by a majority vote of the members of the corporation, voting in person or by proxy, at a meeting duly called for the purpose, shall be dissolved.

SECTION 2. In this act, unless the context otherwise requires, the following words shall have the following meanings:—

“Corporation”, the Holyoke Regional Business Development Corporation, created by section three of this act.

“Financial institution”, any banking corporation or institution, trust company, savings bank, co-operative bank, savings and loan association, insurance company, or related corporation, partnership, foundation or other institution engaged primarily in lending or investing funds.

“Executive committee”, the executive committee established under section eleven.

“Members of the corporation”, John S. Begley, Samuel Resnic, Robert E. Barrett, Jr., Robert K. Steiger, Daniel J. O’Connell, Abraham Saltman and John G. Wallace, and any other persons who pursuant to the by-laws of the corporation are validly elected to membership in the corporation.

SECTION 3. John S. Begley, Samuel Resnic, Robert E. Barrett, Jr., Robert K. Steiger, Daniel J. O’Connell, Abraham Saltman and John G. Wallace, their associates, successors and assigns, are hereby constituted a body corporate under the name of Holyoke Regional Business Development Corporation. The corporation shall be subject to and have the powers and privileges conferred by the provisions of chapter one hundred and fifty-five, sections eighteen, twenty-six, twenty-seven, thirty-one, thirty-three and thirty-four of chapter one hundred and fifty-six, and section two of chapter one hundred and eighty of the General Laws, except so far as said provisions are inconsistent with or otherwise restricted or limited by the provisions of this act.

SECTION 4. Upon the dissolution of the Holyoke Regional Business Development Corporation, incorporated under the laws of the commonwealth on September twenty-seventh, nineteen hundred and sixty-one, all its property, real, personal and mixed, and all its rights, privileges and franchises shall vest in and be owned by the corporation, subject to all the liabilities of said dissolved corporation.

SECTION 5. The principal office of the corporation shall be located in the city of Holyoke. The corporation may have offices in such other places within the vicinity of said city as may be fixed by the board of directors.

SECTION 6. The purposes of the corporation shall be to promote the common good and general welfare of the city of Holyoke and of the communities in the vicinity of said city; to improve the living standards of the citizens thereof by creating, encouraging and promoting employment opportunities, by soliciting, encouraging and inducing business organizations to locate in said city or its vicinity, and by assisting and promoting the development and expansion of business activity and business organizations in said city and its vicinity, and to develop

an association of public spirited citizens, business, professional and technically trained citizens, to accomplish the purposes of the corporation.

In furtherance of such purposes and in addition to the powers conferred on said corporation under section three, the corporation shall, subject to the restrictions and limitations hereinafter contained, have the following powers:—

a. To accept, acquire, receive, take, and hold by bequest, devise, grant, gift, purchase, exchange, lease, transfer, judicial order or decree, or otherwise, for any of its objects and purposes, any property, both real and personal;

b. To sell, convey, mortgage, lease, transfer, exchange or otherwise dispose of, any such property, both real and personal, as the objects and purposes of the corporation may require, subject to such limitations as may be prescribed by law;

c. To borrow money, and, from time to time, to make, accept, endorse, execute, and issue bonds, debentures, promissory notes, bills of exchange, and other obligations of the corporation for monies borrowed or in payment for property acquired or for any of the other purposes of the corporation, and to secure the payment of any such obligations by mortgage, pledge, deed, indenture, agreement, or other instrument of trust, or by other lien upon, assignment of, or agreement in regard to all or any part of the property, rights, or privileges of the corporation, whether now owned or hereafter to be acquired;

d. To make loans to any person, firm, corporation, joint stock company, association or trust located in the city of Holyoke or in the vicinity thereof, for the purpose of promoting and developing business activities of all kinds, provided such business activities tend to increase employment opportunities or reduce unemployment within said city of Holyoke or its vicinity;

e. To acquire improved and unimproved real estate for the purpose of constructing industrial plants or other business establishments thereon or for the purpose of disposing of such real estate to others for the construction of industrial plants or other business establishments as the objects and purposes of the corporation may require;

f. To acquire, construct, reconstruct, alter, repair, maintain, sell, convey, transfer, lease, or otherwise dispose of industrial plants or business establishments as the objects and purposes of the corporation may require;

g. To acquire, subscribe for, own, hold, sell, assign, transfer, mortgage, pledge or otherwise dispose of the bonds, debentures, notes or other securities and evidences of interest in, or indebtedness of, any person, firm, corporation, joint stock company, association or trust, and while the owner or holder thereof to exercise all the rights, powers and privileges of ownership;

h. To cooperate with and avail itself of the facilities of the United States Department of Commerce and any similar governmental agencies, including the state department of commerce and any local chambers of commerce, trade organizations, employment agencies and similar organizations; and to cooperate with and assist, and otherwise encourage organizations in the city of Holyoke and the various communities in the vicinity thereof in the promotion, assistance, and development of the business prosperity and economic welfare of such communities;

i. To receive stocks, bonds, donations, gifts and to otherwise raise money for the above outlined purposes;

j. To elect, appoint and employ officers, agents and employees; to make contracts and incur liabilities for any of the purposes of the corporation;

k. To do all things and acts necessary or convenient to carry out the powers expressly granted in this act; provided, however, that the purposes shall not include the right to apply for a license to sell alcoholic beverages; and that no part of the funds, property or net earnings of this corporation shall inure to the benefit of any member, officer of the corporation, or any private individual, and no member, officer of this corporation, or any private individual shall be entitled to share in the distribution of any of the corporate assets on dissolution of the corporation except to the extent that stockholders are entitled to participate in the distribution of corporation's assets upon dissolution under section eighteen hereof, nor shall the corporation allow any of its property to be used directly or indirectly in carrying on, nor shall any of the activities of the corporation consist of the carrying on, of propaganda, or otherwise attempting to influence legislation. The corporation shall not participate in or intervene in any political campaign on behalf of any candidate for public office or publish or distribute any statements with respect thereto. Notwithstanding any other provision herein contained, neither the members, directors, officers, stockholders, nor the corporation shall participate in any of the "prohibited transactions" as defined in Section 503 of the Internal Revenue Code as the same may from time to time be amended, nor shall the corporation accumulate income or engage in any activities if the accumulation of income or the activities so engaged in are or would be within the prohibitions of Section 504 of the Internal Revenue Code as the same may be from time to time amended, nor shall the corporation be operated at any time for the primary purpose of carrying on a trade or business for profit.

SECTION 7. The authorized capital stock of the corporation shall consist of one million five hundred thousand shares of common capital stock with a par value of five dollars each, which shares shall be divided into Class A and Class B.

*Class A.* An individual, corporation, estate or trust, company or partnership, shall be entitled to hold or own not more than five hundred shares of Class A common capital stock, and such individual, corporation, estate or trust, company or partnership, may purchase the same from the corporation from time to time as long as the above amount of five hundred shares is not exceeded and the corporation has in its treasury authorized Class A common capital stock not distributed. Such stock may also be purchased from other individuals, corporations, estates, trusts, companies or partnerships, provided the amount purchased shall not exceed five hundred shares in the aggregate. If such individual, corporation, estate, trust, company, or partnership holds in the aggregate more than five hundred shares, it shall be required to turn in the excess over five hundred shares to the corporation and to receive back therefor in exchange Class B common stock on a share for share basis. The holder of each share of Class A common capital stock shall be entitled to one vote for each such share not in excess of five hundred shares.

*Class B.* An individual, corporation, estate or trust, company or partnership, shall not be limited as to holdings or purchases in Class B common capital stock and shall be entitled to purchase the same from the corporation from time to time so long as the latter has in its treasury authorized Class B common capital stock not distributed. Such stock may also be purchased from other individuals, corporations, estates, trusts, companies or partnerships. Class B common capital stock shall be non-voting.

SECTION 8. Notwithstanding any rule at common law or any such other provision of any general or special law, or any provision in their respective charters, agreements of association, articles of organization, or trust indentures, all domestic corporations organized for the purpose of carrying on business within this commonwealth, including without implied limitation any electric or gas company as defined in section one of chapter one hundred and sixty-four of the General Laws, railroad corporations as defined in section one of chapter one hundred and sixty of the General Laws, financial institutions and trustees, are hereby authorized to acquire, purchase, hold, sell, assign, transfer, or otherwise dispose of any stocks, bonds, securities, or other evidences of indebtedness of the corporation and to make contributions to said corporation, and if owners of such stock to exercise all the rights, powers and privileges of ownership, including the right to vote thereon, all without the approval of any regulatory authority of the commonwealth; provided, that in so acquiring the capital stock of the corporation or in making contributions thereto, no financial institution shall expend, in the aggregate, in any one year an amount greater than one half of one per cent of its total or gross earnings or income for the next preceding fiscal year; and provided, further, that such contributions may be made over a period not to exceed five years.

Any contribution made under this section to the corporation shall be in addition to any contributions authorized by section sixty-eight of chapter one hundred and sixty-eight of the General Laws, section thirty-five of chapter one hundred and seventy of the General Laws, and by other provisions of general or special law.

SECTION 9. The members, if there is no Class A common stock issued and outstanding, or the holders of the Class A stock of the corporation, if any such stock is issued and is outstanding, shall have the following powers of the corporation: (a) To determine the number of and elect directors as provided in section eleven; (b) to make, amend and repeal by-laws; (c) to amend this charter as provided in section ten; (d) to dissolve the corporation as provided in section eighteen; (e) to exercise such other powers of the corporation as may be conferred on the stockholders by the by-laws.

SECTION 10. This charter may be amended by the affirmative vote of two thirds of the members, if there is no Class A stock issued and outstanding, or, if such stock is issued and is outstanding, by the affirmative vote of two thirds of the votes to which the stockholders shall be entitled; provided, that no amendment of this charter which is inconsistent with the general purposes expressed herein or which eliminates or curtails the right of the commissioner of commerce to examine the corporation or the obligation of the corporation to make reports as provided in section thirteen, shall be made; and provided, further, that no amendment of this

charter which affects a stockholder's voting right, shall be made without the consent of each stockholder affected by such amendment.

Within thirty days after any meeting at which amendments of this charter have been adopted, articles of amendment sworn to by the president, treasurer and a majority of the directors, setting forth such amendment and the adoption thereof, shall be submitted to the commissioner of commerce who shall examine them, and if he finds that they conform to the requirements of this act, he shall so certify and endorse his approval thereon. Thereupon the articles of amendment shall be filed in the office of the secretary of the commonwealth, and no such amendment shall take effect until such articles of amendment have been filed.

SECTION 11. The business and affairs of the corporation shall be managed and conducted by a board of directors of not less than seven nor more than fifteen members, a president, a first vice-president and a second vice-president, a treasurer and a clerk, who shall be the executive committee.

The executive committee may exercise all the powers of the corporation except such as are conferred by law or by the by-laws of the corporation upon the stockholders, and shall choose and appoint all the agents and officers of the corporation and fill all vacancies.

Directors and officers shall not be responsible for losses unless the same shall have been occasioned by the wilful misconduct of such directors and officers.

SECTION 12. The corporation shall not deposit any of its funds in any banking institution unless such institution has been designated as a depository by a vote of a majority of the directors present at an authorized meeting of the board of directors, exclusive of any director who is an officer or director of the depository so designated.

The corporation shall not receive money on deposit.

SECTION 13. The corporation shall be subject to the examination of the commissioner of commerce, and shall make reports of its condition not less than annually to said commissioner, who in turn shall make copies of such reports available to the commissioner of insurance and to the commissioner of banks, and the corporation shall also furnish such other information as may from time to time be required by the commissioner of commerce.

SECTION 14. The first meeting of the corporation shall be called by a notice signed by three or more of the incorporators, stating the time, place and purpose of the meeting, a copy of which notice shall be mailed, or delivered, to each incorporator at least five days before the day appointed for the meeting. Said first meeting may be held without such notice upon agreement in writing to that effect signed by all the incorporators. There shall be recorded in the minutes of the meeting a copy of said notice or of such unanimous agreement of the incorporators.

At such first meeting the incorporators shall organize by the choice, by ballot, of a temporary clerk, by the adoption of by-laws, by the election by ballot of directors, and by action upon such other matters within the powers of the corporation as the incorporators may see fit. The temporary clerk shall be sworn and shall make and attest a record of the proceedings. Four of the incorporators shall be a quorum for the transaction of business.

Whenever the certificate required by section thirteen of chapter one hundred and fifty-five of the General Laws has been filed in the office of

the secretary of the commonwealth, said secretary shall issue and deliver to the incorporators a certified copy of this act under the seal of the commonwealth, and said corporation shall then be authorized to commence business, and stock thereof to the extent herein or hereafter duly authorized may from time to time be issued.

SECTION 15. The corporation shall not be subject to any of the provisions of chapter sixty-three of the General Laws, nor to any taxes based upon or measured by income which may be enacted by the commonwealth.

Any stockholder, or holder of any securities, evidences of indebtedness or shares of the capital stock of the corporation who realizes a loss from the sale, redemption, or other disposition of any securities, evidences of indebtedness, or shares of the capital stock of the corporation, including any such loss realized on a partial or complete liquidation of the corporation, and who is not entitled to deduct such loss in computing any of such stockholder's, or holder's taxes to the commonwealth, shall be entitled to credit against any taxes subsequently becoming due to the commonwealth from such stockholders or other holders, a percentage of such loss equivalent to the highest rate of tax assessed for the year in which the loss occurs upon mercantile and business corporations as referred to in section two of chapter sixty-three of the General Laws.

SECTION 16. The provisions of chapter one hundred and ten A of the General Laws shall not apply to the shares of the capital stock, bonds, debentures, notes, evidences of indebtedness, or any other securities of this corporation.

SECTION 17. The period of duration of the corporation shall be fifty years, subject, however, to the right of the members or stockholders to dissolve the corporation prior to the expiration of said period as provided in section eighteen.

SECTION 18. The corporation may upon the affirmative vote of two thirds of its members if no stock of the corporation is issued or outstanding or two thirds of the votes of the stockholders petition for its dissolution by order of the supreme judicial or superior court, in the manner provided in section fifty of chapter one hundred and fifty-five of the General Laws. Upon any dissolution of the corporation all assets over and above the amount paid into the corporation by the stockholders for their shares of stock shall be transferred to the city of Holyoke, located in this commonwealth, for its use and benefit and for the use and benefit of the citizens thereof and/or to one or more corporations, trusts, funds or foundations operating in Holyoke or the vicinity thereof which are described in Section 501 (c) (3) of the Internal Revenue Code as the same may be from time to time amended and which are exempt from federal income taxes under Section 501 (a) of the Internal Revenue Code as the same may be from time to time amended.

SECTION 19. If the corporation shall fail to commence operations within three years from the effective date of this act, then this act shall become null and void.

SECTION 20. Under no circumstances is the credit of the commonwealth or any political division thereof pledged herein.

SECTION 21. The provisions of this act are severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not impair any of the remaining provisions.

*Approved June 26, 1962.*



**Chap. 587.** AN ACT AUTHORIZING THE ADVANCEMENT OF FUNDS BY THE DEPARTMENT OF PUBLIC WORKS IN FURTHERANCE OF AGREEMENTS WITH RAILROAD CORPORATIONS WHICH PROVIDE FOR RELOCATION OR OTHER WORK ON PROPERTY OF SUCH CORPORATIONS.

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

Chapter 81 of the General Laws is hereby amended by inserting after section 7H the following section: —

*Section 7I.* The department of public works is hereby authorized to enter into agreements with railroad corporations for the purpose of performing any work which may be necessary in connection with the construction of highways, roads, bridges and other public works undertaken by said department whenever such construction or work would entail relocation, alteration or other work on the tracks, bridges or other property of such corporation and would disrupt the free flow of public transportation. Whenever any such agreement provides that a railroad corporation perform such construction or work for which the commonwealth is obligated to assume a part of the cost, the agreement may provide for the monthly advancement by the department to such corporation of funds, covering the estimated cost of such construction or work then in progress.

*Approved June 26, 1962.*

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**Chap. 588.** AN ACT RELATIVE TO THE TERM OF OFFICE OF THE MEMBERS OF THE RECREATION COMMISSION OF THE TOWN OF NATICK.

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

SECTION 1. Section 1 of chapter 38 of the acts of 1960 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — There shall be established in the town of Natick a recreation commission to consist of five members who shall be elected at large by the registered voters of said town.

SECTION 2. At the first annual town meeting following the acceptance of this act the registered voters of the town of Natick shall elect two members to the recreation commission to serve for terms of three years, two for terms of two years, and one for a term of one year. At each annual town election thereafter the voters shall elect in place of each member of the recreation commission whose term is about to expire a member who shall serve for a term of three years.

SECTION 3. This act shall take full effect upon its acceptance by the town of Natick at a special town meeting called for the purpose in the current year.

*Approved June 26, 1962.*

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**Chap. 589.** AN ACT AUTHORIZING AGENTS AND EMPLOYEES OF THE COUNTY COMMISSIONERS TO ENTER UPON PRIVATE PROPERTY FOR THE PURPOSE OF MAKING RECONNAISSANCES, SURVEYS, SOUNDINGS, INSPECTIONS AND EXAMINATIONS.

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

Chapter 82 of the General Laws is hereby amended by inserting after section 11 the following section: —

*Section 11A.* Whenever the commissioners or their authorized agents deem it necessary to make reconnaissances, surveys, soundings, inspections or examinations to obtain information for the layout and construction of highways or other projects under their jurisdiction, said commissioners or their authorized agents or employees may, after due notice by registered mail, given by the commissioners or their authorized agents, enter upon such lands, waters and premises, not including buildings, in their respective counties as they may deem necessary or convenient for the purposes of this chapter, and such entry shall not be deemed a trespass nor shall an entry for such purposes be deemed an entry under eminent domain proceedings. The county shall make reimbursement for any injury or actual damage to such lands, waters and premises caused by any act of the authorized agents or employees, and shall so far as possible restore such lands to the condition in which they were prior to making such entry. Such reimbursement shall be assessed upon the respective towns within which said areas have been entered upon.

*Approved June 26, 1962.*

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**Chap. 590.** AN ACT RELATIVE TO THE POWERS AND DUTIES OF THE STATE SUPERINTENDENT OF BUILDINGS.

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

SECTION 1. Chapter 8 of the General Laws is hereby amended by striking out section 6, as amended by section 6 of chapter 612 of the acts of 1953, and inserting in place thereof the following section:—

*Section 6.* Subject to the provisions of sections thirty A to thirty J, inclusive, of chapter seven, whenever the same shall be applicable, he shall direct the making of all repairs and improvements in the state house, in any building owned by the commonwealth and located in the immediate vicinity of the state house or located in the government center, so called, and on the grounds of the state house and of any such building; and all executive and administrative departments and officers shall make requisition upon him for any such repairs or improvements.

SECTION 2. Section 10 of said chapter 8, as most recently amended by section 1 of chapter 440 of the acts of 1943, is hereby further amended by inserting after the word "house", in line 9, the words:—, in any building in the immediate vicinity thereof or in any building in the government center, so called, which building is owned by the commonwealth.

*Approved June 26, 1962.*

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**Chap. 591.** AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SIXTY-THREE, 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 require-

ments 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-three, in this act referred to as the year nineteen hundred and sixty-three, or for such period as may be specified.

## SECTION 2.

## GENERAL FUND.

## STATE PURPOSES APPROPRIATIONS.

## Legislature.

*Senate.*

Item		
0101-01	For the compensation of senators, prior appropriation continued	\$282,750
0101-02	For the salary of the clerk of the senate	13,800
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	17,000
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	49,570
0101-07	For clerical and other assistance including expenses of the senate committee on rules, including not more than seven permanent positions, prior appropriation continued	87,000
0101-30	For expenses of senators, including travel, prior appropriation continued	34,940
0101-51	For stationery, supplies and other equipment for the senate, purchased by and with the approval of the clerk	800
0101-53	For expenses of the counsel to the senate	2,000
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		\$523,890

*House of Representatives.*

0102-01	For the compensation of representatives, prior appropriation continued	\$1,616,100
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	97,000
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	201,800
0102-51	For stationery, supplies and other equipment for the house of representatives, purchased by and with the approval of the clerk	1,000

Item		
0102-52	For expenses of the committee on rules on the part of the house of representatives, prior appropriation continued	\$17,000
0102-53	For expenses of the counsel to the house of representatives, prior appropriation continued	2,000
0102-54	For expenses of the clerk's office, house of representatives	1,000
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	\$2,186,080

*Sergeant-at-Arms.*

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	335,621
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	141,065
0103-06	For the salaries of clerks employed in the legislative document room, including not more than three permanent positions	39,048
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	35,000
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	\$614,253

*Legislative Research Council.*

0104-01	For expenses of the legislative research council, prior appropriation continued	\$4,000
0104-02	For personal services and other expenses of the legislative research bureau	103,000
	Total	\$107,000

*Recodification Counsel.*

0105-01	For expenses of the recodification counsel, including not more than four permanent positions	\$38,000
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*Other Expenses.*

0110-02	For printing, binding and paper ordered by the senate and house of representatives, or by concurrent order of the two branches, with the approval of the clerks of the respective branches, prior appropriation continued	\$275,000
0110-03	For printing the manual of the general court, with the approval of the clerks of the two branches, for the year nineteen hundred and sixty-three and previous years	18,000
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	55,000

Item		
0110-05	For telephone service, prior appropriation continued . . . . .	\$70,000
0110-06	For biographical sketches of certain state and federal officials . . . . .	5,500
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, prior appropriation continued . . . . .	5,000
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 . . . . .	<u>\$452,200</u>
	Total, Legislative . . . . .	<u>\$3,921,423</u>

### Judiciary.

#### *Supreme Judicial Court.*

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 and the assistant clerk for the commonwealth . . . . .	26,400
0301-04	For clerical assistance to the clerk . . . . .	5,513
0301-05	For law clerks and clerical assistance for the justices . . . . .	86,207
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 . . . . .	33,690
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 . . . . .	20,870
	Total . . . . .	<u>\$370,736</u>

#### *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 . . . . .	55,000
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 . . . . .	48,000
0305-11	For compensation of justices of district courts while sitting in the superior court, prior appropriation continued . . . . .	11,669
0305-12	For expenses of justices of district courts while sitting in the superior court, prior appropriation continued . . . . .	15,000
0305-14	For the compensation of probation officers, including not more than forty permanent positions . . . . .	325,748
0305-15	For personal services and expenses of the office of the supervisor of probation . . . . .	7,493
	Total . . . . .	<u>\$1,187,410</u>

*Judicial Council.*

Item		
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	\$16,000
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*Administrative Committee of Probate and Insolvency Courts.*

0320-01	For the compensation of judges of probate when acting for other judges of probate	\$5,000
0320-02	For expenses of judges of probate when acting for other judges of probate	1,000
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	\$7,000

*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:

<b>Barnstable:</b>		
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	15,988
<b>Berkshire:</b>		
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	21,673
<b>Bristol:</b>		
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	58,220
<b>Dukes:</b>		
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	3,601
<b>Essex:</b>		
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	67,362
<b>Franklin:</b>		
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	7,836

Item		
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 . . . . .	63,941
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 . . . . .	8,454
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 . . . . .	180,000
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 . . . . .	3,601
Norfolk:		
0331-01	Three judges of probate . . . . .	54,000
0331-02	Register . . . . .	13,500
0331-03	Four assistant registers . . . . .	36,450
0331-04	Clerical assistance to register, including not more than fifteen permanent positions . . . . .	68,687
0331-05	For expenses of the Conciliation Division as authorized by chapter six hundred and twenty of the acts of nineteen hundred and sixty-one . . . . .	7,500
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 . . . . .	34,609
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 . . . . .	207,000
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 . . . . .	70,268
0334-05	For expenses of the Conciliation Division as authorized by chapter six hundred and twenty of the acts of nineteen hundred and sixty-one . . . . .	7,500
Total . . . . .		\$1,622,015

*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 . . . . .	352,050
Total . . . . .		\$423,300

*Pensions for Certain Retired Justices.*

Item		
0345-01	For pensions of retired judges, as authorized by law . . .	\$100,000

*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.*

0370-01	For the office of the commissioner of probation, including not more than fifty-nine permanent positions	\$285,435
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	1,600
Total		\$287,035

*Board of Bar Examiners.*

0380-01	For the service of the board, including not more than six permanent positions	\$39,343
Total, Judiciary		\$4,589,939

**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	180,000
0401-03	For postage, printing, office and other contingent expenses, including travel of the governor	85,000
0401-04	For maintenance expenses of the governor's automobile	1,800
Total		\$286,800

*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.*

Item		
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 . . . . .	<u>\$79,844</u>

*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 approval of the governor and council its written recommendation as to the amount of funds required, with facts pertinent thereto. . . . .	\$100,000
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*Civil Defense Agency.*

0406-01	For the service of the civil defense agency, as authorized by chapter six hundred and thirty-nine of the acts of nineteen hundred and fifty, as amended, and chapter five hundred and twenty-two of the acts of nineteen hundred and fifty-one, 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, prior appropriation continued . . . . .	25,000
0406-07	For the purchase and installation of certain equipment to be allocated to the state civil defense program; 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 amount expended for the purposes of this item, to be in addition to the amount appropriated in item 0406-07 of section 2 of chapter four hundred and ninety-five of the acts of nineteen hundred and sixty-one . . . . .	50,000
	Total . . . . .	<u>\$325,000</u>
	Total, Executive . . . . .	<u>\$823,444</u>

*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 . . . . .	\$223,486
	Militia:	
0421-01	For allowances to companies and other administrative units, to be expended under the direction of the adjutant general . . . . .	187,000
0421-02	For officers' uniform allowances, as authorized by section eighty-seven of chapter thirty-three of the General Laws . . . . .	69,000
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 . . . . .	92,005
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

Item		
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	43,961
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	<b>\$636,031</b>

*State Quartermaster.*

0423-01	For the office of the state quartermaster	\$3,900
0423-02	For the operation of armories of the first class, including not more than one hundred and two permanent positions	711,750
	Militia:	
0424-01	For reimbursement for rent and maintenance of armories not of the first class	33,750
0424-02	For the Camp Curtis Guild rifle range, including not more than seven permanent positions	34,022
0424-05	For certain storage and maintenance facilities, including not more than twenty-eight permanent positions	114,150
0424-08	For certain national guard aviation facilities, including not more than ten permanent positions	40,180
	Total	<b>\$937,752</b>

*Armory Commission.*

0428-01	For compensation of one member and for expenses of the commission	\$195
	Notwithstanding the provisions of chapter thirty of the General Laws, certain military personnel in the military division may be paid salaries according to military pay grades, so called.	
	Total, Military Division	<b>\$1,573,978</b>

**Boards and Commissions serving under Governor and Council.**

*Commission on Administration and Finance.*

0440-32	For awards to state employees to be granted as provided by chapter five hundred and four of the acts of nineteen hundred and fifty-three, prior appropriation continued.	
0441-01	For the office of the commissioner of administration, including not more than thirteen permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of eighty-one thousand five hundred and ten dollars from the Highway Fund	\$269,700
0441-03	For telephone service for the commissioner's office and for the payment of certain unallocated telephone service charges in the state house, prior appropriation continued	28,000
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
0441-05	For the establishment, under the supervision of the commission on administration and finance, of a management team consisting of an employee to be designated by the budget commissioner, an employee to be designated by the comptroller, and an employee to be designated by the director of the division of personnel and standardization, for the purpose of co-ordinating the organization, procedures and account-	

Item		
	ing practices of the department of public works in respect to its relations with the commission on administration and finance in budgeting for programs and accounting for expenditures on all highway activities; provided, that such employees during their assignment to this management team shall be compensated from this item; and further provided, that the comptroller shall transfer to the General Fund from the Highway Fund a sum equal to the expenditures made from this item	\$35,000
0442-01	For the bureau of the comptroller, including not more than one hundred eighteen permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of two hundred thirty thousand four hundred dollars from the Highway Fund	764,000
0443-01	For the bureau of the budget commissioner, including not more than fifteen permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of forty-two thousand two hundred thirty-one dollars from the Highway Fund	140,271
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 thirty-one thousand and seventy dollars from the Highway Fund	434,900
0444-02	For the purchase of paper used in the execution of the contracts for state printing, other than legislative	90,000
0445-01	For the division of personnel and standardization, including not more than seventy-three permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred thirty thousand five hundred and fifteen dollars from the Highway Fund	434,050
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 seventy-two thousand three hundred dollars from the Highway Fund	72,300
0446-01	For the division of building construction, including not more than forty-eight permanent positions	447,938
0447-01	For the division of hospital costs and finances, including not more than six permanent positions	45,700
0448-01	For administration of the state employees' group insurance, including not more than twenty-five permanent positions	187,381
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	3,885,000
Total		\$6,847,590

*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	\$1,056,435
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*Commissioners on Uniform State Laws.*

0457-01	For the expenses of the commissioners	\$2,950
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*George Fingold Library.*

0459-01	For the service of the library, including not more than thirty-one permanent positions	\$184,288
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*Art Commission.*

Item		
0460-01	For expenses of the commission, notwithstanding the limitation of section nineteen of chapter six of the General Laws . . . . .	\$100

*Ballot Law Commission.*

0461-01	For compensation and expenses of the commissioners, including not more than three permanent positions . . . . .	\$3,175
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*Massachusetts Commission Against Discrimination.*

0462-01	For the service of the commission, including not more than fourteen permanent positions . . . . .	\$108,939
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*State Racing Commission.*

0463-01	For the service of the commission, including not more than eleven permanent positions; provided, that fees paid to veterinarians for services in connection with horse racing shall not exceed twenty-five dollars per diem, and in connection with dog racing shall not exceed twenty dollars per diem . . . . .	\$164,819
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*Council for the Aging.*

0465-01	For expenses of the council . . . . .	\$38,110
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*Mount Greylock Reservation Commission.*

0466-01	For the maintenance of the Mount Greylock war memorial . . . . .	\$500
0466-21	For an investigation of the cause of certain structural weaknesses in the Mount Greylock war memorial, for the year 1963 and the previous year . . . . .	5,000
	Total . . . . .	\$5,500

*Old State House.*

0467-01	For the contribution of the commonwealth toward the maintenance of the old provincial state house . . . . .	\$1,500
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*Alcoholic Beverages Control Commission.*

0469-01	For the service of the commission, including not more than sixty-six permanent positions . . . . .	\$465,166
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*Contributory Retirement Appeal Board.*

0471-01	For the service of the board . . . . .	\$100
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*Obscene Literature Control Commission.*

0472-01	For expenses of the commission, as authorized by section one hundred and one of chapter six of the General Laws . . . . .	\$2,000
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*New England Board of Higher Education.*

0476-01	For expenses of the board, and for compensation and expenses of the members, as provided by chapter five hundred and eighty-nine of the acts of nineteen hundred and fifty-four . . . . .	\$31,173
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 . . . . .	\$206,173

*Finance Advisory Board.*

Item		
0477-01	For expenses of the board . . . . .	\$100

*Retirement Law Commission.*

0478-01	For the expense of the retirement law commission, as authorized by chapter six hundred and twenty-three of the acts of nineteen hundred and fifty-eight . . . . .	\$20,000
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*Medical, Dental and Nursing Scholarship Board.*

0479-01	For expenses of the board . . . . .	\$550
0479-02	For scholarships . . . . .	75,000
	Total . . . . .	\$75,550

*Boxers' Fund Board.*

0480-01	For the expenses of the board . . . . .	\$200
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*Soldiers' Home in Massachusetts.*

0481-01	For the maintenance of the Soldiers' Home in Massachusetts, including not more than five hundred and ninety permanent positions . . . . .	\$3,373,260
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*Soldiers' Home in Holyoke.*

0482-01	For the maintenance of the Soldiers' Home in Holyoke, including not more than two hundred and twenty permanent positions . . . . .	\$1,278,750
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*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 the direction and under the control of the attorney general . . . . .	\$335,056
0484-01	For the service of the division of urban renewal, including not more than eleven permanent positions . . . . .	83,495
	Total . . . . .	\$418,551

*Commissioner of Veterans' Services.*

0485-01	For personal services of the commissioner and deputies, including not more than three permanent positions . . . . .	\$25,894
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 . . . . .	494,401
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 . . . . .	119,500
	Total . . . . .	\$639,795

*Massachusetts Aeronautics Commission.*

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 . . . . .	75,270
	Total . . . . .	\$82,270

*Commission on Employment of the Handicapped.*

Item		
0496-07	For expenses of the commission . . . . .	\$1,975

*Massachusetts Rehabilitation Commission.*

0497-01	For the service of the commission, including not more than one permanent position, prior appropriation continued . . . . .	\$856,000
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*Massachusetts Commission on Atomic Energy.*

0498-01	For the service of the commission . . . . .	\$8,749
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Total, Boards and Commissions serving under Governor and Council . . . . .	<u>\$15,842,045</u>
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*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 . . . . .	550,765
0501-03	For the processing of certain statistical data in the division of vital statistics . . . . .	19,223
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 . . . . .		<u>\$591,938</u>

*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-three, 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 . . . . .		<u>\$69,000</u>

*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 . . . . .	\$378,788
0504-04	For expenses of publications of lists of candidates and forms of questions before state elections . . . . .	22,000
0504-07	For expenses of compiling and publishing information to voters, as required by section fifty-three of chapter fifty-four of the General Laws . . . . .	145,000
Total . . . . .		<u>\$545,788</u>

*Medical Examiners.*

0505-01	For medical examiners' fees . . . . .	\$1,800
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*Commission on Interstate Co-operation.*

Item		
0506-01	For the service of the commission, including not more than two permanent positions . . . . .	\$34,789
Total, Department of the Secretary of the Commonwealth		<u>\$1,243,315</u>

*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 sixty thousand eight hundred and twenty-three dollars from the Highway Fund. . . . .	494,578
Total . . . . .		<u>\$505,578</u>

*Commissioners on Firemen's Relief.*

0602-01	For expenses of administration and for relief disbursed by the commissioners on firemen's relief . . . . .	\$15,000
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*State Board of Retirement.*

0604-01	For the administrative office of the board, including not more than twenty-four permanent positions . . . . .	\$141,717
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 three hundred and fifty thousand dollars from the Highway Fund and the sum of twenty-five thousand dollars from the Inland Fisheries and Game Fund; and, provided further, that amounts of reimbursements received from the metropolitan district commission, in accordance with the provisions of section nine A of chapter twenty-nine of the General Laws, and from the federal government on account of the retirement of employees of the division of employment security and the departments of public health, public welfare and education are to be in addition to this item and to be available for expenditure without further appropriation . . . . .	9,000,000
0604-04	For the compensation of veterans who may be retired by the state board of retirement under the provisions of sections fifty-six to fifty-nine, inclusive, of chapter thirty-two of the General Laws, and under the provisions of chapter four hundred and ninety of the acts of nineteen hundred and sixty-one, 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, and in accordance with the provisions of chapter four hundred and ninety of the acts of nineteen hundred and sixty-one; provided that the comptroller shall transfer to the General Fund the sum of seven hundred and thirty-seven thousand dollars from the Highway Fund . . . . .	3,350,000
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 . . . . .	13,800
0604-06	For the compensation of certain prison officers and instructors formerly in the service of the commonwealth, now retired . . . . .	20,700
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 . . . . .	

Item		
	the Highway Fund twenty-five per cent and from the Metropolitan District 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	\$7,100
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	475,000
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	138,000
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	345,000
Total		<u>\$13,491,317</u>

*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	\$18,761
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*World War and Spanish-American War Service.*

0606-01	For making payments to soldiers in recognition of service during World War I and the Spanish War, as provided by law	\$750
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Total, Department of the Treasurer and Receiver-General \$14,031,406

**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-two thousand eight hundred and sixty-two dollars from the Highway Fund	409,090
0701-23	For an audit of the accounts of the Metropolitan Transit Authority	35,630
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	3,900
0701-25	For an audit of certain housing authorities, as authorized by section twenty-six NN of chapter one hundred and twenty-one of the General Laws	97,600
Total, Department of the Auditor		<u>\$557,220</u>

**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	378,831
0801-03	For the cost of providing certain legal assistance for the benefit of veterans, their wives and dependents	16,500



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	\$115,000
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		<u>\$535,331</u>

#### 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	219,569
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	8,900
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		<u>\$240,804</u>

#### Division of Dairying and Animal Husbandry.

0905-01	For the service of the division, including not more than five permanent positions	\$35,200
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	102,098
0905-04	For matching certain federal funds allocated to the department for a program of quality improvement of dairy products	4,400
Total		<u>\$141,698</u>

#### Milk Control Commission.

0906-01	For the service of the commission, including not more than thirty-four permanent positions	\$209,599
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#### 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	\$240,345
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		<u>\$251,645</u>

*Division of Markets.*

Item		
0908-01	For the service of the division, including not more than twelve permanent positions . . . . .	\$107,362

*Division of Plant Pest Control and Fairs.*

0909-01	For the service of the division, including not more than four permanent positions . . . . .	\$31,521
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*State Reclamation Board.*

0910-01	For the service of the board, including not more than two permanent positions . . . . .	\$11,641
0910-21	For the control of the greenhead fly, as authorized by section twenty-four of chapter two hundred and fifty-two of the General Laws . . . . .	6,500
	Total . . . . .	\$18,141
	Total, Department of Agriculture . . . . .	\$1,000,770

**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 . . . . .	221,400
1001-04	For the expenses of the natural resources board . . . . .	500
	Total . . . . .	\$231,900

*Division of Forests and Parks.*

1002-01	For the office of the director, including not more than eight permanent positions . . . . .	\$49,950
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 . . . . .	386,415
1002-14	For the expenses of forest fire patrol, as authorized by section twenty-eight A of chapter forty-eight of the General Laws . . . . .	63,150
1002-21	For the development of forests, including not more than thirty-seven permanent positions . . . . .	233,875
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 fourteen dollars in the state treasury for this project . . . . .	8,056
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 forty-two dollars in the state treasury for this project . . . . .	7,366
1002-28	For certain farm forestry projects in co-operation with the United States Forest Service and the county of Hampshire, including not more than one permanent position; provided, that no expenditure shall be made under this item until the county of Hampshire shall have deposited the sum of two thousand two hundred and forty-nine dollars in the state treasury for this project . . . . .	8,996
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 . . . . .	191,950

Item		
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 . . . . .	\$66,360
1002-41	For a federal-state co-operative forest management program . . . . .	21,088
	Total . . . . .	<u>\$1,036,196</u>

*Division of Law Enforcement.*

1003-01	For the office of the director, including not more than five permanent positions . . . . .	\$27,433
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 . . . . .	230,895
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 . . . . .	260,500
	Total . . . . .	<u>\$518,828</u>

*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 . . . . .	\$117,506
1004-71	For the operation of a shellfish treatment plant as authorized by chapter five hundred and six of the acts of nineteen hundred and sixty-one, prior appropriation continued . . . . .	35,551
	Total . . . . .	<u>\$153,057</u>

*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 . . . . .	\$102,402
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 . . . . .	2,300
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 . . . . .	42,975
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 . . . . .	58,700
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 . . . . .	600
1010-35	For operation and maintenance of flood control reservoirs on the SuAsCo watershed . . . . .	1,800
1010-36	For property surveys for establishment of flood plain limits in the Assabet and Chicopee river valleys . . . . .	10,000
	Total . . . . .	<u>\$218,777</u>
	Total, Department of Natural Resources . . . . .	<u><u>\$2,158,758</u></u>

**Department of Banking and Insurance.**

*Division of Banks.*

Item		
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 . . . . .	1,424,561
1102-01	For the office of the supervisor of loan agencies, including not more than forty-one permanent positions . . . . .	282,850
Total		<u>\$1,719,911</u>

*Division of Insurance.*

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 eighteen thousand nine hundred and eighty-four dollars from the Highway Fund . . . . .	1,592,920
Total		<u>\$1,605,420</u>

*Division of Savings Bank Life Insurance.*

1105-01	For the service of the division, including not more than twenty-eight permanent positions . . . . .	\$164,730
Total, Department of Banking and Insurance		<u><u>\$3,490,061</u></u>

**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 ninety-five permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of two hundred eleven thousand two hundred and fifty dollars from the Highway Fund and the sum of two million, seven hundred forty-six thousand two hundred and fifty dollars from the receipts of the income tax . . . . .	4,225,000
1201-03	For expenses of the department except as otherwise provided; provided, that the comptroller shall transfer to the General Fund the sum of sixty-three thousand six hundred and sixty dollars from the Highway Fund . . . . .	313,300
1201-52	For certain tax audits of foreign corporations . . . . .	75,000
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 . . . . .	1,032,800
Total		<u>\$5,689,100</u>

*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 . . . . .	\$841,200
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 . . . . .	86,700

Item		
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	\$78,000
1203-21	For the service of the county personnel board, including not more than six permanent positions	21,840
	Total	<u>\$1,027,740</u>

*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	\$227,840
	Total, Department of Corporations and Taxation	<u>\$6,944,680</u>

**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-one permanent positions	531,240
1301-03	For the program of continuing studies 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 five 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	115,000
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	45,557
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	11,849
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	350,000
1301-33	For certain educational services to certain war veterans	29,806
	Total	<u>\$1,131,277</u>

*School Lunch and Commodity Distribution Program.*

Item		
1305-01	For the administration of the program, including not more than thirty-two permanent positions	\$186,188
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	365,000
Total		\$551,188

*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	\$138,725
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	19,994
Total		\$158,719

*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	\$2,600,000
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*Education of Emotionally Disturbed Children.*

1312-01	For education of emotionally disturbed children of the commonwealth, as provided by section forty-six I of chapter seventy-one of the General Laws, for the year nineteen hundred and sixty-three and the previous year	\$150,000
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*Division of University Extension.*

1313-01	For the university extension courses, including not more than fifty-five permanent positions; provided, that the division 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 four hundred thousand dollars with the approval of the state board of education	\$265,000
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*Division of Immigration and Americanization.*

1315-01	For the service of the division, including not more than seventeen permanent positions	\$101,902
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*Division of Public Libraries.*

1316-01	For the service of the division, including not more than twenty-five permanent positions	\$161,821
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*Division of the Blind.*

Item		
1317-01	For general administration and for instruction of the adult blind in their homes, including not more than seventy-three permanent positions	\$416,240
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	2,000,000
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	266,943
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	45,676
1317-16	For the operation of the Cambridge industries for the blind, including not more than twelve permanent positions	493,849
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	46,000
1317-28	For the promotion of vocational rehabilitation of the blind in co-operation with the federal government, prior appropriation continued	142,200
	Total	\$3,440,908

*Teachers' Retirement Board.*

1319-01	For the service of the board, including not more than thirty-four permanent positions	\$169,788
1319-02	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
	Total	\$170,288

*Massachusetts Maritime Academy.*

1327-01	For administration, including not more than two permanent positions	\$12,716
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	489,350
	Total	\$502,066

*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 eighteen 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-eight permanent positions	\$1,067,800
1330-21	State college at Bridgewater, boarding hall, including not more than thirty-eight permanent positions	282,500
1331-01	State college at Fitchburg, including not more than one hundred and sixteen permanent positions	863,950
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	149,100

Item		
1332-01	State college at Framingham, including not more than one hundred and three permanent positions	\$638,560
1332-21	State college at Framingham, boarding hall, including not more than thirty-six permanent positions	248,200
1333-01	State college at Lowell, including not more than seventy-six permanent positions	453,500
1333-21	State college at Lowell, boarding hall, including not more than four permanent positions	14,325
1334-01	State college at North Adams, including not more than fifty-three permanent positions	327,025
1334-21	State college at North Adams, boarding hall, including not more than eight permanent positions	48,213
1335-01	State college at Salem, including not more than one hundred and twenty-one permanent positions	829,200
1336-01	State college at Westfield, including not more than sixty-seven permanent positions	437,320
1336-21	State college at Westfield, boarding hall, including not more than seven permanent positions	28,600
1337-01	State college at Worcester, including not more than one hundred and one permanent positions	677,400
1338-01	State college at Boston, including not more than one hundred and thirty-seven permanent positions	1,016,250
1339-01	Massachusetts College of Art, including not more than forty-seven permanent positions	370,850
Total		\$7,456,783

*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-two; 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	\$488,800
1340-10	For scholarships, as authorized by section forty-six C of chapter seventy-four of the General Laws	1,250
1342-01	New Bedford Institute of Technology, including not more than sixty-four permanent positions, and including the sum of ten thousand dollars which is to be assessed upon the city 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-two; 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	501,200
1342-10	For scholarships, as authorized by section forty-six C of chapter seventy-four of the General Laws	1,250
Total		\$992,500

*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 two hundred and one permanent positions, and including the sum of ten thousand dollars 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



## Item

	year nineteen hundred and sixty-two; 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 . . . . .	\$1,666,500
1345-42	For scholarships, as authorized by section seventeen of chapter seventy-five A of the General Laws . . . . .	10,000
	Total . . . . .	\$1,666,500

*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, prior appropriation continued . . . . .	\$2,400
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*University of Massachusetts.*

1350-01	For the maintenance of the University of Massachusetts, with the approval of the trustees, including not more than thirteen hundred and forty-six permanent positions; provided, that the trustees may, notwithstanding any other provision of law, employ, as members of the faculty, within the quota of permanent positions, not more than forty-six 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 University trust funds 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 from University health services; and, provided further, that there shall be transferred from the receipts of said boarding halls the sum of one hundred and forty 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 commonwealth shall furnish heat, light, power and necessary repairs in the infirmary building and pay the commonwealth's share of the cost of employee fringe benefits of the University health services trust fund; and, provided further, that the University health services trust fund shall furnish without charge health services required by law to be furnished at the University by the commonwealth. 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 funds 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 . . . . .	\$11,931,900
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.	
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 . . . . .	\$11,960,100

*Massachusetts Board of Regional Community Colleges.*

Item		
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	\$43,641
1361-00	Massachusetts Bay community college, including not more than fifty-three permanent positions	346,834
1362-00	Northern Essex community college, including not more than twenty-two permanent positions	149,180
1363-00	Cape Cod community college, including not more than twenty-two permanent positions	156,180
1364-00	Berkshire community college, including not more than twenty-three permanent positions	176,330
1366-00	Upper Connecticut Valley Community College, including not more than nine permanent positions	80,692
	Total	<u>\$952,857</u>

*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-nine permanent positions	\$886,531
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*For the maintenance of and for certain improvements at the institutions within the division:*

1381-01	Industrial school for boys, including not more than one hundred and twenty-nine permanent positions	\$792,340
1382-01	Industrial school for girls, including not more than ninety-five permanent positions	543,225
1383-01	Lyman school for boys, including not more than one hundred and forty-nine permanent positions	1,025,450
1384-01	For the operation of reception and detention facilities for boys in the city of Boston, including not more than sixty-one permanent positions	409,000
1385-01	For the operation of the institute of juvenile guidance, including not more than fifty-four permanent positions	359,280
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	195,800
1387-01	For the operation of a detention center in Hampden county, including not more than seventeen permanent positions	100,900
1388-01	For the operation of a residential treatment unit for small boys in Oakdale, including not more than twenty-five permanent positions	191,200
1389-01	For the operation of a detention center in Worcester county, including not more than eighteen permanent positions	109,376
1390-01	For the maintenance of Stephen L. French Youth Forestry Camp	66,100
	Total	<u>\$3,792,671</u>
	Total, Division of Youth Service	<u><u>\$4,679,202</u></u>

*School Building Assistance Commission.*

1393-01	For the school building assistance commission	\$84,386
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*Board of Educational Assistance.*

1394-01	For the expenses of the board, as authorized by section twenty-six of chapter fifteen of the General Laws	\$12,050
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	

## Item

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 . . . . . \$162,050

Total, Department of Education . . . . . \$37,189,947

### 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
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-five thousand two hundred and twenty-eight dollars from the Highway Fund.	1,229,850
1402-21	For expenses of hearings, as authorized by section forty-three of chapter thirty-one of the General Laws, for the year nineteen hundred and sixty-three and the previous year . . . . .	6,000
Total		\$1,283,350

#### *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 . . . . .	361,570
Total		\$367,570

#### *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 . . . . .	5,900
1406-01	Board of registration in chiropraxy, 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 . . . . .	36,413
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 . . . . .	2,850
1412-01	Board of registration of professional engineers and land surveyors . . . . .	24,200
1413-01	Board of registration of architects, including not more than five permanent positions . . . . .	4,300
1414-01	Board of registration of certified public accountants, including not more than five permanent positions . . . . .	16,160
1416-01	State examiners of electricians, including not more than two permanent positions . . . . .	9,700

Item		
1417-01	State examiners of plumbers, including not more than three permanent positions	\$7,600
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	179,500
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	47,421
1421-01	Board of registration of hairdressers, including not more than seventeen permanent positions	96,381
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	<u>\$469,305</u>
	Total, Department of Civil Service and Registration	<u><u>\$2,120,225</u></u>

**Department of Commerce.**

1551-01	For the service of the department, including not more than fifty-seven permanent positions	\$578,770
1551-02	For the promotion of vacation travel within the commonwealth; provided, that no salaries or expenses of employees shall be chargeable to this item	100,000
1551-03	For the promotion of industry within the commonwealth; provided, that no salaries or expenses of employees shall be chargeable to this item	100,000
1551-10	For the commonwealth's share of the expenses of the New England governors' research committee	1,500
	Total, Department of Commerce	<u><u>\$780,270</u></u>

**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	\$107,061
1603-01	For the division of industrial safety, including not more than sixty-eight permanent positions	467,554
1605-01	For the division of occupational hygiene, including not more than fourteen permanent positions	94,395
1607-01	For the division of statistics, including not more than thirty-four permanent positions	184,281
1609-01	For administration of the division on necessities of life, including not more than five permanent positions	30,676
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	79,214
1611-01	For the board of conciliation and arbitration, including not more than fifteen permanent positions	137,875
1613-01	For the commission on minimum wage and for expenses of wage boards, including not more than thirty-four permanent positions	186,230
1615-01	For the division of standards, including not more than twenty-one permanent positions	140,691
	Total	<u><u>\$1,427,977</u></u>

*Division of Apprentice Training.*

Item		
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 . . . . .	\$199,285

*Labor Relations Commission.*

1630-01	For the service of the commission, including not more than twenty permanent positions . . . . .	\$148,830
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*Health, Welfare and Retirement Trust Funds Board.*

1640-01	For the service of the board, as authorized by sections ten E and ten F of chapter twenty-three of the General Laws, including not more than twenty-six permanent positions . . . . .	\$178,100
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*Division of Industrial Accidents.*

1651-01	For personal services of members of the board, including not more than twelve permanent positions . . . . .	\$169,000
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 . . . . .	951,138
1651-05	For expenses of impartial examinations, prior appropriation continued . . . . .	32,500
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 four hundred and twenty thousand dollars from the Highway Fund . . . . .	1,200,000
Total . . . . .		\$2,352,638

*Division of Self-Insurance.*

1651-21	For the service of the division, including not more than six permanent positions . . . . .	\$36,082
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*Industrial Accident Rehabilitation Board.*

1652-01	For the service of the board, including not more than six permanent positions . . . . .	\$13,665
Total, Department of Labor and Industries . . . . .		<u>\$4,356,577</u>

*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 four hundred and eighty-two permanent positions . . . . .	4,270,900
Total . . . . .		<u>\$4,290,900</u>

*For the maintenance of and for certain improvements at the following institutions under the control of the department of mental health:*

Item		
1710-00	Massachusetts mental health center, including not more than two hundred and seventy-nine permanent positions	\$1,610,995
1711-00	Boston state hospital, including not more than one thousand one hundred and twenty-two permanent positions	6,113,500
1712-00	Danvers state hospital, including not more than eight hundred and forty-five permanent positions	4,493,400
1713-00	Foxborough state hospital, including not more than five hundred and fifty-nine permanent positions	2,999,250
1714-00	Gardner state hospital, including not more than five hundred and seven permanent positions	2,809,270
1715-00	Grafton state hospital, including not more than five hundred and seventy-five permanent positions	3,142,377
1716-00	Medfield state hospital, including not more than six hundred and seventy-eight permanent positions	3,509,050
1717-00	Metropolitan state hospital, including not more than seven hundred and forty-one permanent positions	3,967,755
1718-00	Northampton state hospital, including not more than seven hundred and fifty-one permanent positions	4,131,060
1719-00	Taunton state hospital, including not more than seven hundred and eleven permanent positions	3,935,400
1720-00	Westborough state hospital, including not more than seven hundred and seventy-eight permanent positions	4,098,800
1721-00	Worcester state hospital, including not more than one thousand and fifty permanent positions	5,346,615
1722-00	Monson state hospital, including not more than seven hundred and fifty-four permanent positions	3,550,400
1723-00	Belchertown state school, including not more than five hundred and eighty-eight permanent positions	2,947,700
1724-00	Walter E. Fernald state school, including not more than nine hundred and sixty-two permanent positions	5,169,174
1725-00	Wrentham state school, including not more than six hundred and forty-seven permanent positions	3,590,915
1726-00	Paul A. Dever state school, including not more than six hundred and twenty-five permanent positions	3,528,400
1727-00	Cushing hospital, including not more than six hundred and seventy-six permanent positions	3,006,700
	Total	\$67,950,761
	Total, Department of Mental Health	\$72,241,661

**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	506,175
	Total	\$521,175

*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 fifty-six permanent positions	\$4,096,500
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Item		
1812-01	Correctional institution at Walpole, including not more than two hundred and ninety-one permanent positions	\$2,109,100
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	739,384
1814-01	Correctional institution at Concord, including not more than two hundred and forty-seven permanent positions	1,745,150
1814-02	Correctional institution at Concord, industries, including not more than twenty-three permanent positions	361,400
1816-01	Correctional institution at Framingham, including not more than one hundred and thirty-three permanent positions	925,850
1816-02	Correctional institution at Framingham, industries, including not more than ten permanent positions	235,975
1818-01	Correctional institution at Norfolk, including not more than two hundred and fifty-five permanent positions	1,998,500
1818-02	Correctional institution at Norfolk, industries, including not more than twenty-nine permanent positions	504,600
1820-01	For the operation of correctional institution camps, including not more than twenty-five permanent positions	275,790
Total		<u>\$12,992,249</u>

*Parole Board.*

1830-01	For the service of the board, including not more than sixty-nine permanent positions	\$526,010
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Total, Department of Correction \$14,039,434

**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 seventy-one permanent positions	3,278,598
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	48,000
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	105,000
1906-04	For the care and maintenance of children under the jurisdiction of the division of child guardianship, prior appropriation continued	4,800,000

Total, Department of Public Welfare \$8,244,098

**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-eight permanent positions	267,275
2001-03	For a poliomyelitis vaccine program, for the purchase of poliomyelitis vaccine and for the development of programs for the administration of poliomyelitis vaccine, to be expended either with or without grants or contributions from public or private agencies; provided, that such	

Item		
	grants or contributions may be expended without appropriation; and, provided further, that the commissioner shall present a report to the general court on or before the first Wednesday in January, nineteen hundred and sixty-three, prior appropriation continued . . . . .	\$250,000
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 . . . . .	3,275
	Total . . . . .	\$538,550

*Bureau of Environmental Sanitation.*

2002-01	For the service of the bureau, including not more than seventy-seven 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 . . . . .	\$579,450
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-four.	
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 section one hundred and forty-two B . . . . .	57,910
	Total . . . . .	\$637,360

*Bureau of Preventive Disease Control.*

2003-01	For the service of the bureau and for the operation of certain clinics in the outpatient department of certain general hospitals, including not more than sixty-four permanent positions . . . . .	\$1,396,415
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*Bureau of Health Services.*

2004-01	For the service of the bureau, including not more than sixty-two permanent positions . . . . .	\$759,205
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*Bureau of Hospital Facilities.*

2005-01	For the service of the bureau, including not more than twenty-three permanent positions . . . . .	\$170,055
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*Bureau of Tuberculosis and Institutions.*

2006-01	For the service of the bureau, including such payments for hospital care of tubercular patients as may be contracted for by the commissioner of public health, and for the commonwealth's share of the operation of certain tuberculosis clinics, including not more than thirty-three permanent positions . . . . .	\$2,721,555
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*Institute of Laboratories.*

2007-01	For the service of the institute, including not more than one hundred and thirty-nine permanent positions . . . . .	\$829,255
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*Bureau of Consumer Products Protection.*

Item		
2008-01	For the service of the bureau, including not more than fifty permanent positions . . . . .	\$350,795

*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 eighty-six permanent positions . . . . .	\$4,398,042
2022-00	Lakeville state sanatorium, including not more than two hundred and fifty-five permanent positions . . . . .	1,332,775
2024-00	Rutland state sanatorium, including not more than two hundred and fifty-two permanent positions . . . . .	1,293,600
2025-00	Westfield state sanatorium, including not more than two hundred and ninety-one permanent positions . . . . .	1,645,525
2026-00	Lemuel Shattuck hospital, including not more than eight hundred and thirty permanent positions . . . . .	4,759,450
2026-50	For a research program of chronic hepatitis and related diseases, to be in addition to any federal or other funds available . . . . .	40,000
2027-00	Massachusetts Hospital School, including not more than two hundred and twenty-five permanent positions . . . . .	1,217,460
2031-00	Pondville hospital, including not more than two hundred and seventy-five permanent positions . . . . .	1,767,950
2031-50	For the expenses of a cancer research project . . . . .	24,577
Total . . . . .		<u>\$16,479,379</u>

*New England Interstate Water Pollution Control Commission.*

2040-01	For expenses of the New England interstate water pollution control commission, as authorized by chapter four hundred and twenty-one of the acts of nineteen hundred and forty-seven, and for compensation and expenses of the commissioners, as provided by section four of said chapter . . . . .	\$9,755
Total, Department of Public Health . . . . .		<u><u>\$23,890,324</u></u>

**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 two permanent positions . . . . .	630,911
Total . . . . .		<u>\$643,411</u>

*Division of Fire Prevention.*

2103-01	For the fire prevention service, including not more than twenty-five permanent positions . . . . .	\$220,450
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*Division of Inspection.*

2104-01	For the service of the division, except as otherwise provided, including not more than fifty-nine permanent positions . . . . .	\$460,000
2104-31	For the board of boiler rules, including not more than four permanent positions . . . . .	1,500
Total . . . . .		<u>\$461,500</u>

*State Boxing Commission.*

2105-11	For the service of the commission, including not more than six permanent positions . . . . .	\$29,485
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Item

*Board of Standards.*

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| 2106-01 | For the service of the board, including not more than seven permanent positions . . . . . | \$5,150 |
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*Board of Elevator Regulations.*

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|---------|---|---------|
| 2107-01 | For the service of the board, including not more than seven permanent positions . . . . . | \$5,100 |
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*Board of Fire Prevention Regulations.*

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|---------|---|---------|
| 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 . . . . . | \$33,759 |
|---------|---|----------|

*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 . . . . . | \$1,850 |
|---------|--|---------|

*Board of Examiners of Elevator Constructors, Maintenance Men and Repairmen.*

- |         |   |         |
|---------|---|---------|
| 2111-01 | For the service of the board, including not more than one permanent position, as authorized by section seventy-one A of chapter one hundred and forty-three of the General Laws . . . . . | \$1,000 |
|---------|---|---------|

*Board of Elevator Appeals.*

- |         |   |         |
|---------|---|---------|
| 2112-01 | For expenses of the board, including not more than six permanent positions, as authorized by section eleven A of chapter twenty-two of the General Laws . . . . . | \$1,800 |
|---------|---|---------|

Total, Department of Public Safety . . . . .	\$1,408,805
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**Department of Public Works.**

*The salaries of all officers and employees of the department engaged in projects or activities authorized by bond issue or otherwise shall be charged for the nineteen hundred and sixty-three fiscal year in full to appropriations authorized under this heading in this act:*

*Division of Waterways.*

- |         |   |           |
|---------|---|-----------|
| 2202-03 | For administration, including not more than sixty-five permanent positions . . . . .  | \$505,500 |
| 2202-06 | For the maintenance and repair of certain property in the town of Plymouth, including not more than two permanent positions . . . . . | 9,445     |
| 2202-07 | For the operation and maintenance of the New Bedford state pier, including not more than one permanent position . . . . .             | 19,031    |

Total . . . . .	\$533,976
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*Outdoor Advertising Division.*

- |         |   |          |
|---------|---|----------|
| 2230-01 | For the service of the division, including not more than eleven permanent positions . . . . . | \$53,990 |
|---------|---|----------|

*Mass Transportation Commission.*

Item		
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 . . . . .	\$86,795
Total, Department of Public Works . . . . .		<u>\$674,761</u>

*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 . . . . .	524,821
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 . . . . .	13,600
Total . . . . .		<u>\$615,421</u>

*Commercial Motor Vehicle Division.*

2304-01	For the service of the division, including not more than thirty-two permanent positions . . . . .	\$226,900
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*Securities Division.*

2308-01	For the service of the division, including not more than nine permanent positions . . . . .	\$54,375
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*Gas Fitting Regulations Board.*

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 section twelve H of chapter twenty-five of the General Laws . . . . .	\$750
Total, Department of Public Utilities . . . . .		<u>\$897,446</u>

*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 . . . . .	\$12,600
Total, Annuities and Payments . . . . .		<u>\$12,600</u>

*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 . . . . .	5,000
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 . . . . .	

Item

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 \$31,500

#### 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.

##### *Superior Court.*

2603-01 For reimbursing certain counties for compensation of certain special justices for services in holding sessions of district courts in place of the justice while sitting in the superior court \$15,000

##### *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 \$285,000

Total, Judiciary \$300,000

#### Boards and Commissions serving under Governor and Council.

##### *Service of the State Housing Board.*

2604-01 For reimbursing the city of Boston for loss of taxes on land used for the new government center, as authorized by section eight of chapter six hundred and thirty-five of the acts of nineteen hundred and sixty \$123,000

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 649,000

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 4,030,000

2604-04 For reimbursement to cities and towns, as 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, payments from this item shall not exceed one-twentieth of the total liability of the commonwealth for its share of any such project 1,250,000

2604-05 For reimbursement of cities and towns for the commonwealth's share of the cost of urban, commercial and industrial renewal projects; provided, that notwithstanding the provisions of chapter one hundred and twenty-one of the General Laws, payments from this item shall not exceed one-twentieth of the total liability of the commonwealth for its share of any such project 42,075

Total \$6,094,075

*Service of the Commissioner of Veterans' Services.*

Item		
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 . . . . .	<u>\$5,200,000</u>
	Total, Boards and Commissions serving under Governor and Council . . . . .	<u>\$11,294,075</u>

**Department of Agriculture.***Division of Livestock Disease Control.*

2609-01	For the reimbursement of certain towns for compensation paid to inspectors of animals . . . . .	<u>\$5,000</u>
	Total, Department of Agriculture . . . . .	<u>\$5,000</u>

**Department of Natural Resources.***Division of Forests and Parks.*

2610-01	For aiding towns in the purchase of equipment for extinguishing forest fires, as provided by section eleven of chapter forty of the General Laws, prior appropriation continued.	
2610-02	For reimbursement to certain towns for extinguishing forest fires, prior appropriation continued.	
2610-03	For the reimbursement to cities and towns of a proportion of their expenses for the suppression of insect pests, as provided by law, prior appropriation continued.	

*Division of Marine Fisheries.*

2610-04	For the reimbursement to certain coastal cities and towns of a part of the cost of projects for the suppression of enemies of shellfish and for propagation, as authorized by section twenty of chapter one hundred and thirty of the General Laws; provided, that the expenditure by said cities and towns of funds herein provided shall not be subject to appropriation as required by section fifty-three of chapter forty-four of the General Laws . . . . .	<u>\$20,000</u>
	Total, Department of Natural Resources . . . . .	<u>\$20,000</u>

**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-two, and for the reimbursement of certain towns as authorized by section seventeen B of chapter fifty-eight of the General Laws . . . . .	<u>\$950,000</u>
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 . . . . .	<u>328,000</u>
	Total . . . . .	<u>\$1,278,000</u>
	Total, Department of Corporations and Taxation . . . . .	<u>\$1,278,000</u>

**Department of Education.**

Item		
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
2613-03	For assisting small towns in providing themselves with school superintendents, as provided by law	165,000
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	6,700,000
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	5,600,000
2613-06	For reimbursement of certain cities and towns for adult English-speaking classes	90,000
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	144,000
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	27,000
	Total	\$12,731,000

*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	\$15,700,000
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*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	\$2,120,000
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*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	\$100,000
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*Teachers' Retirement Board.*

2613-11	For reimbursement of certain cities and towns for pensions to retired teachers	\$3,200,000
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	15,600,000
	Total	\$18,800,000

*Division of Youth Service.*

Item		
2613-12	For reimbursement of cities and towns for tuition, including transportation to and from school, of children attending public schools	\$13,800
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	33,000
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	310,000
	Total	<u>\$359,800</u>
	Total, Department of Education	<u><u>\$49,810,800</u></u>

**Department of Public Welfare.**

2619-01	For the payment of suitable aid to certain dependent children	\$12,000,000
2619-02	For the burial by cities and towns of indigent persons who have no legal settlement	10,000
2619-03	For expenses in connection with smallpox and other diseases dangerous to the public health	230,000
2619-04	For the support of sick indigent persons who have no legal settlement	1,125,000
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	1,680,000
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	6,694,000
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-two	625,000
2619-08	For reimbursement to cities and towns for old age assistance, as provided by law	18,410,000
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	17,100,000
	Total, Department of Public Welfare	<u><u>\$57,874,000</u></u>

**Department of Public Health.***Bureau of Tuberculosis and Institutions.*

2620-01	For the payment of subsidies for tubercular patients in certain hospitals	\$181,000
	Total, Department of Public Health	<u><u>\$181,000</u></u>

**DEBT SERVICE APPROPRIATIONS.****Interest and Redemption of Debt.**

2810-00	For the payment of interest on the direct debt of the commonwealth, to be in addition to the amount appropriated in item 2951-00, prior appropriation continued	\$7,600,000
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Item		
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 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 . . . . .	\$30,860,130
	Total, Interest and Redemption of Debt . . . . .	\$38,460,130
	<b>TOTAL, GENERAL FUND . . . . .</b>	<b>\$381,823,023</b>

### 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-three 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 . . . . .	1,698,200
2900-04	For the maintenance and repair of state highways and bridges; 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 . . . . .	3,200,000
2900-06	For expenses of a traffic safety and traffic control program on state highways, including white-line painting, traffic signs and signals, and including the cost of such traffic safety and control programs on town or city ways as the department may deem necessary; provided, that any portion of the sum appropriated herein and so designated may be used in conjunction with city or town funds . . . . .	2,100,000
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 . . . . .	4,500,000
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 work; for turnouts or rest areas within highway rights of way, including contingent expenses therefor; and upon agreement with city or town officials, for construction of needed improvements on other through routes not designated as state highways and without acceptance by the commonwealth of responsibility for maintenance; provided, that any portion of the sum appropriated herein may be used in conjunction with city or town funds . . . . .	1,000,000
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 eighty-three permanent positions . . . . .	29,200,000
2900-35	For resurfacing existing state highways with not less than one and one-quarter inches of bituminous-bound aggregate, using present traveled	



Item		
	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	\$1,200,000
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	500,000
2900-37	The unexpended balance remaining in item 2900-36 of section two of chapter four hundred and ninety-five of the acts of nineteen hundred and sixty-one and reserved for the project authorized by chapter six hundred and thirty-nine of the acts of nineteen hundred and fifty-eight is hereby reappropriated, expires June thirtieth, nineteen hundred and sixty-four.	
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-four	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	496,400
2900-83	Item 2900-83 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 certain electrical improvements, including the installation of fluorescent lights, appropriation expires June thirtieth, nineteen hundred and sixty-three.	
2900-86	For the purchase and installation of a sewerage pump and tank, public works building	6,000
Total, Department of Public Works		<u>\$43,987,600</u>

#### Registry of Motor Vehicles.

2924-01	For the service of the registry, including not more than one thousand and fourteen permanent positions; provided, that the position of legislative assistant, R.M.V., shall not be subject to the civil service laws and rules	\$6,387,550
Total, Registry of Motor Vehicles		<u>\$6,387,550</u>

#### Department of Public Safety.

##### Division of State Police.

2926-01	For the service of the division, including not more than seven hundred permanent positions	\$5,538,170
2926-11	For the compensation of state police officers formerly in the service of the commonwealth, now retired	27,000
2926-32	For the conversion of the state police radio system as required by the federal communications commission, appropriation expires June thirtieth, nineteen hundred and sixty-four	160,000

Item

The comptroller is hereby authorized to transfer to the Highway Fund the sum of eight hundred and seven thousand seven hundred and eighty dollars from the General Fund on account of the expenditures under the division of state police.

Total, Department of Public Safety	<u>\$5,725,170</u>
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### Metropolitan District Commission.

*The following items are to be paid with the approval of the Metropolitan District Commission:*

- |         |  |                  |
|---------|--|------------------|
| 2931-01 | For general administration, including not more than sixty-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  | <u>\$398,900</u> |
| 2931-04 | For the construction, reconstruction and improvement of boulevards and parkways, including bridges, and including the resurfacing and repairing thereof, prior appropriation continued   | <u>1,000,000</u> |
| 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; and provided further, that not less than fifty thousand dollars of the sum herein appropriated, in addition to any sum heretofore designated for the Old Colony division, so called, shall be used for the purpose of improving the Malibu Beach area, including therein Savin Hill Beach | <u>9,614,500</u> |
| 2931-74 | For the purchase of certain highway maintenance equipment  | <u>100,000</u>   |

Total, Metropolitan District Commission	<u>\$11,113,400</u>
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### LOCAL AID APPROPRIATIONS.

#### Department of Public Works.

##### *Highway Activities.*

- |         |  |                    |
|---------|--|--------------------|
| 2950-17 | For projects for the construction and maintenance of town and county ways, as provided in subdivision (2) (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-three to enter into agreements with officials of cities and towns for projects to be constructed in the nineteen hundred and sixty-four fiscal year not exceeding in the aggregate seven million dollars, to be in addition to the amount made available in item 2900-17 of section two of chapter four hundred and ninety-five of the acts of nineteen hundred and sixty-one | <u>\$5,500,000</u> |
|---------|--|--------------------|

Item		
2950-18	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-three, 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, to be in addition to the amount made available in item 2900-18 of section two of chapter four hundred and ninety-five of the acts of nineteen hundred and sixty-one . . . . .	<u>\$2,650,000</u>
	Total, Department of Public Works . . . . .	<u>\$8,150,000</u>

## DEBT SERVICE APPROPRIATIONS.

## Interest and Redemption of Debt.

2951-00	For the payment of interest on the direct debt of the commonwealth, to be in addition to the amount appropriated in item 2810-00, prior appropriation continued . . . . .	<u>\$12,740,245</u>
2952-00	For certain serial bonds maturing, to be in addition to the amount appropriated in item 2820-00, prior appropriation continued . . . . .	<u>31,714,800</u>
	Total, Interest and Redemption of Debt . . . . .	<u>\$44,455,045</u>
	<b>TOTAL, HIGHWAY FUND . . . . .</b>	<u><b>\$119,818,765</b></u>

## INLAND FISHERIES AND GAME FUND.

## STATE PURPOSES APPROPRIATIONS.

## Department of Natural Resources.

*Division of Fisheries and Game. (It is hereby provided that federal funds received as reimbursements under the following items are to be credited as income to the Inland Fisheries and Game Fund.)*

3304-01	For the service of the division, including not more than fifteen permanent positions and including expenses of the board, as authorized by chapter twenty-one of the General Laws . . . . .	<u>\$161,708</u>
3304-42	For expenses of fish hatcheries and for the improvement and management of lakes, ponds and rivers, including not more than forty-nine permanent positions . . . . .	<u>453,400</u>
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 . . . . .	<u>8,100</u>
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 five thousand dollars from the General Fund, prior appropriation continued . . . . .	<u>10,000</u>
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 . . . . .	<u>48,171</u>
3304-51	For expenses of game farms and for wild life research and management, including not more than fifty-one permanent positions . . . . .	<u>406,950</u>
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 . . . . .	<u>130,450</u>
	Total . . . . .	<u>\$1,218,779</u>

*Division of Law Enforcement.*

Item		
3308-05	For the payment of damages caused by wild deer and wild moose, including not more than one permanent position, prior appropriation continued	\$10,615
3308-07	For the supervision of public fishing and hunting grounds	9,498
	Total	\$20,113
	Total, Department of Natural Resources	\$1,238,892
	<b>TOTAL, INLAND FISHERIES AND GAME FUND</b>	<b>\$1,238,892</b>

**RECREATIONAL BOATING FUND.**

STATE PURPOSES APPROPRIATION.

**Registry of Motor Vehicles.**

*Division of Motorboats.*

3401-01	For the service of the division, including not more than thirty-eight permanent positions	\$225,000
	Total, Registry of Motor Vehicles	\$225,000
	<b>TOTAL, RECREATIONAL BOATING FUND</b>	<b>\$225,000</b>

**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 fifteen thousand nine hundred and thirty-eight dollars from the Agricultural Purposes Fund, prior appropriation continued	\$211,850
	Total, Department of Agriculture	\$211,850
	<b>TOTAL, AGRICULTURAL PURPOSES FUND</b>	<b>\$211,850</b>

**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-two	\$140,808
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Item		
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-two	\$108,883
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-two	109,377
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-two	84,997
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-two	89,159
	Total	<u>\$533,224</u>
	Total, Department of Agriculture	<u>\$533,224</u>
	<b>TOTAL, MOSQUITO CONTROL FUND</b>	<u><b>\$533,224</b></u>

### STATE RECREATION AREAS FUND.

#### STATE PURPOSES APPROPRIATION.

##### 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 . . . . .	<b>\$805,700</b>
Total, Department of Natural Resources . . . . .		<b>\$805,700</b>

##### Department of Public Works.

*The salaries of all officers and employees of the department engaged in projects or activities authorized by bond issue or otherwise shall be charged for the nineteen hundred and sixty-three fiscal year in full to appropriations authorized under this heading in this act:*

###### *Division of Waterways.*

4050-01	For the administration of public beaches, including not more than four permanent positions . . . . .	<b>\$28,518</b>
4050-02	For the maintenance of Salisbury beach reservation, including not more than three permanent positions . . . . .	<b>133,006</b>
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 . . . . .	<b>45,528</b>
4050-05	For the maintenance of Horseneck beach, including not more than one permanent position . . . . .	<b>120,704</b>
4050-06	For the maintenance of Scusset beach . . . . .	<b>35,200</b>
Total, Department of Public Works . . . . .		<b>\$362,955</b>

DEBT SERVICE APPROPRIATIONS.

Interest and Redemption of Debt.

Item		
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	\$96,082
4082-00	For certain serial bonds maturing, to be in addition to any amounts otherwise available for the purpose, prior appropriation continued	427,007
	Total, Interest and Redemption of Debt	<u>\$523,089</u>
	<b>TOTAL, STATE RECREATION AREAS FUND</b>	<u><b>\$1,691,744</b></u>

**METROPOLITAN DISTRICT COMMISSION FUNDS.**

STATE PURPOSES APPROPRIATIONS.

*The following appropriations are to be assessed upon the several districts in accordance with the methods fixed by law, unless otherwise provided, and to be expended under the direction of the Metropolitan District Commission:*

**Metropolitan Parks, General.**

8601-27	For certain payments for the use of facilities of the museum of science	\$75,000
8601-29	For certain payments for the maintenance and use of the Trailside museum	35,000
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	<u>\$150,000</u>

**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	\$2,549,400
8701-28	For the purchase and installation of comminutors, Nut Island, prior appropriation continued	25,000
8701-29	For certain repairs to the sewerage treatment plant, Nut Island, prior appropriation continued	53,500
8701-32	For the repair and replacement of certain equipment at the Nut Island sewage plant	25,000
	Total, Metropolitan Sewerage District	<u>\$2,652,900</u>

**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	\$4,048,725
8902-56	For resurfacing roads, Quabbin reservoir	5,000
8902-62	For the prevention of soil erosion, Winsor dam and Quabbin dike areas	5,000
8902-64	For the relocation of transmission lines, metropolitan district commission, Clinton sewage plant	2,000
8902-68	For the painting of standpipes	10,000
	Total, Metropolitan Water System	<u>\$4,070,725</u>

**TOTAL, METROPOLITAN DISTRICT COMMISSION FUNDS** **\$6,873,625**

SECTION 2A. For the purpose of making available for expenditure in the fiscal year nineteen hundred and sixty-three certain balances of appropriations which otherwise would revert on June thirtieth, nineteen hundred and sixty-two, the unexpended balances of the items shown below are hereby appropriated:

2900-07	0450-36
2900-09	8157-77
2900-10	8258-75
2900-11	8258-76
2900-81	8335-00

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 paragraphs (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.

Notwithstanding the provisions of clause (d) of paragraph (5) of section forty-five of chapter thirty of the General Laws, no part of the sums appropriated for the service of an agency or subdivision of a department in section two of this act shall be available for the payment of any temporary or excess quota position if there is a similar position vacant within the quota of permanent positions as established by the appropriation account for the service of such agency or subdivision of a department and, except such temporary positions as may be authorized in connection with the passage of this act, and except as hereinafter provided, no additional temporary positions shall be authorized; provided, however, the provisions of this paragraph shall not apply to positions essential for the care of patients or inmates in institutions or to positions essential for the educational program of the department of education including the University of Massachusetts, the Lowell Technological Institute and the regional community colleges, nor to the filling of a position under the provisions of section twenty-four B of said chapter thirty nor to a position required to correct an inequity determined as provided in sections fifty-three and fifty-six of said chapter thirty. The commission on administration and finance may, however, upon certification that an emergency exists requiring additional temporary assistance to perform work essential to the public interest, authorize the temporary employment of such additional personnel as may be necessary if funds are available for the purpose. The commission shall forthwith notify the house and senate committees on ways and means of the employment of any such additional temporary personnel.

SECTION 7. In addition to the payment of regular salaries, sums appropriated for personal services in the fiscal year nineteen hundred and sixty-three 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, or by a corporation or other organization established as an affiliate of an agency or institution operated by the commonwealth or by an individual employed by the commonwealth, authorized to expend such funds in conjunction



with services rendered by the commonwealth, may be expended without specific appropriation if such expenditures are otherwise in accordance with law. All such federal subventions and grants shall be reported in full by the head of the agency directly rendering the services mentioned above to the budget commissioner and to the comptroller, and shall include such itemization as they may require in accordance with federal regulations. All such expenditures of federal subventions and grants shall be subject to the audit of the state auditor.

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-three 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-three for the purposes of the surplus property agency fund, in addition to amounts available in said fund, an amount not ex-

ceeding 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-three, 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 commonwealth receiving an appropriation under section two of this act shall make any expenditure for consultant services, so called, or services coded in accordance with the expenditure code manual under the subsidiary title "03 Services — Non-employees" unless the rate of compensation for such services shall have been approved by the commission on administration and finance upon the recommendation of the director of the division of personnel and standardization. The said director shall, immediately upon the approval of any such rate or rates, file copies of the schedule or schedules of approved rates with the comptroller and with the house and senate committees on ways and means. Every such agency before engaging such consultant services under said subsidiary

title "03," as so coded, as "Professional", except for "Religious Services", shall certify to the budget commissioner that funds are available for the purpose and shall then file a statement of intent with the budget commissioner, the comptroller and the house and senate committees on ways and means. Such statement shall include the rate of compensation, the period of time for which the services are to be engaged or scope of work to be done, and such other pertinent information as may be necessary to establish the maximum limit of the commonwealth's obligation.

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-three 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 Account 9204-08 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	9107-34
8330-00	9107-02	9107-35
9017-01	9107-21	9107-36
9018-01	9107-22	9107-39
9020-01	9107-23	9114-01
9022-01	9107-25	9204-03
9103-03	9107-26	9204-04
9105-01	9107-31	9204-05
	9107-33	

SECTION 19. Notwithstanding any provision of law to the contrary, during the entire fiscal year nineteen hundred and sixty-three, for the payment of classified personal services, the fiscal year shall be from July first, nineteen hundred and sixty-two through June twenty-ninth, nineteen hundred and sixty-three. Classified personal services for June thirtieth, nineteen hundred and sixty-three, shall be charged to the next fiscal year.

SECTION 20. Notwithstanding any general or special law to the contrary, including the provisions of section fifty-six of chapter twenty-nine of the General Laws relating to reversions, the unencumbered funds of the bond issue accounts listed below shall revert as of the effective date of this act and shall be used for the payment of bonds maturing which were issued to finance said accounts. At the close of each fiscal year thereafter, any unencumbered balances remaining in said bond

issues shall revert in accordance with the provisions of said section fifty-six of said chapter twenty-nine.

From the amounts authorized in the following accounts: —

*Chapter 591 of the Acts of 1945.*

9113-01

*Chapter 665 of the Acts of 1945.*

8313-00

SECTION 21. 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-two. However, beginning June first, nineteen hundred and sixty-two, 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-two; 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-two. 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-two.

SECTION 22. The budget commissioner is hereby directed to send a copy of sections three to twenty-one, inclusive, of this act to each departmental, divisional and institutional head immediately following passage of this act.

SECTION 23. Sections one to twenty of this act shall take effect July first, nineteen hundred and sixty-two; sections twenty-one and twenty-two shall take effect upon the passage of this act.

*Approved June 27, 1962.*

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**Chap. 592.** AN ACT AUTHORIZING TEMPORARY BORROWINGS BY THE COMMONWEALTH IN ANTICIPATION OF RECEIPTS FROM CERTAIN ASSESSMENTS TO BE LEVIED UPON CITIES AND TOWNS CONSTITUTING THE METROPOLITAN TRANSIT AUTHORITY.

*Whereas,* The deferred operation of this act would tend to defeat its purpose which is, in part, to enable immediate temporary borrowings by the commonwealth in anticipation of receipts from certain assessments to be levied upon certain cities and towns, 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 13A of chapter 544 of the acts of 1947, inserted by section 1 of chapter 409 of the acts of 1954, is hereby amended by striking out the last sentence and inserting in place thereof the following paragraph: —

From time to time in each of the calendar years nineteen hundred and sixty-two, nineteen hundred and sixty-three, nineteen hundred and sixty-four, nineteen hundred and sixty-five, and nineteen hundred and sixty-six, in anticipation of the assessments to be levied in the following calendar year under section thirteen upon the cities and towns constituting the authority, the state treasurer may borrow on the credit of the commonwealth such amounts as may be necessary to meet any payment required of the commonwealth under this section, and may issue notes of the commonwealth therefor, bearing interest payable at such times and at such rates as shall be fixed by him, with the approval of the governor, and he shall repay any sums so borrowed as soon after said assessments are paid as is expedient. 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.

*Approved June 27, 1962.*

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**Chap. 593.** AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO CONSTRUCT CERTAIN SEWERAGE WORKS IN THE CITY OF MEDFORD AND THE TOWNS OF ARLINGTON AND LEXINGTON.

*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 a point on the metropolitan trunk lines in the city of Medford and a point in the town of Lexington near the Arlington-Lexington town line as it may deem necessary to accommodate the sewerage requirements of the towns of Arlington and Lexington as provided in chapter five hundred and twenty of the acts of eighteen hundred and ninety-seven, and for the purpose of relieving overflow conditions resulting from surcharging in the commission's sewers now located in the town of Arlington. 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, two million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Metropolitan District Sewerage Relief Loan, Act of 1962, shall be on the serial payment plan,

and shall be issued for such maximum term of years, not exceeding thirty 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 ninety-three.

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 June 27, 1962.*

**Chap. 594.** AN ACT PROVIDING FOR A HIGHER MINIMUM SALARY FOR PUBLIC SCHOOL TEACHERS.

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

SECTION 1. Section 40 of chapter 71 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 602 of the acts of 1959, and inserting in place thereof the following sentence: — The compensation of every teacher employed in any public day school in the commonwealth, except persons in training and those employed as temporary substitutes, shall be at a rate of not less than forty-five hundred dollars for the school year.

SECTION 2. This act shall take effect on January first, nineteen hundred and sixty-three.

*Approved June 27, 1962.*

**Chap. 595.** AN ACT PROVIDING FOR A SIXTH ASSISTANT CLERK IN THE MUNICIPAL COURT OF THE ROXBURY DISTRICT.

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

Section 10 of chapter 218 of the General Laws is hereby amended by striking out the third paragraph, as amended by chapter 772 of the acts of 1960, and inserting in place thereof the following paragraph: —

A fourth, fifth and sixth assistant clerk with salaries payable by the county may be appointed in the municipal court of the Roxbury district.

*Approved June 27, 1962.*

**Chap. 596.** AN ACT TO PROVIDE FOR THE REDUCTION OF COST BASIS OF STOCK WITH RESPECT TO WHICH A DISTRIBUTION HAS BEEN MADE PURSUANT TO AN ANTI-TRUST ORDER.

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

SECTION 1. The first paragraph of section 7 of chapter 62 of the General Laws is hereby amended by striking out, in line 38, as appearing in section 1 of chapter 576 of the acts of 1958, the word "and", and by inserting after the word "exchange", in line 40, as so appearing, the following: — ; and (l) the basis of property received in a distribution of divested stock as defined in section 1111 of the Internal Revenue Code of 1954, shall be the fair market value of such property as of the date of such distribution.

SECTION 2. Subsection (b) of section 61 of said chapter 62, as appearing in section 1 of chapter 597 of the acts of 1956, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: —

As used in this chapter, the word "dividend" shall mean any distribution of property made by a corporation, partnership, association or trust, the beneficial interest in which is represented by transferable shares, to its shareholders, other than a distribution coming within the terms of subsection (g) of section one, and other than a distribution of divested stock as defined in section 1111 of the Internal Revenue Code of 1954, (Public Law 403 — 87th Congress, 2nd Session),

(1) out of its accumulated earnings and profits, or

(2) out of its earnings and profits of the year in which such dividend is paid, computed as of the close of such year without diminution by reason of any distributions made during such year, without regard to the amount of the earnings and profits at the time the distribution was made.

SECTION 3. This act shall take effect with respect to taxable years commencing after December thirty-first, nineteen hundred and sixty-one.

*Approved June 27, 1962.*

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**Chap. 597.** AN ACT INCREASING THE EXEMPTION FROM INCOME OF EMPLOYED CHILDREN IN COMPUTING THE RESOURCES OF AN AGED PARENT UNDER THE LAWS RELATING TO OLD AGE ASSISTANCE AND TO MEDICAL ASSISTANCE FOR THE AGED.

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

SECTION 1. Section 2A of chapter 118A of the General Laws, as most recently amended by chapter 614 of the acts of 1957, is hereby further amended by striking out paragraphs 1, 3 and 4 and inserting in place thereof the following three paragraphs: —

1. In the case of an employed single child living with his aged parent or parents, income up to twenty-four hundred and fifty dollars per annum shall be considered exempt and available to said child for his personal needs and his board and lodging. Of the amount of income in excess of the twenty-four hundred and fifty dollars per annum received by said child, one third shall be contributed as support to the parent or parents.

3. In the case of an employed single child living apart from his aged parent or parents, income up to twenty-seven hundred dollars per annum shall be considered exempt and available to said child for his personal needs and his board and lodging. Of the amount of income in excess of the twenty-seven hundred dollars per annum received by said child, one third shall be contributed as support to the parent or parents.

4. In the case of an employed married child living apart from his aged parent or parents, income up to forty-seven hundred and fifty dollars per annum shall be considered exempt and available to said child for his personal needs. Of the amount of income in excess of forty-seven hundred and fifty dollars per annum received by said child, one third shall be contributed as support to the parent or parents.

SECTION 2. Section 30 of said chapter 118A, as appearing in section 8 of chapter 781 of the acts of 1960, is hereby amended by striking out paragraph 3 and inserting in place thereof the following paragraph: —

3. In the case of an employed married child living apart from his aged parent or parents, income up to forty-seven hundred and fifty dollars per annum shall be considered exempt and available to said child for his personal needs. Of the amount of income in excess of forty-seven hundred and fifty dollars per annum received by said child, one third shall be contributed as support to the parent or parents.

*Approved June 27, 1962.*

**Chap. 598.** AN ACT AUTHORIZING THE COMMISSIONER OF PUBLIC HEALTH TO TRANSFER THE NORTH READING STATE SANATORIUM TO THE DEPARTMENT OF MENTAL HEALTH.

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

SECTION 1. Section 8 of chapter 17 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 2, the words “, North Reading”, — so as to read as follows: —

Section 8. The division of sanatoria shall include the state sanatoria at Rutland, Lakeville and Westfield.

SECTION 2. Upon recommendation of the commission on administration and finance and with the approval of the governor and council, the commissioner of public health is hereby authorized to transfer to the department of mental health, certain properties, including land and buildings under the jurisdiction of the department of public health and which have been operated as the North Reading state sanatorium; and provided, however, that the commissioner of public health certifies that such land and buildings are no longer necessary to the department; provided, further, that the commissioner of mental health, after determining the needs of the department of mental health, may, upon recommendation of the commission on administration and finance and with the approval of the governor and council, transfer any portion of such property to another state agency.

SECTION 3. Section 63 of chapter 111 of the General Laws is hereby amended by striking out, in line 2, as appearing in the Tercentenary Edition, the words “, North Reading”.

SECTION 4. Section 65B of said chapter 111 of the General Laws is hereby repealed.

*Approved June 29, 1962.*



THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, June 29, 1962.

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 598 of the Acts of 1962 entitled "An Act Authorizing the Commissioner of Public Health to Transfer the North Reading State Sanatorium to the Department of Mental Health" and the enactment of which received my approval on June 29, 1962, 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 inasmuch as no provision has been made in the budget for the operation of the North Reading State Sanatorium by the Department of Public Health during the fiscal year 1962-1963.

Very truly yours,

JOHN A. VOLPE,  
*Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, BOSTON, June 29, 1962.

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 five hundred and ninety-eight of the acts of nineteen hundred and sixty-two.

KEVIN H. WHITE,  
*Secretary of the Commonwealth.*

**Chap. 599.** AN ACT INCREASING THE AMOUNT WHICH THE METROPOLITAN TRANSIT AUTHORITY MAY EXPEND ON EXTENDING RAPID TRANSIT FACILITIES OVER THE NEWTON HIGHLANDS BRANCH.

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

SECTION 1. The third paragraph of section 3D of chapter 649 of the acts of 1949, as appearing in section 1 of chapter 450 of the acts of 1957, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The authority may expend for the purposes of this section not exceeding nine million, four hundred and seventy-five thousand dollars.

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

*Approved June 29, 1962.*

**Chap. 600.** AN ACT AUTHORIZING THE TOWN OF HANSON TO APPROPRIATE AND PAY A CERTAIN SUM OF MONEY TO EMMA F. HILTON.

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

SECTION 1. The town of Hanson is hereby authorized to appropriate and pay to Emma F. Hilton the sum of two thousand dollars to reimburse her for money expended by her in installing eight hundred feet of six inch water pipe in Holmes street, in the town of Hanson.

SECTION 2. Any action taken by the town of Hanson at its annual town meeting in the current year, pursuant to the authority contained in section one 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 June 29, 1962.*

**Chap. 601.** AN ACT AUTHORIZING THE DEPARTMENT OF NATURAL RESOURCES TO LEASE THE SKI TOW ON MOUNT GRACE FOR A TERM OF YEARS, OR TO LEASE SUFFICIENT LAND THEREON TO CONSTRUCT A SKI TOW.

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

The department of natural resources is hereby authorized to lease to a suitable person the ski tow on Mount Grace in the town of Warwick and its appurtenant facilities for a term of years, or to lease sufficient land on Mount Grace to construct a ski tow and such facilities.

*Approved June 29, 1962.*

**Chap. 602.** AN ACT AUTHORIZING THE TOWN OF WESTWOOD TO CONSTRUCT CERTAIN SEWERS AND TO ASSESS THE TOTAL COST TO THE OWNERS OF LAND BENEFITED THEREBY.

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

SECTION 1. The town of Westwood, acting through its board of sewer commissioners, may, upon the application of the owner of any land 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 land with such sewer. The cost of constructing each particular sewer shall be assessed by the board of sewer commissioners upon the land benefited thereby. Such assessment shall be made by filing with the board of assessors of the town an order designating the way and the private land in which such particular sewer has been constructed, and giving the name of the owner of the land for which such connection has been made and the amount of the assessment to be paid by such owner. The board of sewer commissioners shall in the order of assessment designate as the owner of the land so benefited the person who was liable to assessment therefor on the preceding January first under the provisions of chapter fifty-nine of the General Laws. A copy or duplicate of such order shall, within ten days after the filing of the same with

the board of assessors, be recorded in the Registry of Deeds for the county of Norfolk, or, in the case of registered land, filed for registration in the office of the registry district for said county. The board of assessors shall, upon receipt of such order, forthwith commit such assessments with their warrant to the collector of taxes who shall proceed to collect the amount thereof in accordance with the provisions of chapter sixty of the General Laws, for the collection of taxes. Except as herein provided, the provisions of general law 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. In applying said provisions to assessments made under this act, 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 act shall attach upon the recording or filing for registration of the copy or duplicate of the order of assessment. In the apportionment of assessments made under this act no installment shall be less than five dollars.

SECTION 2. For the purpose of paying the necessary expenses and liabilities incurred under this act any sum of money, or part thereof, that has been made available or may be made available under the provisions of any general or special law, or vote of the town of Westwood authorizing the construction, maintenance, and operation, of a system or systems of main drains and common sewers for a part or the whole of its territory, with such connections and other works as may be required, may be used.

SECTION 3. This act shall take effect upon its acceptance by the town of Westwood within two years after its passage, but not otherwise. No expenditure shall be made and no liability incurred hereunder until such acceptance.

*Approved June 29, 1962.*

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**Chap. 603.** AN ACT REQUIRING THAT LOCAL AID APPROPRIATIONS FROM THE HIGHWAY FUND BE WITHHELD FROM CITIES AND TOWNS WHICH FAIL TO COMPLY WITH CERTAIN TRAFFIC CONTROL STANDARDS AND AGREEMENTS.

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

SECTION 1. Clause (2) of section 34 of chapter 90 of the General Laws is hereby amended by striking out subdivision (a), as appearing in section 2 of chapter 427 of the acts of 1943, and inserting in place thereof the following subdivision: —

(a) For expenditure, under the direction of said department, for maintaining, repairing, improving and constructing town and county highways together with any money which any town or county may appropriate for said purpose to be used on the same highways. The said ways shall remain town or county ways. The department shall withhold or withdraw the unexpended balance of any funds assigned by it under this subdivision if the town fails to comply with the official standards for traffic control established by the department or with any provision of a traffic control agreement negotiated between the department and the town, as required by the United States Secretary of Commerce under section 109 of Title 23 of the United States Code. In this subdivision the word "town" shall include city;

SECTION 2. Section 26 of chapter 81 of the General Laws is hereby amended by inserting after the second paragraph the following paragraph:—

The department shall withhold or withdraw the unexpended balance of any funds assigned by it under this section or section twenty-five if the town fails to comply with the official standards for traffic control established by the department or with any provision of a traffic control agreement negotiated between the department and the town, as required by the United States Secretary of Commerce under section 109 of Title 23 of the United States Code.

*Approved June 29, 1962.*

**Chap. 604.** AN ACT PROVIDING THAT CERTAIN VETERANS WHO ARE MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES BE ALLOWED TO COUNT AS CREDITABLE SERVICE FOR RETIREMENT PURPOSES CERTAIN PERIODS OF ACTIVE DUTY.

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

Section 58A of chapter 32 of the General Laws, as most recently amended by section 3 of chapter 544 of the acts of 1962, is hereby further amended by adding at the end the following paragraph:—

Any such veteran who was employed in the service of the commonwealth or any county, city, town or district thereof and who was a member of a reserve component of the armed forces which was called to active duty by order of the president of the United States shall have credited to him as creditable service the period of such active duty performed between October first, nineteen hundred and sixty-one and July first, nineteen hundred and sixty-four, provided that upon the termination of such active duty or his discharge or release therefrom he was reinstated or re-employed within two years in his former position or a similar position.

*Approved June 29, 1962.*

**Chap. 605.** AN ACT AUTHORIZING THE CITY OF BOSTON TO PENSION MICHAEL J. DESISTO.

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

SECTION 1. For the purpose of promoting the public good, the police commissioner of the city of Boston, with the approval of the mayor of said city, shall forthwith retire, on an annual pension to be paid by said city in monthly instalments, Michael J. DeSisto, a detective third grade in the police department of said city, who is totally incapacitated as a result of injuries sustained by him when shot on November first, nineteen hundred and sixty-one while making an arrest in the performance of duty. Such pension shall be at the same annual rate as the compensation payable to him at the time of his retirement. Upon his death leaving Lillian F. DeSisto, his wife, surviving him, said city shall pay to her, so long as she remains unmarried, an annuity of fifteen hundred dollars a year, increased by three hundred and twelve dollars for each child of said Michael J. DeSisto during such time as such child is under the age of eighteen years or over said age and physically or mentally incapacitated from earning. If said Lillian F. DeSisto remarries, said city shall pay, in lieu of the aforesaid annuity to her, an annuity of five

hundred and twenty dollars to or for the benefit of each such child during the time aforesaid. If said Lillian F. DeSisto does not survive said Michael J. DeSisto, or later dies, said city shall pay such an annuity as would have been payable to said Lillian F. DeSisto had she lived, to or for the benefit of such child, or if there be more than one such child, such children in equal shares, during the time aforesaid.

SECTION 2. Upon the retirement of said Michael J. DeSisto under this act, the Boston retirement board shall forthwith pay to him all amounts standing to his credit in the annuity savings fund of the State-Boston retirement system.

SECTION 3. The provisions of section one hundred of chapter forty-one of the General Laws shall continue to apply to the said Michael J. DeSisto relative to his indemnification by said city for any medical expenses which may be incurred by him as a result of his aforementioned incapacity notwithstanding that such expenses may be incurred after the date of his retirement.

SECTION 4. This act shall take effect upon its acceptance by the city of Boston.

*Approved June 29, 1962.*

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**Chap. 606.** AN ACT EXTENDING CERTAIN BENEFITS TO VETERANS UNDER THE RETIREMENT LAW.

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

SECTION 1. Chapter 490 of the acts of 1961 is hereby amended by inserting after section 1 the following section: —

*Section 1A.* A veteran who is entitled to be retired under the provisions of section one of this act may, on or before the date of his written application for retirement, elect to receive a lesser yearly amount of pension payable to such veteran during his lifetime, with the provision that upon his death leaving as a survivor his spouse at the time of his retirement two thirds of the yearly amount of such lesser pension shall be continued during the lifetime of and paid to such spouse. The election of this option shall be filed with the retiring authority, as defined in section fifty-nine of chapter thirty-two of the General Laws, in writing on a prescribed form on or before the date of the written application for the retirement of such veteran, and if the spouse dies before the date such retirement becomes effective, this option shall not take effect. The yearly amount of such lesser pension shall be determined so that the value, on the date of retirement, of the prospective payments to such veteran and to such spouse shall be the actuarial equivalent of the value on such date of the full pension that such veteran would be entitled to under the provisions of said section one.

The computation of the actuarial equivalent of the pension payable to a veteran and to his spouse under the provisions of this section 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 of chapter thirty-two of the General Laws, and the expenses for such service shall be paid by the governmental unit granting the pension.

If a veteran entitled to be retired under the provisions of section one of this act dies before making written application for such retirement, or, having exercised the option provided by this section, dies

before the effective date of his retirement; the surviving spouse shall receive an annual allowance consisting of two thirds of the actuarial equivalent to which said veteran would have been entitled had his retirement allowance been computed under the provisions of this section as of the date of death of said veteran, and payable from the same source; provided that said spouse and the deceased veteran were living together at the time of the veteran's death, or that the retiring authority finds that they had been living apart for justifiable cause other than desertion or moral turpitude on the part of the spouse.

Any allowance provided for under this section shall be in the alternative to any allowance provided for under section twelve of chapter thirty-two of the General Laws. If the deceased veteran was a member of a system established under sections one to twenty-eight of chapter thirty-two of the General Laws, inclusive, the provisions of paragraph (c) of subdivision (2) of section eleven of chapter thirty-two of the General Laws and Option (d) of subdivision (2) of section twelve of chapter thirty-two of the General Laws shall apply unless the appropriate retiring authority, as defined in section fifty-nine of chapter thirty-two of the General Laws, is notified in writing of the election of the pension under this section within ninety days of the death of the veteran; provided, that no pension shall be paid under this section if the deceased veteran is survived by a beneficiary appointed under Option (d) of subdivision (2) of said section twelve of said chapter thirty-two other than his spouse.

SECTION 2. 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 which has previously accepted or hereafter accepts the provisions of chapter four hundred and ninety of the acts of nineteen hundred and sixty-one as of the date of such acceptance.

*Approved June 29, 1962.*

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**Chap. 607.** AN ACT INCREASING THE TERM FOR WHICH CITIES AND TOWNS MAY BORROW MONEY FOR HIGHWAY PURPOSES IN ANTICIPATION OF REIMBURSEMENT BY THE COMMONWEALTH AND COUNTY.

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

SECTION 1. Section 6 of chapter 44 of the General Laws, as amended by chapter 385 of the acts of 1957, is hereby further amended by striking out, in line 12, the words "one year" and inserting in place thereof the words: — two years.

SECTION 2. Section 6A of said chapter 44, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 11, the words "one year" and inserting in place thereof the words: — two years.

SECTION 3. Said chapter 44 is hereby amended by striking out section 17, as amended by section 18 of chapter 358 of the acts of 1946, and inserting in place thereof the following section: — *Section 17.* If a city, town or district votes to issue bonds, notes or certificates of indebtedness in accordance with law, the officers authorized to issue the same may, in the name of such city, town or district, make a temporary loan for a period of not more than one year in anticipation of the money

to be derived from the sale of such bonds, notes or certificates of indebtedness, and may issue notes therefor; but the time within which such securities shall become due and payable shall not be extended by reason of the making of such temporary loan beyond the time fixed in the vote authorizing the issue of such bonds, notes or certificates of indebtedness; and notes issued under this section and sections four, five, five A and five B for a shorter period than one year and sections six and six A for a shorter period than two years may be refunded by the issue of other notes maturing within the required period; provided, that the period from the date of issue of the original loan to the date of maturity of the refunding loan shall be not more than the statutory authorization; and provided, further, that no notes shall be refunded under this section except under authority of such vote, if any, as is required for the original borrowing. *Approved June 29, 1962.*

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**Chap. 608.** AN ACT AUTHORIZING THE TOWN OF SHREWSBURY TO CONSTRUCT A SWIMMING POOL ON CERTAIN PARK LAND IN SAID TOWN.

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

SECTION 1. The town of Shrewsbury is hereby authorized to use such portion of Dean park located in said town, as the town by vote at an annual or special town meeting shall determine, for the erection of a swimming pool and for all facilities incidental thereto, and after such vote such portion shall be under the care and control of the park department of said town. The use of said pool may be restricted to the residents of said town, and a fee may be charged for the use of said pool and facilities.

SECTION 2. This act shall take effect upon its acceptance by the town of Shrewsbury by a majority vote at an annual town meeting or a special town meeting called for the purpose. *Approved June 29, 1962.*

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**Chap. 609.** AN ACT RELATIVE TO THE SALARY GRADE OF TWO CHIEF SUPERVISORS IN THE DIVISION OF EMPLOYMENT SECURITY.

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

Notwithstanding the provisions of any general or special law to the contrary, the positions of chief supervisor of methods and chief of labor relations in the division of employment security are hereby placed in Job Group XX to conform with the classification of all other chiefs in said division, and the director of the division of employment security is hereby authorized to adjust, out of federal funds, the salaries paid William A. Hoops and Charles C. Costello, the respective incumbents of said positions, retroactive to January first, nineteen hundred and sixty-two. *Approved June 29, 1962.*

**Chap. 610.** AN ACT RELATIVE TO THE SALE, TRANSFER, LEASE OR RENTAL OF LAND ACQUIRED FOR LIMITED ACCESS WAYS WHICH THE DEPARTMENT OF PUBLIC WORKS DETERMINES IS NO LONGER NECESSARY FOR SUCH PURPOSES.

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

Section 7E of chapter 81 of the General Laws, as most recently amended by chapter 761 of the acts of 1957, is hereby further amended by striking out, in line 6, the words "and paid for by it", — so as to read as follows: — *Section 7E.* The department may sell at public or private sale or, with the approval of the governor and council, transfer to another department, or to a city, town, or public authority or agency, lease or rent any portion of the lands or rights in land the title to which has been taken or received or acquired for the purposes set forth in section seven C, and may sell in the same manner, or, with the approval of the governor and council, so transfer, lease or rent any land the title to which has been taken or received or acquired by it which the department determines is no longer necessary for state highway purposes, and may, with the approval of the governor and council, execute a deed thereof, with or without covenants of title and warranty, all in the name and behalf of the commonwealth, to the purchaser, his heirs and assigns, and deposit said deed with the state treasurer, together with a certificate of the terms of sale and price paid or agreed to be paid at said sale, and, upon receipt of said price and upon the terms agreed to in said deed, he shall deliver the deed to said purchaser. The state treasurer may, by the attorney general, sue for and collect the price and enforce the terms of any such sale.

*Approved June 29, 1962.*

**Chap. 611.** AN ACT PROVIDING THAT MONTHLY GRANTS TO CERTAIN BLIND PERSONS SHALL BE ADJUSTED TO THE WAGE BEING PAID FROM TIME TO TIME TO BLIND WORKERS.

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

Section 2 of chapter 669 of the acts of 1957 is hereby amended by striking out, in lines 8 and 9, the words "the salary paid to said applicant at the time he was relieved of his employment" and inserting in place thereof the words: — such wage as may be from time to time established and paid to blind workers by the division of the blind in the department of education, as provided by section fourteen of chapter sixty-nine of the General Laws, — so as to read as follows: — *Section 2.* The director of the division of the blind is hereby authorized to pay to any blind person applying therefor, who has been relieved of his employment in accordance with the provisions of section one of this act, a monthly grant during his lifetime equal to the budgetary standards established pursuant to section one of chapter one hundred and eighteen A of the General Laws or equal to seventy-five per cent of such wage as may be from time to time established and paid to blind workers by the division of the blind in the department of education, as provided by section fourteen of chapter sixty-nine of the General Laws, whichever is greater.

*Approved June 29, 1962.*



**Chap. 612.** AN ACT PERMITTING CERTAIN EMPLOYEES OF THE CITY OF WORCESTER WHO RETIRED IN THE YEAR NINETEEN HUNDRED AND SIXTY TO PARTICIPATE IN SALARY INCREASES GRANTED IN SAID YEAR.

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

SECTION 1. Notwithstanding any law to the contrary, the retirement allowance of each employee of the city of Worcester, other than employees of its school department, who retired in the year nineteen hundred and sixty shall be recomputed on the basis of the highest salary or wages paid during said year for the classification held by such employee at the time of his retirement, as if any increase in such salary during said year was being received by the retired employee at the time of his retirement.

SECTION 2. This act shall take effect upon its acceptance by a majority vote of the members of the city council and approval of the city manager of the city of Worcester.

*Approved June 29, 1962.*

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**Chap. 613.** AN ACT RELATIVE TO THE FILING OF RETURNS AND THE PAYMENT OF TAXES BY CERTAIN BANKING COMPANIES.

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

SECTION 1. Section 1 of chapter 63 of the General Laws is hereby amended by striking out the paragraph defining "Taxable year", as appearing in the Tercentenary Edition, and inserting in place thereof the following paragraph: —

"Taxable year", Any fiscal or calendar year or period for which the bank is required to make a return to the federal government.

SECTION 2. Section 2 of said chapter 63, as most recently amended by section 49 of chapter 654 of the acts of 1953, is hereby further amended by striking out the first two sentences and inserting in place thereof the following three sentences: — Every bank shall pay, on account of each taxable year, a tax measured by its net income, as defined in section one, at the rate assessed upon other financial corporations; provided, that such rate shall not be higher than the highest of the rates assessed under this chapter upon mercantile and business corporations doing business in the commonwealth; and provided, further, that such rate shall not be higher than six per cent. The commission shall determine the rate on or before December fifteenth of each year after giving a hearing thereon, and at or prior to such hearing it shall make available to all banks requesting the same a statement showing the aggregates of the income returnable during the preceding fiscal year ending June thirtieth and taxable under this chapter and the aggregates of the taxes under this chapter of such year, with respect to the following class of corporations: (1) domestic financial corporations, (2) foreign financial corporations, (3) domestic manufacturing corporations as defined in section thirty-eight C, (4) foreign manufacturing corporations as defined in section forty-two B, (5) domestic business corporations as defined in section thirty, (6) foreign corporations as defined in section thirty. Such rate shall be applicable to returns required to be filed during the next succeeding calendar year.

SECTION 3. Said chapter 63 is hereby further amended by striking

out section 3, as most recently amended by section 1 of chapter 611 of the acts of 1955, and inserting in place thereof the following section: —  
*Section 3.* Every bank shall, on or before the fifteenth day of the third month following the close of each taxable year, make a return to the commissioner sworn to by its cashier or treasurer, or in their absence or incapacity by any other principal officer, in such form as the commissioner, with the approval of the state tax commission, shall prescribe, giving such information as the commissioner shall require for the determination of the tax imposed by section two. Said tax shall be due and payable on or before the due date of the return.

If any bank shall have participated in filing a consolidated return of income to the federal government, it shall file with the commissioner a statement of net income, in such form as he shall, with the approval of the state tax commission, prescribe, showing its gross income and deductions in accordance with the law and regulations governing the usual federal returns of corporations not so participating.

SECTION 4. Said chapter 63 is hereby further amended by striking out section 4, as most recently amended by section 4 of chapter 509 of the acts of 1941, and inserting in place thereof the following section: —  
*Section 4.* All provisions of this chapter relative to the assessment, collection, payment, abatement, verification and administration of taxes, including penalties, applicable to domestic business corporations, as defined in section thirty, shall, so far as pertinent, be applicable to taxes under section two; provided, that any notice required to be given to a national banking association shall be given to the cashier thereof; and provided, further, that no such provisions shall be so applied as to contravene the federal constitution or the federal statutes relating to national banking associations.

SECTION 5. Notwithstanding the provisions of section two of chapter sixty-three of the General Laws and of section seven of chapter one hundred and thirty-nine of the acts of nineteen hundred and sixty-one, every bank taxed thereunder shall, with respect to taxes assessed in the months of January to June, inclusive, nineteen hundred and sixty-three, pay, on account of each taxable year, a tax 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 under said chapter sixty-three upon mercantile and business corporations doing business in the commonwealth; and provided, further, that such rates shall not be higher than eight per cent.

SECTION 6. Section five of this act shall take effect December thirty-first, nineteen hundred and sixty-two. The remainder of this act shall apply with respect to taxable years ending after December thirty-first, nineteen hundred and sixty-two; provided, however, that nothing herein contained shall affect the liability to file returns on or before March fifteenth, nineteen hundred and sixty-three, and to pay the taxes due with respect thereto on or before June first, nineteen hundred and sixty-three, under the provisions of law in effect immediately prior to the effective date of this act.

*Approved June 29, 1962.*

**Chap. 614.** AN ACT DESIGNATING THE HEALTH, WELFARE AND EDUCATION SERVICE CENTER TO BE CONSTRUCTED IN THE GOVERNMENT CENTER AS THE SENATOR JOSEPH A. LANGONE, JR., MEMORIAL CENTER.

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

Section 6 of chapter 635 of the acts of 1960 is hereby amended by adding at the end the following paragraph: —

The service center shall, when constructed, be designated and known as the Senator Joseph A. Langone, Jr., Memorial Center, in memory of Joseph A. Langone, Jr., a former member of the general court. The commission shall erect at a suitable location in said center, a marker, tablet or other inscription bearing said designation.

*Approved June 29, 1962.*

**Chap. 615.** AN ACT AUTHORIZING THE LICENSING BOARD FOR THE CITY OF BOSTON TO ISSUE AN ALCOHOLIC BEVERAGES LICENSE TO THE BRIGHTON MASSACHUSETTS LODGE, NO. 2199 OF THE BENEVOLENT AND PROTECTIVE ORDER OF ELKS OF THE UNITED STATES OF AMERICA, INC.

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

Notwithstanding any limitation on the number of <sup>licenses</sup> licenses to be issued under the provisions of section seventeen of chapter one hundred and thirty-eight of the General Laws, but subject, however, to all other provisions of said chapter, the licensing board for the city of Boston is hereby authorized to issue to the Brighton Massachusetts Lodge, No. 2199 of the Benevolent and Protective Order of Elks of the United States of America, Inc., an annual license to sell all alcoholic beverages, to be drunk on its premises, to members and to guests introduced by such members and to no others. Such license shall not be transferable to any other licensee.

*Approved June 29, 1962.*

**Chap. 616.** AN ACT ESTABLISHING A COMMON DAY OF REST LAW.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is, in part, to establish forthwith a common day of rest 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 1. Section 7 of chapter 4 of the General Laws is hereby amended by striking out Clause Eighteenth, as most recently amended by section 1 of chapter 812 of the acts of 1960; and inserting in place thereof the following clause: —

Eighteenth, "Legal holiday" shall include January first, February twenty-second, April nineteenth, May thirtieth, July fourth, October twelfth, November eleventh and Christmas day, or the day following when said days occur on Sunday, and the first Monday in September and Thanksgiving day. "Legal holiday" shall also include, with respect to Suffolk county only, March seventeenth and June seventeenth, or the day following when said days occur on Sunday; provided, how-

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

*(The foregoing was laid before the governor on the twenty-seventh day of June, 1962, and after five days it had "the force of a law", as prescribed by the constitution, as it was not returned by him with his objections thereto within that time.)*

**Chap. 618.** AN ACT EXTENDING THE TIME WITHIN WHICH THE TOWN OF STONEHAM MAY BORROW MONEY FOR THE DREDGING AND IMPROVEMENT OF CERTAIN WATERWAYS.

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

SECTION 1. Section 1 of chapter 404 of the acts of 1959 is hereby amended by striking out, in lines 5 and 6, the words "within three years of the passage of this act" and inserting in place thereof the words: — not later than December thirty-first, nineteen hundred and sixty-three.

SECTION 2. Section 1 of chapter 105 of the acts of 1960 is hereby amended by striking out, in lines 5 and 6, the words "within three years of the passage of this act" and inserting in place thereof the words: — not later than December thirty-first, nineteen hundred and sixty-three.

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

*Approved July 5, 1962.*

**Chap. 619.** AN ACT VALIDATING A CERTAIN VOTE OF THE TOWN OF AMESBURY TO BORROW MONEY FOR A WATER TREATMENT INSTALLATION.

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

SECTION 1. The proceedings taken by the town of Amesbury under Article 25 of the warrant for the annual town meeting held March nineteenth, nineteen hundred and sixty-two, relative to an appropriation of one hundred and forty-five thousand dollars for a water treatment installation, ten thousand dollars to be raised by the town, one hundred and thirty-five thousand dollars to be borrowed and bonds and notes of the town issued therefor, are in all respects validated and confirmed notwithstanding the failure of the town to comply with the provisions of section 13 of Article III of the town by-laws requiring said proposal to be first referred to the planning board of said town.

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

*Approved July 5, 1962.*

**Chap. 620.** AN ACT AUTHORIZING THE DIRECTOR OF THE DIVISION OF FISHERIES AND GAME TO ISSUE PERMITS FOR COMMERCIAL SHOOTING PRESERVES.

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

Chapter 131 of the General Laws is hereby amended by inserting after section 112A the following two sections: —

*Section 112B.* The director of the division of fisheries and game is hereby authorized to issue permits for the operation of commercial shooting preserves in the counties of Norfolk, Middlesex and Plymouth. Any person desiring to operate a commercial shooting preserve shall make application therefor on forms to be furnished by the division. The director shall, upon receipt of a fee of fifty dollars, issue to such applicant a commercial shooting preserve permit, provided the proposed shooting preserve consists of a single parcel of land containing not less than one hundred acres nor more than five hundred acres; the applicant produces satisfactory evidence of his ability to raise or purchase for liberation at least two hundred pheasants or other non-native game birds for each one hundred acres of shooting preserve; and the operation of such shooting preserve does not, in the opinion of the director, conflict with the public interests.

A permit to operate a commercial shooting preserve shall, notwithstanding any provision of this chapter to the contrary, entitle the holder thereof and his guests to kill or take on such preserve, by shooting only, pheasants, quail, chukar partridges, Hungarian partridges, domestic ducks as defined by the United States Fish and Wildlife Service, or other non-native game birds without regard to sex or bag limits from September fifteenth to March thirty-first, inclusive, except Sundays.

*Section 112C.* Each permit issued under section one hundred and twelve B shall be subject to the following conditions: — (1) The boundary of each commercial shooting preserve shall be marked by a single strand of number 12 wire (or larger) or other fence and shall be posted with printed notices not more than one hundred and fifty feet apart supplied by the division of fisheries and game to the permittee at a reasonable cost.

(2) The applicant must release not less than two hundred birds per one hundred acres of shooting preserve annually between the fifteenth day of September and the thirty-first day of March. The number of birds authorized to be taken by shooting shall not exceed seventy-five per cent of the total number of birds released.

(3) Every person hunting on such commercial shooting preserves or participating in a shoot held under a commercial shooting preserve permit, shall be possessed of a resident or non-resident hunter's license for the current year as required by law.

(4) The permittee shall maintain a daily record bearing the name, address and hunting license number of each hunter using the preserve, also the numbers and species of birds released and killed, and shall make this record available to any authorized division employee upon request.

(5) Before any propagated or released bird killed under the provisions of this regulation shall be consumed on the premises or removed therefrom, the permittee shall attach a tag to each bird killed. Such tags are to be numbered consecutively and are to be supplied by the division at a reasonable cost to the permittee. These tags shall remain attached to the individual bird until prepared for consumption and shall not be used more than once, but be immediately destroyed on removal.

(6) Authorized employees of the division shall be permitted to enter the premises at reasonable times for inspection or for scientific investigation.

Any permit issued under section one hundred and twelve B may be

revoked by the director at any time for violation of any provision of this section or any rule or regulation established hereunder.

The director may, with the approval of the fish and game board, establish rules and regulations relating to commercial shooting preserves, and alter, amend or repeal the same.

*Approved July 5, 1962.*

**Chap. 621.** AN ACT ESTABLISHING SCHOLARSHIPS FOR STUDENTS OF AGRICULTURE AND OTHERS AT THE UNIVERSITY OF MASSACHUSETTS.

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

Chapter 75 of the General Laws is hereby amended by adding at the end the following section:— *Section 33.* In addition to the commonwealth scholarships authorized under section thirty-one, the University of Massachusetts may also grant quarter, half and full scholarships to be known as university scholarships to worthy and qualified students who have been residents of the commonwealth for the four years prior to enrollment at the university and are in need of financial assistance. In the awarding of said scholarships first preference shall be given to students who have enrolled in agricultural or food technological courses. Said scholarships shall be recommended by the committee on scholarships established under said section thirty-one, and shall be approved and awarded by the board of trustees of the university. Said trustees may use for the purposes of this section, such sums, not to exceed fifty thousand dollars, as may be appropriated from the Agricultural Purposes Fund, and may use the same for matching federal grants made under the National Defense Education Act of 1958, and when so used awards made shall be subject to the provisions of said act. A scholarship shall continue for such times as the recipient thereof remains a student in good standing at the university, but in no event for more than four years.

*Approved July 5, 1962.*

**Chap. 622.** AN ACT CHANGING THE JOB GROUP CLASSIFICATIONS OF CERTAIN POSITIONS IN THE DEPARTMENT OF PUBLIC WELFARE.

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

SECTION 1. Chapter six hundred and eighty-three of the acts of nineteen hundred and sixty is hereby repealed.

SECTION 2. The positions of social worker, department of public welfare, head social worker, department of public welfare, and supervisor of social service, department of public welfare, shall be classified in accordance with sections forty-five to fifty, inclusive, of chapter thirty of the General Laws and shall be allocated to the same title and job group to which the class of social worker, head social worker and supervisor of social service is allocated in the general salary schedule on the effective date of this act.

SECTION 3. This act shall take effect as of July first, nineteen hundred and sixty-two.

*Approved July 5, 1962.*

**Chap. 623.** AN ACT RELATIVE TO THE POWERS AND DUTIES OF THE BOARD ESTABLISHED TO REGULATE GAS FITTING IN BUILDINGS THROUGHOUT THE COMMONWEALTH.

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

SECTION 1. The first paragraph of section 12H of chapter 25 of the General Laws, inserted by section 1 of chapter 737 of the acts of 1960, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — As used in this section the words “gas fitting” shall be construed to include the installation, alteration and replacement of a system beyond the gas meter outlet or regulator through which is conveyed or intended to be conveyed fuel gas of any kind for power, refrigeration, heating or illuminating purposes including the connection therewith and testing of gas fixtures, ranges, refrigerators, stoves, water heaters, house heating boilers, and any other gas using appliances, and all attachments and appurtenances, and the maintenance in good and safe condition of said systems, and the making of necessary repairs and changes.

SECTION 2. Said chapter 25 of the General Laws is hereby further amended by adding after section 12H, inserted by section 1 of said chapter 737, the following four sections: —

*Section 12I.* The following words shall, as used in this section and sections twelve J to twelve L, inclusive, have the following meanings: —

“Board”, the board established under section twelve H.

“Journeyman gas fitter”, a person who does any work in gas fitting as defined in section twelve H.

“Master gas fitter”, a gas fitter who, by himself or by journeymen gas fitters in his employ, performs gas fitting work subject to inspection under the rules and regulations adopted by the board.

*Section 12J.* The board shall hold examinations for the licensing for journeymen and master gas fitters at such times and places as it shall determine, but not less than once in each year. It may make such rules and regulations as are deemed necessary for the conduct of such examinations. The board shall have a seal. The board shall employ an examiner who shall receive as compensation not more than fifty dollars a day during the period of such examinations and the correction thereof. The examiner shall not be an employee of any utility corporation which is subject to the provisions of chapter one hundred and sixty-four nor shall he examine any candidate who is or has been his employee or is or has been actively associated in business with him, but shall refer such candidate to the board. An applicant shall, upon payment of the prescribed fee, be examined by the board, and, if he passes such examination, shall be licensed as a journeyman gas fitter or master gas fitter, and shall, upon payment of the prescribed fee, receive a certificate thereof from the board. Such license shall not be assignable or transferable and shall be valid for a period of one year from its date of issue, and may be renewed for a like period upon application therefor on blank forms to be furnished by the board.

*Section 12K.* The fee for the original license of a master gas fitter shall be at the rate of ten dollars for twelve months; for any renewal thereof eight dollars; and for each examination therefor five dollars. The fee for the original license of a journeyman gas fitter shall be at the

rate of five dollars for twelve months; for any renewal thereof three dollars; and for each examination therefor five dollars.

*Section 12L.* Except as otherwise provided herein, no person shall engage in the business of a master gas fitter or work as a journeyman gas fitter unless he is licensed by the board as such or is licensed as a master plumber or journeyman plumber under chapter one hundred and forty-two. This section shall not apply to any person who engages solely in installing or removing gas meters or in adjusting or servicing gas appliances as listed in section twelve H. Whoever violates any provision of this section shall be punished by a fine of not more than fifty dollars.

SECTION 3. Notwithstanding the provisions of sections twelve J and twelve K of chapter twenty-five of the General Laws, inserted by section two of this act, any individual who files an application for a license as a master gas fitter or journeyman gas fitter with the board established under section twelve H of said chapter twenty-five, hereinafter called the board at any time prior to the first day of January, nineteen hundred and sixty-three, on a form furnished by the board, containing such information as to his training and experience as a gas fitter as will satisfy the board that he has had at least five years of practical experience in the trade of gas fitting, as defined in said section twelve H of said chapter twenty-five, and furnishes evidence that he is and is found to be of good moral character, and pays the appropriate original license fee as provided in said section twelve K, of said chapter twenty-five, shall, without examination, be granted and issued by the board the license for which application is so made.

Any person who, on the effective date of this act, is licensed as a master gas fitter or journeyman gas fitter under the provisions of section one hundred and twenty-one of chapter four hundred and seventy-nine of the acts of nineteen hundred and thirty-eight, and who makes application to the board, accompanied by the appropriate original license fee, shall, without examination, be granted and issued by said board a license as a master gas fitter or journeyman gas fitter; provided, however, that a master gas fitter's license shall not be issued to any applicant therefor unless he submits satisfactory evidence that he has at least one year's practical experience as a journeyman gas fitter.

Any license issued under this section shall be effective January first, nineteen hundred and sixty-three, and shall expire on the anniversary of the licensee's date of birth next occurring more than twelve months after the date of issuance.

All statements made on application forms filed under this section shall be subscribed by the applicant and shall be verified by a written declaration that they are made under the penalties of perjury.

SECTION 4. All sections of chapter four hundred and seventy-nine of the acts of nineteen hundred and thirty-eight and all city or town ordinances or by-laws pertaining to the examination and licensing of journeymen or master gas fitters are hereby repealed or revoked.

*Approved July 5, 1962.*



**Chap. 624.** AN ACT DESIGNATING THE BRIDGE TO BE CONSTRUCTED ON INTERSTATE HIGHWAY ROUTE 93 OVER THE MYSTIC RIVER FROM MYSTIC AVENUE TO RIVERSIDE AVENUE IN THE CITY OF MEDFORD AS THE SENATOR ROBERT P. CAMPBELL BRIDGE.

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

The bridge on interstate highway route 93 over the Mystic river from Mystic avenue to Riverside avenue in the city of Medford shall, when constructed, be known and designated as the Senator Robert P. Campbell Bridge, and a suitable marker bearing said designation shall be attached thereto by the department of public works; provided, however, that said marker does not conflict with the federal regulations for the national system of interstate and defense highways.

*Approved July 5, 1962.*

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**Chap. 625.** AN ACT DESIGNATING A PORTION OF INTERSTATE HIGHWAY ROUTE 290 IN THE CITY OF WORCESTER AS THE MONSIGNOR GIOACCHINO MAFFEI HIGHWAY.

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

That portion of interstate highway route 290 known as the Worcester Expressway from Posner square to Belmont street in the city of Worcester shall be designated and known as the Monsignor Gioacchino Maffei highway, and suitable markers bearing said designation shall be erected thereon by the department of public works; provided, however, that said markers do not conflict with the federal regulations for the national system of interstate and defense highways.

*Approved July 5, 1962.*

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**Chap. 626.** AN ACT ESTABLISHING A MAXIMUM CHARGE FOR TOWING AWAY MOTOR VEHICLES DURING SNOW REMOVAL OPERATIONS.

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

Chapter 159B of the General Laws is hereby amended by inserting after section 6A the following section: —

*Section 6B.* The maximum charge that may be made by any person subject to the provisions of this chapter for the towing away of motor vehicles during snow removal operations when such towing is ordered by the police or other public authority, with or without the consent of the owner of such motor vehicle, shall not exceed twelve dollars unless otherwise ordered by the department after public hearing.

*Approved July 5, 1962.*

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**Chap. 627.** AN ACT RELATIVE TO THE DEFINITION OF EMPLOYER IN THE LAW RELATIVE TO UNLAWFUL DISCRIMINATION.

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

Section 1 of chapter 151B of the General Laws is hereby amended by striking out subsection 5, as amended by section 1 of chapter 697 of the acts of 1950, and inserting in place thereof the following subsection: —

5. The term "employer" does not include a club exclusively social, or a fraternal, charitable, educational or religious association or corporation, if such club, association or corporation is not organized for private profit, nor does it include any employer with fewer than six persons in his employ, but shall include the commonwealth and all political subdivisions, boards, departments and commissions thereof.

*Approved July 5, 1962.*

**Chap. 628.** AN ACT AUTHORIZING THE CONVEYANCE TO THE TRUSTEES OF THE DANIEL CHESTER FRENCH FOUNDATION BY THE TRUSTEES OF RESERVATIONS OF CERTAIN LAND IN THE TOWN OF STOCKBRIDGE.

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

The Trustees of Reservations, a corporation established by section one of chapter three hundred and fifty-two of the acts of eighteen hundred and ninety-one, is hereby authorized to convey to the trustees of the Daniel Chester French Foundation, a charitable trust established by indenture of trust and duly recorded April 9, 1962 in the Registry of Deeds for Berkshire County, Middle District, Book 739, page 4714 C, two parcels of land in the town of Stockbridge heretofore conveyed by Margaret French Cresson to The Trustees of Reservations by deeds dated December 27, 1954 and December 19, 1955 and recorded in the Registry of Deeds for Berkshire County, Middle District, Book 621, page 26 and in Book 635, page 193, respectively.

*Approved July 5, 1962.*

**Chap. 629.** AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SEVENTY FOR DANIEL CESARINI, INCUMBENT OF THE OFFICE OF EXECUTIVE OFFICER OF THE BOARD OF HEALTH OF THE CITY OF BROCKTON.

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

SECTION 1. Daniel Cesarini, incumbent of the office of executive officer of the board of health 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 to the voters of the city of Brockton at the biennial state election in the current year in the form of the following question, which shall be placed upon the official ballot to be used in said city at said election: — "Shall an act passed by the General Court in the year nineteen hundred and sixty-two, entitled 'An Act providing tenure of office until age seventy for Daniel Cesarini, incumbent of the office of executive officer of the board of health 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 July 5, 1962.*

**Chap. 630.** AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC SAFETY TO PROMULGATE RULES AND REGULATIONS FOR THE SAFETY OF PERSONS AND THE PREVENTION OF FIRE IN CONVALESCENT OR NURSING HOMES AND REST HOMES.

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

SECTION 1. Chapter 143 of the General Laws is hereby amended by inserting after section 3P the following section: —

*Section 3Q.* Notwithstanding any other provision of law to the contrary, the provisions of this chapter relative to the safety of persons and the prevention of fire in convalescent or nursing homes and rest homes licensed under the provisions of section seventy-one of chapter one hundred and eleven, including the regulation of the inspection, materials, construction, alteration and repair of such homes, shall be enforced under rules and regulations promulgated by the department. Such rules and regulations may provide for the installation of a sprinkler system where, after hearing, the department finds such system necessary for the safety of persons; provided, however, that the department may require alternative methods of fire protection where a sprinkler system would be unnecessary or impractical either as to location, size or construction of a home.

SECTION 2. Notwithstanding the provisions of section three Q of chapter one hundred and forty-three of the General Laws, inserted by section one of this act, no rule or regulation promulgated by the department of public safety relative to the installation of sprinkler systems in convalescent or nursing homes and rest homes shall take effect prior to January first, nineteen hundred and sixty-five.

*Approved July 5, 1962.*

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**Chap. 631.** AN ACT RELATIVE TO THE MEMBERSHIP OF THE GLOUCESTER FISHERIES COMMISSION AND INCREASING THE AMOUNT OF MONEY THAT THE CITY OF GLOUCESTER MAY APPROPRIATE FOR SAID COMMISSION.

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

SECTION 1. Chapter 260 of the acts of 1956 is hereby amended by striking out section 3 and inserting in place thereof the following section: — *Section 3.* The commission shall consist of the mayor and twelve persons to be appointed by him, of whom two shall be members of the city council and five shall be connected with the production, processing or employment phases of the industry. Each member shall serve for a term concurrent with that of the mayor, who shall be chairman thereof.

SECTION 2. Said chapter 260 is hereby further amended by inserting after section 3 the following section: —

*Section 3A.* The city manager may appoint a permanent secretary to said commission upon its recommendation. Said secretary shall have no vote and shall receive such compensation as may be determined by the city manager with the approval of the city council.

SECTION 3. Said chapter 260 is hereby further amended by striking out section 4 and inserting in place thereof the following section: —

*Section 4.* The city of Gloucester is hereby authorized to appropriate

annually a sum of money not exceeding twenty thousand dollars for the purposes of said Gloucester Fisheries Commission.

SECTION 4. This act shall take effect upon its acceptance by the city of Gloucester.

*Approved July 5, 1962.*

**Chap. 632.** AN ACT TO REGULATE VOLUNTARY ADMISSIONS OF ALCOHOLICS AND DRUG ADDICTS INTO THE VARIOUS INSTITUTIONS IN THE COMMONWEALTH AND THE PERIOD OF DETENTION THEREIN.

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

Chapter 123 of the General Laws is hereby amended by striking out section 80, as most recently amended by section 13 of chapter 715 of the acts of 1956, and inserting in place thereof the following section: —

*Section 80.* The superintendent or manager of any institution to which commitments may be made under section sixty-two, or the superintendent of the Lemuel Shattuck Hospital or any other hospital designated by the commissioner of public health, may, when requested by any person, or on his behalf, by any physician, by a member of the board of health or a police officer of a town, by an agent of the institutions department of Boston, by a member of the state police, or by the wife, husband or guardian of such person, or, in the case of an unmarried person having no guardian, by his next of kin, receive and care for in such institution, as a patient, such person deemed by such superintendent or manager to be in need of immediate care and treatment because he has become so addicted to the intemperate use of narcotics, stimulants, alcoholic beverages or other drugs, that he has lost the power of self-control. Such request for the admission of a patient shall be made in writing and filed at the institution at the time of his reception or within twenty-four hours thereafter, together with a statement, in a form prescribed by the department having supervision of the institution, giving such information as it deems appropriate. The trustees, superintendent or manager of any such institution shall cause to be kept a record, in such form as the department having supervision of the institution requires, of each case treated therein, which shall at all times be open to the inspection of such department and its agents. Such record shall not be a public record, nor shall the same be received as evidence in any legal proceeding.

Any person receiving care and treatment under this section shall not be detained for a period of more than fifteen days if he gives written notice of his intention or desire to leave the institution. If, however, the condition of the person is deemed by the superintendent or manager to be such that he cannot be discharged from the institution with safety to himself or to others, the superintendent or manager shall forthwith cause application to be made for judicial commitment under section fifty-one or sixty-two, and may detain such person for an additional three days during the pendency of such application; provided, that no commitment under section sixty-two may be made to an institution under the jurisdiction of the department of public health.

Persons receiving care and treatment under this section in the correctional institution at Bridgewater or the correctional institution at Framingham shall be liable for the cost of such care and treatment.

The superintendent may, however, waive any part of the payment of the cost of such care and treatment, if, in his opinion, the patient is unable to meet the cost, or if such payment would be detrimental to the rehabilitation of the patient upon discharge. *Approved July 5, 1962.*

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**Chap. 633.** AN ACT PROHIBITING THE SALE OF TICKETS TO, OR THE SOLICITATION OF CONTRIBUTIONS FOR, TESTIMONIAL DINNERS AND LIKE FUNCTIONS FOR CERTAIN PUBLIC OFFICERS AND EMPLOYEES.

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

Chapter 268 of the General Laws is hereby amended by inserting after section 9 the following section: —

*Section 9A.* No person shall sell, offer for sale, or accept payment for, tickets or admissions to, nor solicit or accept contributions for, a testimonial dinner or function, or any affair, by whatever name it may be called, having a purpose similar to that of a testimonial dinner or function, for any person, other than a person holding elective public office, whose office or employment is in any law enforcement, regulatory or investigatory body or agency of the commonwealth or any political subdivision thereof.

Whoever violates any provision of this section shall be punished by a fine of not more than five hundred dollars. *Approved July 6, 1962.*

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**Chap. 634.** AN ACT PROVIDING THAT CERTAIN HANDICAPPED CHILDREN OF POLICYHOLDERS OF ACCIDENT AND HEALTH INSURANCE SHALL BE GIVEN CONTINUED COVERAGE AFTER ATTAINING THE AGE OF NINETEEN YEARS.

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

SECTION 1. Paragraph (a) of subdivision 2 of section 108 of chapter 175 of the General Laws is hereby amended by striking out provision (3), as appearing in section 1 of chapter 275 of the acts of 1954, and inserting in place thereof the following provision: —

(3) It purports to insure only one person, except that a policy may insure, originally or by subsequent amendment, upon the application of an adult member of a family who shall be deemed the policyholder, any two or more eligible members of that family, including husband, wife, dependent children or any children under a specified age which shall not exceed nineteen years and any other person dependent upon the policyholder; provided, that where a policy provides for termination of a dependent child's coverage at a specified age, and where such a child is mentally or physically incapable of earning his own living on the termination date, the policy shall continue to insure such child while the policy is in force and so long as such incapacity continues, if due proof of such incapacity is received by the insurer within thirty-one days of such termination date; and.

SECTION 2. Subdivision (D) of section 110 of said chapter 175, as most recently amended by chapter 207 of the acts of 1955, is hereby further amended by adding at the end the following sentence: — Any blanket or general policy issued under subdivision (A) of this section

which provides for termination of coverage of a dependent at a specified age shall also provide that such age termination provision shall not apply with respect to a dependent who is mentally or physically incapable of earning his own living so long as he remains in such condition, if the insured has, within thirty-one days of such dependent's attainment of the termination age provided in the policy, submitted to the insurer proof of such dependent's incapacity as herein described.

*Approved July 6, 1962.*

**Chap. 635.** AN ACT PROVIDING FOR THE RECONVEYANCE BY THE COMMONWEALTH TO THE ORIGINAL OWNERS OF CERTAIN LANDS COMPRISING SOUTH CAPE BEACH IN THE TOWN OF MASHPEE.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the reconveyance by the commonwealth to the original owners of certain lands comprising South Cape Beach in the town of Mashpee, and to terminate forthwith certain litigation now pending against 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. Upon the delivery to the commissioners of public works of the commonwealth by all the owners, except the town of Mashpee, from whom the commonwealth acquired, under the authority of chapter six hundred and forty-seven of the acts of nineteen hundred and fifty-eight and item 8260-75 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine, the lands in the town of Mashpee comprising South Cape Beach, also known as Popponesset Beach, or upon such delivery by the heirs, executors, administrators, successors or assigns of such owners, of releases of all claims against and all liability of the commonwealth by or to such owners, or by or to such heirs, executors, administrators, successors or assigns, arising out of such acquisition, and of agreements for the dismissal of any actions, petitions or other court proceedings relating to or arising out of such acquisition, said commissioners, acting on behalf of the commonwealth, are hereby authorized and directed to reconvey to such owners, or to such heirs, executors, administrators, successors or assigns, and to the town of Mashpee, all the right, title and interest in said lands, acquired as aforesaid by the commonwealth, including any buildings or structures therebefore or thereafter erected thereon. Said department shall record the deeds effecting such reconveyances in the registry of deeds for the county of Barnstable, and for such purpose said department shall be deemed to be duly authorized by such owners or their heirs, executors, administrators, successors or assigns. No fees shall be required for such recordings.

SECTION 2. When the conveyances hereby authorized have been made the balances of the amounts appropriated by said item 8260-75 of said section two of said chapter six hundred and four shall be transferred, in accordance with the provisions of section fifty-six of chapter twenty-nine of the General Laws to the fund which is liable for the maturities

of the bonds or other securities issued under said chapter six hundred and four, in the manner provided in said section fifty-six; and any amounts assessed under the provisions of said item 8260-75 as pertain to the South Cape Beach in the town of Mashpee and credited to the General Fund, less any amounts already expended or contracted for in connection with said South Cape Beach, shall be reimbursed, without appropriation, from said fund to the cities and towns upon which such amounts were so assessed, and against which they were charged.

*Approved July 9, 1962.*

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**Chap. 636.** AN ACT PROHIBITING THE USE OF A CERTAIN TYPE OF SPACE HEATER IN BUILDINGS USED FOR HUMAN HABITATION.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to prohibit forthwith the use of a certain type of space heater in dwellings, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and safety.

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

Chapter 148 of the General Laws is hereby amended by inserting after section 5 the following section: —

*Section 5A.* No person shall use or allow to be used a portable wick-type space heater in any building which is used in whole or in part for human habitation. Whoever violates the provisions of this section shall be punished by a fine of not more than one hundred dollars.

*Approved July 9, 1962.*

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**Chap. 637.** AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO PROVIDE RECREATIONAL FACILITIES AT FORT PHOENIX BEACH IN THE TOWN OF FAIRHAVEN.

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

**SECTION 1.** The department of public works, through its division of waterways, is hereby authorized and directed to provide recreational facilities at Fort Phoenix beach, and areas immediately adjacent thereto, in the town of Fairhaven. Said department may acquire by eminent domain, purchase, gift or otherwise such land as it deems necessary to carry out the provisions of this act.

**SECTION 2.** To meet the expenditures necessary to carry out the purposes set forth in section one, the state treasurer shall, upon the 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 hundred and fifty thousand dollars.

All bonds issued by the commonwealth as aforesaid shall be designated on their face Fort Phoenix Beach Improvement Loan, Act of 1962, and shall be on the serial payment plan for such maximum term of years not exceeding thirty 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 and 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, but bonds shall be payable not earlier than July first, nineteen hundred and sixty-three, nor later than June thirtieth, nineteen hundred and ninety-three.

SECTION 3. All sums of money received by the department of public works in relation to Fort Phoenix beach shall be accounted for and paid to the state treasurer, who shall receive and credit the same to the State Recreation Areas Fund. All interest payments and payments on account of principal on the bonds authorized by this act shall be paid from the State Recreation Areas Fund; provided, that notwithstanding the foregoing, such obligations shall be general obligations of the commonwealth.

*Approved July 9, 1962.*

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**Chap. 638.** AN ACT AUTHORIZING THE COMMONWEALTH TO BORROW MONEY TO MEET THE NON-FEDERAL COST OF THE WESTFIELD FLOOD PROTECTION PROJECT AND PROVIDING FOR CO-OPERATION WITH THE FEDERAL GOVERNMENT IN SAID PROJECT.

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

SECTION 1. For the purpose of participating with the federal government in the construction of certain works for the protection of property against flood in the Westfield and Little rivers in the city of Westfield, as authorized by the Congress by the Flood Control Act of 1960, known as the Westfield Flood Protection Project, the water resources commission is hereby authorized to give the necessary assurances to the Secretary of the Army that the conditions imposed on the local interests by the law will be met.

SECTION 2. The water resources commission, hereinafter called the commission, is hereby authorized and directed to give to the Secretary of the Army, hereinafter called the secretary, the assurances of the commonwealth, in form satisfactory to the secretary, that the commission will perform all acts required to be performed by local interests in connection with the construction of the works by the United States, and that the city of Westfield will maintain and operate, in accordance with the regulations prescribed by the secretary, such flood control works when completed as are within said city.

SECTION 3. The city of Westfield shall provide the land for the project and 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 other easements, public or private, as required by the secretary for the construction of the works authorized under this act. The value of the land acquired by the city and other non-federal project costs paid by the city as a part of the project cost, which are approved by the commission, shall be charged to the commission for payment out of the funds made available under section nine of this act.

SECTION 4. The commission is hereby authorized to relocate and reconstruct highways, roads and streets, including bridges and ap-



proaches and other structures, and including water pipes, gas pipes, sewers and power lines, railroad tracks, and other structures, tailraces, raceway conduits and extensions and connections incidental thereto, and construct or reconstruct dams and pumping stations, both publicly and privately owned, and do all other work required by the secretary to be performed by local interests as provided in said statutes and to enter on private lands for said purposes.

SECTION 5. The commission may enter into contracts with the secretary or his agents, or with the city of Westfield or with the state department of public works, or with railroads and the public service corporations or owners of dams to carry out and perform any of the work authorized by this act. The cost of such work shall be paid by the commission out of the funds made available under section nine of this act.

SECTION 6. After completion thereof the city of Westfield shall maintain and operate all the flood control works, including pumping stations built hereunder within the municipal limits of said city, and all sewers, water pipes, highways and bridges and other structures owned by said city.

SECTION 7. Said city, within its limits, shall prescribe and enforce regulations designed to prevent encroachments on the improved channels, and shall take such means as may be necessary to prevent any encroachments upon the flood channel capacities to be provided by the proposed improvements.

SECTION 8. The commission may employ temporarily such engineering, clerical and other assistance as it deems necessary for the purpose of carrying out the work authorized by this act. Such persons shall be subject to the provisions of chapter thirty-one of the General Laws, except that their employment may continue until the completion of said work, any provision of said chapter thirty-one to the contrary notwithstanding.

SECTION 9. To meet the non-federal cost of the project for the construction of the Westfield Flood Protection Project, 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 hundred thousand dollars. All bonds issued by the commonwealth as aforesaid shall be designated on their face Westfield Flood Protection Loan, Act of 1962, and shall be on the serial payment plan for such maximum term of years, not exceeding ten years, as the governor may recommend to the General Court pursuant to section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issuance thereof.

SECTION 10. The governor and council may request the state treasurer to enter into an agreement with the secretary to finance the payment of the eligible portion of the non-federal cost under the provisions

of section 203 of the Flood Control Act of 1960, if considered in the best interest of the commonwealth.

SECTION 11. The state treasurer shall notify the city of Westfield annually on January first of its assessment based on fifty per cent of the interest and principal payments on the bonds issued in accordance with section nine of this act and the annual payment, if any, made to the federal government under the provisions of section ten of this act with the assessments to be paid to the commonwealth by the following May first.

*Approved July 9, 1962.*

**Chap. 639.** AN ACT PROVIDING FOR THE CONSTRUCTION BY THE DEPARTMENT OF PUBLIC WORKS OF A PARKING AREA IN THE VILLAGE OF WOODS HOLE IN THE TOWN OF FALMOUTH.

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

The department of public works is hereby authorized, subject to appropriation, to place fill in tidal waters and to construct thereon, and on land adjacent thereto owned by the commonwealth, in the vicinity of facilities of the Woods Hole, Martha's Vineyard and Nantucket Steamship Authority in the village of Woods Hole in the town of Falmouth, a parking area and, upon completion, to transfer said area to said Authority.

Said Authority shall thereafter operate and maintain said area for parking, may establish rules and regulations for the use of the same, with penalties for the violation thereof not exceeding a fine of twenty dollars for any one offense, and may establish, revise and collect fees for the use of said area.

The construction herein provided for shall not be commenced until said Authority agrees in writing, subject to the approval of the governor and council, to reimburse the commonwealth in not more than twenty annual installments for the cost of said construction.

*Approved July 9, 1962.*

**Chap. 640.** AN ACT PROVIDING FOR INVITATIONS TO FOREIGN STUDENTS IN THE COMMONWEALTH TO PARTICIPATE IN OBSERVANCE OF UNITED NATIONS DAY.

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

Section 12N of chapter 6 of the General Laws is hereby amended by adding at the end the following paragraph: —

The state secretary shall issue invitations to students from foreign lands who are enrolled in colleges, universities, hospitals and training programs within the commonwealth to attend on or about said day ceremonies in observance thereof to be held at the state house and shall prepare programs which will be fitting and proper for the observance of said day.

*Approved July 9, 1962.*

**Chap. 641.** AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO ERECT AND MAINTAIN OVERHEAD SIGNS BEARING THE WORDS "NEW BEDFORD" AT EXIT 63 ON ROUTE 128.

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

The department of public works is hereby authorized and directed to erect and maintain overhead signs bearing the words "New Bedford" at exit 63 on state highway route 128 at its junction with the AMVETS Memorial Highway upon final acceptance of said highway by said department.

*Approved July 9, 1962.*

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**Chap. 642.** AN ACT AUTHORIZING PERSONS ENGAGED IN THE BUSINESS OF PERFORMING WORK UPON OR STORING ARTICLES OF CLOTHING OR HOUSEHOLD GOODS AND HAVING A LIEN THEREON FOR SUCH WORK OR STORAGE TO GIVE SAID ARTICLES TO A DULY ORGANIZED CHARITABLE CORPORATION.

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

Section 31D of chapter 255 of the General Laws is hereby amended by striking out the third sentence, as appearing in chapter 285 of the acts of 1960, and inserting in place thereof the following sentence: — If any such account remains unpaid for ninety days after the completion of the work, or after the expiration of the agreed term of storage, if any, or in the absence of such agreement, after the expiration of one hundred and twenty days from the date of storage, the lienor, upon notice in writing to the owner specifying the amount due and informing him that payment of such amount within thirty days will entitle him to redeem the article or articles covered by such lien, may, at the expiration of thirty days from the date of said notice, give said article or articles to a duly organized charitable corporation, or sell the same or any part thereof, at public or bona fide private sale to satisfy the account.

*Approved July 9, 1962.*

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**Chap. 643.** AN ACT RELATING TO FINANCIAL ASSISTANCE BY THE COMMONWEALTH TO APPROVED URBAN RENEWAL AND REDEVELOPMENT PROJECTS.

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

SECTION 1. Section 26J of chapter 121 of the General Laws is hereby amended by striking out the definition of "Land assembly and redevelopment project", as most recently amended by chapter 198 of the acts of 1958, and inserting in place thereof the following definition: —

"Land assembly and redevelopment project", a project for (1) acquisition and assembly by a housing authority or redevelopment authority of the land (and buildings, structures and other improvements thereon, if any) within a decadent, substandard or blighted open area covered by a land assembly and redevelopment plan; (2) clearance, by the housing authority or redevelopment authority of the land so acquired; (3) installation, construction or reconstruction of public and private ways, public utilities and services, and site improvements essential to the prep-

aration of sites for uses in accordance with the land assembly and redevelopment plan; and (4) making the land available for redevelopment by private enterprise or public agencies (including sale, initial leasing or retention by the housing authority or the redevelopment authority itself) for, in the case of substandard or decadent areas residential, recreational, commercial, industrial, educational, charitable, hospital, public or other uses, and in the case of blighted open areas for residential, recreational, commercial, industrial, educational, charitable, or hospital uses in accordance with the land assembly and redevelopment plan. "Land assembly and redevelopment project" shall not include the construction by the housing authority or redevelopment authority of any buildings, for residential or other use, contemplated by the land assembly and redevelopment plan. The term "redevelopment" shall include development.

SECTION 1A. The second paragraph of section 26EEE of said chapter 121, as appearing in section 8 of chapter 776 of the acts of 1960, is hereby amended by inserting after the first sentence the following sentence: — If the division rejects such application, the city or town may elect to proceed with such project without the benefit of said urban renewal assistance grant.

SECTION 2. Section 26FFF of said chapter 121, as so appearing, is hereby amended by striking out clauses (b) and (c) and inserting in place thereof the following three clauses: —

(b) The total land assembly and redevelopment or urban renewal assistance grant for any approved federally-aided project as defined in clause (a) shall not exceed one half of the local share of the contribution required from the municipality under the federal capital grant contract or more than one sixth of the net project cost when the municipality pays for administrative planning and legal expenses as a part of the gross project cost.

(c) The total of urban renewal assistance grant to be paid under the provisions of this section shall be payable in twenty equal annual installments, except that the division may adjust the annual payment upon final determination of the net cost of each approved project.

(d) The total amount of urban renewal assistance grants to be paid under the provisions of this section shall not exceed one million five hundred thousand dollars in any one fiscal year or a total of thirty million dollars in the aggregate.

SECTION 3. Said chapter 121 is hereby amended by striking out section 26HHH, as appearing in section 9 of said chapter 776 of the acts of 1960, and inserting in place thereof the following section: — *Section 26HHH.* The division of urban and industrial renewal may make advances of funds to local redevelopment agencies for up to seventy-five per cent of the estimated cost of surveys and plans and administrative expenses in preparation of projects which may be assisted under this section, and contracts for such advances of funds shall be made upon the condition that such advances of funds shall be repaid out of any monies which become available to such agency for the undertaking of the project or projects under this section and section twenty-six GGG.

The contracts referred to in section twenty-six GGG shall provide for a state grant-in-aid equal to one half of the net cost of each project as determined by the division. Any such contract shall provide that

no state grant-in-aid shall be made until the city or town shall have appropriated the funds required for the entire project cost.

From time to time the division shall certify to the state comptroller, and the state treasurer shall, within thirty days after such certification, pay to the several cities and towns, from any amounts appropriated therefor, the amounts due them in accordance with the provisions of section twenty-six GGG and of the following clauses: —

(a) The total state grant-in-aid for any approved project shall not exceed one half of the net cost of a project, including advances for surveys, planning and administrative expenses, with respect to which a contract under the provisions of section twenty-six GGG and this section has been signed.

(b) The total amount of urban commercial and industrial renewal assistance grants to be paid under the provisions of this section shall be payable in twenty equal annual installments, except that the division may adjust the annual payment upon final determination of the net cost of each approved project.

(c) The total amount of urban commercial and industrial renewal assistance grants to be paid under the provisions of this section shall not exceed one million dollars in any one fiscal year or a total of twenty million dollars in the aggregate, and, within the limits of the maximums herein established, an amount not exceeding two hundred thousand dollars in any one fiscal year may be authorized by the division to be advanced for the estimated cost of surveys, plans and administrative expenses as provided in the first paragraph.

SECTION 4. Notwithstanding the provisions of section twenty-six FFF of chapter one hundred and twenty-one of the General Laws, as amended by section two of this act, the division of urban and industrial renewal may, for approved projects for which federal contracts have been entered into prior to November twenty-three, nineteen hundred and sixty, authorize two annual payments during the nineteen hundred and sixty-two or the nineteen hundred and sixty-three fiscal years; provided, application therefor is made within ninety days after the effective date of this act.

*Approved July 9, 1962.*

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**Chap. 644.** AN ACT PROVIDING FOR THE EXEMPTION OF EXCISE TAX ON MOTOR VEHICLES OWNED, OPERATED AND REGISTERED TO PERSONS WHO HAVE SUFFERED LOSS OF OR LOSS OF USE OF BOTH LEGS.

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

SECTION 1. Section 1 of chapter 60A of the General Laws is hereby amended by inserting after the fifth paragraph, as most recently amended by section 1 of chapter 273 of the acts of 1959, the following paragraph: —

The excise imposed by this section shall not apply to a motor vehicle owned, operated and registered to any person who has suffered loss, or permanent loss of use of both legs. This exemption shall apply only to motor vehicles owned or operated for the personal, non-commercial use of such persons.

SECTION 2. Section 5 of chapter 59 of the General Laws is hereby amended by striking out clause Thirty-fifth, as amended by section 2

of chapter 24 of the acts of 1939, and inserting in place thereof the following clause: —

Thirty-fifth, Motor vehicles and trailers subject to taxation or exempted from taxation under the provisions of chapter sixty A, irrespective of the date of registration thereof under chapter ninety.

*Approved July 9, 1962.*

**Chap. 645.** AN ACT RELATIVE TO THE CLASSIFICATION OF ELECTRICAL HEATING WORK IN CONTRACTS FOR PUBLIC BUILDING PROJECTS.

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

The second sentence of section 44C of chapter 149 of the General Laws, as appearing in section 1 of chapter 679 of the acts of 1956, is hereby amended by inserting after the word "work", in line 10, the words: — , including direct electrical radiation for heating.

*Approved July 9, 1962.*

**Chap. 646.** AN ACT INCREASING THE AMOUNTS OF PENSIONS AND RETIREMENT ALLOWANCES PAYABLE TO CERTAIN FORMER PUBLIC EMPLOYEES.

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

SECTION 1. The annual amount of every pension, retirement allowance or annuity payable under any general or special law to any former employee of the commonwealth or of any county, city, town or district, including teachers, who was retired because of accidental disability incurred in the performance of his duties, shall be increased by three hundred dollars; provided, that no such increase shall be made in the case of any pension, retirement allowance or annuity which is in excess of twenty-five hundred dollars, exclusive of any amount of additional annuity obtained by special purchase as provided under paragraph (g) of subdivision (1) of section twenty-two of chapter thirty-two of the General Laws, or under any similar law, and no such increase shall be made which will make the total annual amount of such pension, retirement allowance or annuity, exclusive of any such additional annuity, exceed twenty-five hundred dollars; and, further provided, that no increase shall be made in the case of any employee whose retirement became effective subsequent to December thirty-first, nineteen hundred and sixty.

SECTION 2. The increases granted under this act with respect to pensions, retirement allowances or annuities payable by the commonwealth or by the teachers' retirement system shall take effect as of January first, nineteen hundred and sixty-two. The increases granted under this act with respect to pensions, retirement allowances or annuities payable by any county, city, town or district shall take effect when accepted in a county by the county commissioners thereof; in a city having a Plan D or Plan E charter, by the affirmative vote of a majority of all the members of the city council; in a city not having such a charter by vote of the city council, subject to the provisions of the charter of such city; in a town, by a majority vote at a town meeting; and in a district, by its prudential committee or body having similar powers.

SECTION 3. Any former employee of the commonwealth or any of its political subdivisions who is entitled to the increase granted by this act may waive and renounce for himself, his heirs and legal representatives his right to receive such increase by filing with the treasurer of the governmental unit paying his pension, retirement allowance or annuity a written statement wherein he waives and renounces such right as aforesaid. Nothing in this section shall be construed to otherwise affect the pension, retirement allowance or annuity payable to the person filing such a written statement.

SECTION 4. This act shall not apply to the pension to be used for reimbursement purposes under paragraph (c) of subdivision (2) of section twenty of chapter thirty-two of the General Laws on account of teachers retired by the city of Boston.

*(The foregoing was laid before the governor on the second day of July, 1962, and after five days it had "the force of a law", as prescribed by the constitution, as it was not returned by him with his objections thereto within that time.)*

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**Chap. 647.** AN ACT TO EXTEND CONTRIBUTORY GROUP HOSPITAL, SURGICAL, MEDICAL INSURANCE TO ELDERLY PERSONS RETIRED FROM THE SERVICE OF THE COMMONWEALTH AND FROM CERTAIN COUNTIES, CITIES, TOWNS AND DISTRICTS AND TO THEIR DEPENDENTS.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is in part to immediately extend contributory group hospital, surgical and medical insurance to elderly persons retired from the service of the commonwealth and from certain counties, cities, towns and districts and to their dependents, 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 2 of chapter 32A of the General Laws is hereby amended by adding after paragraph (e) the following paragraph: —

(f) "Elderly governmental retirees", employees of the commonwealth, housing and redevelopment authorities, mosquito control projects and technicians of the National Guard retired prior to the effective date of contracts or agreements issued under this chapter who are receiving a pension or retirement allowance from the commonwealth sufficient from which a monthly insurance premium may be withheld; and employees of counties, cities, towns and districts including "teachers" as defined in section one of chapter thirty-two, retired prior to the effective date of contracts or agreements issued under the provisions of chapter thirty-two B as, or when, adopted by the political subdivision from which they are retired, and who are receiving a pension, annuity or retirement allowance sufficient from which a monthly insurance premium may be withheld.

SECTION 2. Said chapter 32A is hereby further amended by inserting after section 10A the following section: —

*Section 10B.* The commission shall negotiate with and purchase on such terms as it deems to be in the best interest of the commonwealth,

certain political subdivisions that have accepted the provisions of this section, and the elderly governmental retirees and their dependents, from one or more insurance companies or non-profit hospital or medical service corporations, a policy or policies of group general or blanket insurance providing hospital, surgical and medical benefits for said retirees and their dependents. Said policy or policies shall consist of a schedule of hospital, surgical and medical benefits for elderly governmental retirees and their surviving spouse which shall be unrelated to the schedule of hospital, surgical and medical benefits purchased by the commonwealth under the provisions of section four, or the schedule of hospital, surgical and medical benefits purchased by counties, cities, towns and districts under the provisions of section three of chapter thirty-two B. The claim experience of elderly governmental retirees and the surviving spouse insured under this section shall be maintained unrelated to the claim experience applicable to the aforementioned schedules of hospital, surgical and medical benefits. The commission shall execute all agreements or contracts pertaining to said policy or policies or any amendment thereto for and on behalf and in the name of the commonwealth, for a period not less than two years nor more than five years; provided, however, that the portion of the cost of the premium to be borne by the commonwealth shall not exceed the estimated monthly cost for which funds have been appropriated by the general court for the then current fiscal year.

(a) With respect to any period of insurance which is in effect for the elderly governmental retiree, notwithstanding the provisions of section nineteen of chapter thirty-two or any other general or special law to the contrary, there shall be withheld from each monthly payment of pension, annuity or retirement allowance by the respective retirement system or by the appropriate retiring authority, fifty per cent of the premium for such insurance, and the commonwealth shall make primary payment of the remaining fifty per cent of said premium subject to reimbursement as outlined in (c) below.

(b) The retiree's premiums shall be withheld by the appropriate authority from the retiree's pension, annuity or allowance under the state employees' retirement system, the teachers' retirement system, the retirement system established in the county, city, town or district, and under any non-contributory pension or annuity, and shall be forwarded by the responsible governmental official to the commission in accordance with its rules and regulations. The commission shall make payment at least once each month of all premiums due the carrier in accordance with the terms of the policy.

(c) The commission shall determine at least annually, or sooner, the amount of premiums which shall be reimbursed to the commonwealth by agencies thereof, by housing and redevelopment authorities and counties, cities, towns and districts, having elderly governmental retirees insured under this section. The commission shall also determine, at least annually, the portion of the commission's expense of administering this hospital, surgical and medical insurance coverage for elderly governmental retirees applicable to the agency, authority or political subdivision from which they retired. After such determinations, the commission shall certify the amounts determined as aforesaid to the state treasurer for assessment. The state treasurer shall issue his warrant in the manner provided by section twenty of chapter fifty-nine requiring



the cities and towns concerned to pay into the treasury of the commonwealth the amounts of such premium and administrative expenses attributable to such cities and towns. In the case of counties, the commission on or before December fifteenth in each year shall notify the county commissioners of each county of the amount of premium and administrative expenses attributable to such county and said expenses shall be included in the estimate of county receipts and expenses of said county.

(d) Any dividend or refund accepted by the commission from the carrier as a result of the contract negotiated under this section, shall be deposited by the commission with the state treasurer as provided in section nine. The commission shall determine the amount of dividend or refund apportionable to the various counties, cities, towns and districts having elderly governmental retirees insured hereunder, and in the case of a city, town or district shall notify the state treasurer to reduce the premium charges and administrative expenses attributable to each such city, town or district by the amount of refund attributable thereto. In the case of counties, the commission shall notify the county commissioner of each county of the amount of refund attributable thereto and the estimate of receipts and expenditures for the ensuing year in each such county shall be reduced by the amount of such refund. If no premium is to be payable by a county, city, town or district for the succeeding year the commission shall certify the same to the state treasurer who shall pay over the amount of such refund to the political subdivision entitled thereto. The remaining portion of the dividend or refund apportionable to the commonwealth shall be applied as provided in section nine..

(e) Each elderly governmental retiree to whom this chapter applies shall furnish the commission, in such form as it shall prescribe, such information as is necessary to insure himself or himself and his dependents under the hospital, surgical, medical insurance herein provided, and shall authorize the withholding of the appropriate premium from his pension, annuity or retirement allowance by the appropriate governmental authority.

(f) Upon the death of an elderly governmental retiree, the surviving spouse may continue the group hospital, surgical and medical insurance as provided under section eleven.

(g) The rules and regulations of the commission which govern the administration of this section shall not be subject to the provisions of chapter thirty A.

SECTION 3. Chapter 32B of the General Laws is hereby amended by inserting after section 11A the following section: —

*Section 11B.* Any political subdivision, subject to the provisions of section ten B of chapter thirty-two A, may appropriate funds or apply therefor for the payment of group general or blanket insurance providing hospital, surgical and medical insurance for elderly governmental retirees as defined in paragraph (f) of section two of said chapter thirty-two A. 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 voters 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 extend contributory group hospital, surgical and medical insurance to elderly persons retired from the service of the town and to their dependents with fifty per cent of the premium cost and a portion of the administrative expense to be paid by the town?"

SECTION 4. Said chapter 32B is hereby amended by striking out section 10, as amended by chapter 150 of the acts of 1962, and inserting in place thereof the following section: — *Section 10.* This chapter, except sections nine A, eleven A and eleven B, may be accepted in a county by vote of the county commissioners; in a city by vote of the city council, approved by the mayor; in a district, except as hereinafter provided, by vote of the registered voters of the district at a district meeting; in a regional school district by vote of the regional district school committee; in a veterans' services district by vote of the district board; in a welfare district by vote of the district welfare committee; and in a town by submission for acceptance to the registered voters in the form of the following question which shall be printed upon the official ballot to be used at an election: — "Shall certain provisions of chapter thirty-two B of the General Laws, authorizing any county, city, town or district to provide a plan of contributory 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 such county, city, town or district and their dependents, be accepted by this town?" If a majority of the voters voting on the question shall vote in the affirmative, this chapter, except sections nine A, eleven A and eleven B, shall take effect in such town.

SECTION 5. Chapter 414 of the acts of 1961 is hereby amended by striking out section 2 and inserting in place thereof the following section: — *Section 2.* This act shall take effect as of January first, nineteen hundred and fifty-six.

SECTION 6. The provisions of section nine B of chapter thirty-two B of the General Laws shall, notwithstanding the effective date of said section, apply to any political subdivision of the commonwealth which accepted said chapter at any time prior to June eighth, nineteen hundred and sixty-one, and in which policies purchased under said chapter were in effect prior to said date.

*Approved July 10, 1962.*

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**Chap. 648.** AN ACT RELATIVE TO THE ADMINISTRATION OF THE UNIVERSITY OF MASSACHUSETTS.

*Whereas,* The deferred operation of this act would tend to defeat its purpose which is to provide forthwith that certain administrative changes be made at the University of Massachusetts beginning with the year nineteen hundred and sixty-three, 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 75 of the General Laws is hereby amended by striking out sections 1 to 15, inclusive, and inserting in place thereof the following sixteen sections: —

*Section 1.* The state university shall be the University of Massachusetts which shall continue as a state institution within the department of

education but not under its control and shall be governed solely by the board of trustees established under section twenty of chapter fifteen. In addition to the authority, responsibility, powers and duties specifically conferred by this chapter, the board of trustees shall have all authority, responsibility, rights, privileges, powers and duties customarily and traditionally exercised by governing boards of institutions of higher learning. In exercising such authority, responsibility, powers and duties said board shall not in the management of the affairs of the university be subject to, or superseded in any such authority by, any other state board, bureau, department or commission, except as herein provided.

*Section 2.* The major purpose of the university shall be to provide without discrimination educational opportunity in such fields of higher education as the trustees may determine including, but not limited to, arts and sciences, engineering, business administration, agriculture, home economics, education, nursing, physical education, and military science. It shall provide such other services to the commonwealth, appropriate to its purposes, as the trustees may determine or as are provided by law. The university shall be the commonwealth's major center for research, graduate and professional education, and for dissemination of knowledge. To this end, the trustees shall maintain high educational standards at the university and shall have complete authority to establish, locate, support, consolidate or abolish classes, courses, curricula, departments, divisions, schools or colleges of the university wherever and whenever required in meeting the needs of the commonwealth in the fields of public higher education. The trustees shall establish for the university the appropriate qualifications and standards for admission, promotion and graduation and shall award academic degrees and diplomas and confer honors as is customary in American universities.

*Section 3.* Notwithstanding any other provision of law to the contrary, except as herein provided, the trustees may adopt, amend or repeal such rules and regulations for the government of the university, for the management, control and administration of its affairs, for its faculty, students and employees, and for the regulation of their own body, as they may deem necessary, and may impose reasonable penalties for the violation of such rules and regulations. The trustees shall publish such rules and regulations and shall file copies thereof with the governor, the commission on administration and finance, and the joint committee on ways and means.

*Section 3A.* The trustees may, except as to duties imposed or powers granted under sections two, three, four and five, delegate their authority or any portion thereof to the president or other officers of the university whenever in their judgment such delegation may be necessary or desirable.

*Section 4.* The trustees shall determine the time and place of their meetings and the manner of giving notice thereof. Nine members shall be a quorum.

*Section 5.* The university may have a common seal, which may be altered by the trustees.

*Section 6.* All accounts of the university under the direction of the trustees, including the accounts of all property or funds received, held or disbursed by the trustees under any provision of section eleven, shall be audited annually by the state auditor.

*Section 7.* The trustees shall prepare and submit a detailed budget in such form and manner as the governor and general court may direct.

*Section 8.* Notwithstanding any other provision of law to the contrary, the general court shall annually appropriate such sums as it deems necessary for the maintenance, operation and support of the university; and such appropriations shall be made available by the appropriate state officials for expenditure through allotment, transfer within and among subsidiary accounts, advances from the state treasury in accordance with the provisions of sections twenty-four, twenty-five and twenty-six of chapter twenty-nine, or for disbursement on certification to the state comptroller in accordance with the provisions of section eighteen of said chapter twenty-nine, as may from time to time be directed by the trustees or an officer of the university designated by the trustees.

*Section 9.* The trustees may insure the memorial building and its contents in such amount as they deem sufficient.

*Section 10.* A complete financial report covering all receipts and expenditures shall be made annually to the governor and the general court. Monthly statements of receipts and expenditures shall be made to the state comptroller. The trustees shall see that there is maintained an accounting system as required by the state comptroller and the trustees may maintain such additional accounts as they deem necessary for the management of the university.

*Section 11.* The trustees shall administer property held in accordance with special trusts, and shall also administer grants or devises of land and gifts or bequests of personal property made to the commonwealth for the use of the university, and execute said trusts, investing the proceeds thereof in notes or bonds secured by sufficient mortgages or other securities. The trustees shall have the authority to assent to federal laws designed to benefit the university and to enter into agreements or contracts with the federal government or agencies thereof, as well as into agreements or contracts with agencies of other governments, other colleges and universities, foundations, corporations, interstate compact agencies and individuals where such agreements or contracts, in the judgment of the trustees, will promote the objectives of the university. The trustees may, from time to time, establish and manage trust funds for self-amortizing projects and self-supporting activities including, but not limited to, the operation of the boarding halls, student health service, research institutes and foundations, dormitories and student and faculty apartments. All income received from such projects or activities shall be held in trust by the trustees and expended for the purpose for which the trust fund was established. The trustees may, for the purposes of this section, group together several or more projects and activities into one or more funds as is, in their judgment, required to best effectuate the purposes of the projects and activities and the purposes of the university. Any unrestricted balances remaining in a trust fund upon its termination shall be used as directed by the trustees for the general purposes of the university. All receipts from student activities, including the operation of the university stores, student union, student operation of the home economics practice house, dramatics, debating, musical clubs, band, athletics and other like activities, shall be retained by the trustees in a trust fund or trust funds

and shall be expended as the trustees shall direct in furthering the activities from which the receipts were derived.

*Section 12.* The trustees shall, on behalf of the commonwealth, manage and administer the university and all property, real and personal, belonging to the commonwealth and occupied or used by the university, and shall keep in repair houses, buildings and equipment so used or occupied.

*Section 13.* Notwithstanding any other provision of law to the contrary, the trustees or officers of the university designated by them shall have the authority to make any purchase or purchases in the amount of five hundred dollars or less, and to purchase without limitation of amount library books and periodicals, educational and scientific supplies and equipment, printing and binding, emergency repairs and replacement parts, and perishable items, without recourse to any other state board, bureau, department or commission; provided, that in so doing the university shall follow modern methods of purchasing and shall, wherever practicable, invite competitive bids. Except as herein provided, the state purchasing agent shall on the certification of availability of funds purchase all items specified on requisitions submitted to him by the university; provided, that the university shall have the right to review all bids received on university requisitions and to make binding recommendation on the award of the contract based on the judgment of the university as to which of the bids best meet the university's specification on which the bids were received.

*Section 14.* As used in this section the following words shall have the following meanings, unless the context otherwise requires:

"Professional staff", all officers of the university and all persons, except those whose duties are clerical, custodial, security, labor, maintenance and the like, employed for teaching, research, administration, extension, enforcement, control laws and regulatory services, technical and specialized academic support staff, and such related activities as shall be determined by the trustees of the university.

"Non-professional staff", all employees who are not classified as professional personnel, such as clerical, custodial, security, labor, maintenance and the like.

"General salary schedule", the pay plan of the commonwealth as contained in paragraph (1) of section forty-six of chapter thirty.

The trustees shall elect the president and such other officers and members of the professional staff of the university as they may determine necessary and shall fix their classification, title and salary within the general salary schedule and shall define their duties and tenure of office without limitation of any other provision of law. The president shall receive a salary of not less than twenty thousand dollars nor more than twenty-five thousand dollars, the amount to be determined by the trustees.

The trustees shall have complete authority with respect to the election or appointment of the professional staff including terms, conditions and periods of employment, compensation, promotion, classification and reclassification, transfer, demotion and dismissal within funds available by appropriation of the general court or from other sources. The classification, title, salary range within the general salary schedule, and descriptive job specifications for each position shall be determined by the trustees for each member of the professional staff and copies

thereof shall be placed on file with the governor, budget commissioner, director of personnel and standardization, and the joint committee on ways and means. A notification of each personnel action taken shall be filed by the president or other officers of the university designated by him with the director of personnel and standardization and with the comptroller. In establishing the classification, title and salary plan for the professional staff of the university, the trustees shall give recognition to the need to establish and maintain appropriate academic ranks and titles as may be appropriate for higher education in order to provide for outstanding scholars, scientists and teachers.

Annually there shall be filed by the president or other officers of the university designated by him with the governor, budget commissioner and joint committee on ways and means a listing of all positions at the university, including the name of the incumbent, the classification and title, and the rate of pay.

The trustees may, without prior approval and within limits of appropriations, engage designers, lecturers, students, other professional personnel, and non-employee services, at such rates and for such periods of time as they may determine necessary for the operation of the university.

The non-professional personnel of the university shall continue as state employees under the provisions of chapter thirty and except as otherwise provided in this paragraph, shall be employed in authorized permanent positions in accordance with the provisions of section forty-five of said chapter; provided, however, that the university shall have the authority without prior approval and within the limits of appropriations to establish and fill temporary, part time and seasonal positions within existing titles and rates within available appropriations for the fiscal year. A notice of action taken in filling all such positions shall be filed with the director of personnel and standardization and with the comptroller.

All officers and employees, professional and non-professional, of the university shall continue to be employees of the commonwealth irrespective of the source of funds from which their salaries or wages are paid. They shall have the same privileges and benefits of other employees of the commonwealth such as retirement benefits, group insurance, industrial accident coverage, and other coverage enjoyed by all employees of the commonwealth.

The trustees shall establish and make public a policy on faculty tenure which provides for removal for just cause, hearing upon dismissal, and judicial review.

*Section 15.* The trustees shall annually as of the end of the fiscal year cause the president to make and publish a report for the university that shall be available to the public, copies of which shall be filed with the governor, state secretary and the general court. Special reports and bulletins may be issued from time to time as determined by the trustees.

*Section 2.* Said chapter 75 is hereby further amended by striking out sections 31 and 32 and inserting in place thereof the following three sections: —

*Section 31.* The University of Massachusetts is hereby authorized and directed to grant certain scholarships annually in the number and amount as set forth in the appropriation made therefor, to be known as

the commonwealth scholarships, to worthy students who are residents of the commonwealth, and who possess the requisite ability, and who are in need of financial assistance.

*Section 32.* The trustees shall have complete authority in determining the university's travel policy. Such power shall include the right to determine who among university personnel should travel within and without the commonwealth at state expense and where such personnel shall travel.

*Section 32A.* The trustees shall make rules and regulations for the control, movement and parking of vehicles on the campus of the university and on other land of the university, and may provide reasonable penalties for the violation of said rules and regulations. The trustees may appoint as police officers persons in the employ of the university who in the enforcement of said rules and regulations and throughout university property shall have the powers of police officers, except as to service of civil process. Notwithstanding any other provision of law, all fines and penalties recovered for violation of rules and regulations made under authority of this section shall be accounted for by the clerk of the court and forwarded to the trustees of the university to be deposited in the scholarship trust fund of the university for scholarship purposes.

**SECTION 3.** The classification, title and salary of each member of the professional staff of the University of Massachusetts in existence on the day prior to the effective date of this act shall remain in effect until changed by the trustees as herein provided, except that nothing in this act shall be construed to prevent the payment of annual increments or steps in the salary schedule to which the individual shall by reason of length of service be entitled within the grade currently held as of the effective date of this act.

**SECTION 4.** Nothing contained in this act shall be construed to deny to any employee employed prior to the effective date of this act any of his vested or contractual rights as a state employee.

**SECTION 5.** This act shall take effect as of July first, nineteen hundred and sixty-two.

*Approved July 11, 1962.*

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**Chap. 649.** AN ACT TO PROVIDE FOR A SPECIAL CAPITAL OUTLAY PROGRAM FOR THE COMMONWEALTH.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to provide funds immediately for a special capital outlay program for the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

**SECTION 1.** To provide for a special program of construction, reconstruction, repair and improvement of the various properties of the commonwealth and for the purchase and installation of certain equipment, the sums set forth in section two of this act, are hereby made available for the period ending June thirtieth, nineteen hundred and sixty-four, subject to the provisions of law regulating the disbursement of public funds and the approval thereof. Said amounts are based upon schedules

approved by the joint committee on ways and means, a copy of which shall be deposited with the budget commissioner and shall be expended according to the priority order of such schedules unless exceptions are approved by the budget commissioner on written application of the head of the spending agency.

SECTION 2.

**Legislature.**

Item		
8463-70	For the renovation of certain rooms in the state house, with the approval of the house committee on rules, including the cost of furnishings and equipment	\$11,000
8463-71	For air conditioning certain additional offices in the state house	6,000

**Judiciary.**

8263-01	For equipment, land court	\$2,000
8263-02	For equipment, office of the commissioner of probation	8,650

**Military Division.**

8263-03	For equipment, state quartermaster	\$1,800
8263-04	For repairs and improvements, armories	80,000
8263-05	For certain improvements to the utility systems and other major repairs to the Lowell and Salem national guard armories	40,000
8263-06	For equipment, armories	1,200
8263-07	For repairs and improvements, storage and maintenance facilities	2,500

**Boards and Commissions serving under Governor and Council.**

*Commission on Administration and Finance.*

8263-08	For equipment	\$2,000
8263-09	For equipment, bureau of the comptroller	9,600
8263-10	For equipment, bureau of the budget commissioner	500
8263-11	For equipment, bureau of the purchasing agent	2,000
8263-12	For equipment, division of personnel and standardization	1,000
8263-13	For equipment, division of building construction	2,000
8263-14	For equipment, division of hospital costs and finances	1,000
8263-15	For equipment, state employees' group insurance commission	1,500

*State Superintendent of Buildings.*

8263-16	For repairs and improvements, state house	\$5,980
8263-17	For replacement of roof drains, state house	36,000
8263-18	For floor covering, state house	25,000
8263-19	For certain repairs to the Horace Mann statue	15,000
8263-20	For certain repairs to skylights and decorative murals, including ceilings, in the state house	28,000
8263-21	For equipment, state house	2,480
8463-72	For replacement or reinforcement of structural steel under the state house parking lot; provided, that the division of building construction shall coordinate such work as may be required with any proposed plans of the new state office building or any other proposed use of the space below said parking area	30,000
8463-73	For certain plumbing and other related improvements in the state house, to be in addition to the amount appropriated in item 8261-02 of section two of chapter seven hundred and seventy-four of the acts of nineteen hundred and sixty	87,200

*George Fingold Library.*

8263-22	For equipment, library	\$460
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*Massachusetts Commission Against Discrimination.*

8263-23	For equipment	\$600
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<i>State Racing Commission.</i>	
Item	
8263-24	For equipment . . . . . \$500
<i>Council for the Aging.</i>	
8263-25	For equipment . . . . . \$900
<i>Alcoholic Beverages Control Commission.</i>	
8263-26	For equipment . . . . . \$300
<i>Soldiers' Home in Massachusetts.</i>	
8263-27	For repairs and improvements . . . . . \$6,940
8261-24	Item 8261-24 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 certain improvements to the headquarters' and Quigley memorial hospital cafeterias, kitchens, canteen and auditoriums, and for the construction of storerooms, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8356-20 of section two of chapter seven hundred and thirty-eight of the acts of nineteen hundred and fifty-five.
8263-28	For power plant improvements, including conversion of number two boiler to oil . . . . . 60,000
8263-29	For certain improvements to the elevator, service building . . . . . 80,000
8263-30	For equipment . . . . . 15,000
8263-31	For certain laundry equipment and improvements to the receiving platform . . . . . 20,000
<i>Soldiers' Home in Holyoke.</i>	
8263-32	For repairs and improvements . . . . . \$6,000
8263-33	For equipment . . . . . 5,400
8263-34	For X-ray equipment . . . . . 25,000
<i>State Housing Board.</i>	
8263-35	For equipment . . . . . \$350
<i>Massachusetts Aeronautics Commission.</i>	
8263-36	For equipment . . . . . \$400
<i>Secretary of the Commonwealth.</i>	
8263-37	For equipment . . . . . \$3,900
8263-38	For equipment, division of elections . . . . . 4,000
8263-39	For equipment, commission on interstate co-operation . . . . . 350
<i>Treasurer and Receiver-General.</i>	
8263-40	For equipment, receiver-general . . . . . \$2,000
8263-41	For equipment, office of the state board of retirement . . . . . 750
<i>Auditor of the Commonwealth.</i>	
8263-42	For equipment . . . . . \$900
<i>Department of the Attorney General.</i>	
8263-43	For equipment . . . . . \$900

**Department of Agriculture.**

Item		
8263-44	For equipment	\$2,000
8263-45	For equipment, division of dairying and animal husbandry	1,800
8263-46	For equipment for administering the law relative to inspections of barns and dairies	5,400
8263-47	For equipment, milk control commission	1,800
8263-48	For equipment, division of plant pest control and fairs	1,800

**Department of Natural Resources.**

8263-49	For repairs and improvements, administration	\$3,500
8263-50	For equipment, administration	2,625
8263-51	For the conversion of radio equipment; provided, that the comptroller shall transfer to the General Fund the sum of twenty thousand dollars from the Inland Fisheries and Game Fund	100,000
8263-52	For equipment, office of the director, division of forests and parks	2,000
8263-53	For equipment, state fire warden	3,100
8263-54	For equipment, development of forests	12,000
8263-55	For equipment, suppression of insect pests and shade tree diseases	4,500
8263-56	For equipment, shellfish and marine law enforcement	9,000
8263-57	For equipment, conservation officers	5,200
8263-58	For equipment, marine fisheries	500
8263-59	For equipment, shellfish treatment plant, Newburyport	2,000
8263-60	For equipment, division of water resources	450

**Department of Banking and Insurance.**

8263-61	For equipment, division of insurance	\$4,000
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**Department of Corporations and Taxation.**

8263-62	For equipment, department of corporations and taxation	\$5,000
8263-63	For equipment, income tax division	6,000
8263-64	For equipment, division of accounts	2,000
8263-65	For equipment, appellate tax board	300

**Department of Education.**

8263-66	For equipment, office of the commissioner	\$1,000
8263-67	For repairs and improvements, state building on Newbury street, Boston	3,200
8263-68	For equipment, board of education	350
8263-69	For equipment, division of vocational education	400
8263-70	For equipment, division of immigration and Americanization	500
8263-71	For equipment, division of the blind, administration	450
8263-72	For repairs, operation of local shops	2,500
8263-73	For equipment, operation of local shops	500
8263-74	For equipment, operation of Cambridge industries for the blind	3,665
8263-75	For equipment, teachers' retirement board	1,930
8263-76	For equipment, Massachusetts maritime academy	1,000
8463-74	For the acquisition of certain land with buildings thereon by purchase or by eminent domain under chapter seventy-nine of the General Laws, and for the demolition of buildings or the alteration and improvements to the land and buildings, including the erection of fencing and improvements to the entrance to the maritime academy; provided, that no payment shall be made for the purchase of said land until an independent appraisal of the value of the property has been made by a qualified, disinterested appraiser	55,000
8263-77	For repairs and improvements, state college at Bridgewater	8,000
8263-78	For equipment, state college at Bridgewater and boarding hall	7,275
8263-79	For repairs and improvements, state college at Fitchburg	11,000
8263-80	For equipment, state college at Fitchburg and boarding hall	3,750

Item		
8260-12	Item 8260-12 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 three, the following: —, and including the acquisition of certain additional land with buildings thereon by purchase or by eminent domain under chapter seventy-nine of the General Laws and the cost of demolition of said buildings; 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.	
8263-81	For repairs and improvements, state college at Framingham	\$5,000
8263-82	For certain renovations for additional classroom space, May and Dwight halls	66,000
8263-83	For equipment, state college at Framingham and boarding hall	7,200
8263-84	For repairs and improvements, state college at Lowell	4,000
8263-85	For equipment, state college at Lowell	3,000
8263-86	For equipment, state college at North Adams and boarding hall	2,500
8263-87	For repairs and improvements, state college at Salem	2,000
8263-88	For certain improvements to the elevator, state college at Salem, academic building	30,000
8263-89	For equipment, state college at Salem	4,000
8463-75	For the construction of a garage, repair and workshop, including the cost of equipment, Salem state college	30,000
8263-90	For repairs and improvements, state college at Westfield	3,000
8263-91	For equipment, state college at Westfield	4,100
8263-92	For repairs and improvements, state college at Worcester	4,000
8263-93	For equipment, state college at Worcester	9,300
8263-94	For certain improvements to the plumbing, heating and electrical distribution systems, including the renovation of classrooms and library, state college at Boston	75,000
8263-95	For certain improvements to the exterior walls and roofs, state college at Boston	63,000
8263-96	For equipment, state college at Boston	4,000
8263-97	For repairs and improvements, Massachusetts college of art	2,000
8263-98	For equipment, Massachusetts college of art	3,000
8263-99	For equipment, Bradford Durfee college of technology	2,000
8363-01	For equipment, New Bedford institute of technology	38,000
8463-76	For renovation of the building to provide for a library and additional laboratory and classroom space, including the cost of equipment and the purchase of scientific, technological and other reference material for the institute library	45,000

*Lowell Technological Institute of Massachusetts.*

8363-02	For repairs and improvements	\$15,500
8363-03	For certain improvements to parapet walls and the reconstruction of fire walls	30,000
8363-04	For certain improvements to the drainage system and parking areas	25,000
8363-05	For equipment	2,000
8363-06	For the purchase of scientific, technological and other educational reference material for the institute library	25,000

*Southeastern Massachusetts Technological Institute.*

8261-03	Item 8261-03 of section two of chapter seven hundred and seventy-four of the acts of nineteen hundred and sixty, as amended by chapter one hundred and eighty-five of the acts of nineteen hundred and sixty-one, is hereby further amended by striking out the word "ten" and inserting in place thereof the word: — forty.	
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*University of Massachusetts.*

8363-07	For repairs and improvements	\$50,000
8363-08	For improvements to roads and sidewalks	100,000
8363-09	For repairs and improvements to dormitories, including the cost of furnishings and equipment	300,000

Item		
8363-10	For administrative and maintenance equipment . . . . .	\$60,000
8363-11	For classroom and laboratory equipment . . . . .	150,000
8363-12	For the purchase of scientific, technological and other educational reference material for the university library . . . . .	100,000

*Massachusetts Board of Regional Community Colleges.*

8363-13	For establishing regional community colleges in the Boston, Greenfield, Springfield and Worcester 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 8262-15 of section two of chapter five hundred and forty-four of the acts of nineteen hundred and sixty-one as amended . . . . .	\$255,000
8463-77	For furnishings and equipment, including educational supplies, for the Cape Cod community college . . . . .	15,000

*Division of Youth Service.*

8363-14	For equipment, division of youth service, administration . . . . .	\$1,850
8363-15	For equipment, industrial school for boys . . . . .	6,000
8363-16	For plumbing repairs, industrial school for boys . . . . .	50,000
8363-17	For repairs and improvements, industrial school for girls . . . . .	4,500
8363-18	For repairs and improvements, Lyman school for boys . . . . .	10,000
8363-19	For certain improvements to steam lines, Lyman school for boys . . . . .	45,000
8363-20	For equipment, Lyman school for boys . . . . .	5,000
8363-21	For equipment, reception and detention facilities for boys, Boston . . . . .	3,000
8463-78	For certain improvements to the heating and ventilating system, institute of juvenile guidance, Bridgewater . . . . .	13,000
8363-22	For equipment, reception and detention facilities for girls, Boston . . . . .	890
8363-23	For equipment, residential treatment center Oakdale . . . . .	2,000
8363-24	For equipment, youth forest camp . . . . .	400

*School Building Assistance Commission.*

8363-25	For equipment . . . . .	\$590
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**Department of Civil Service and Registration.**

8363-26	For equipment, division of civil service . . . . .	\$5,000
8363-27	For equipment, division of registration . . . . .	1,000
8363-28	For equipment, board of registration of real estate brokers and salesmen . . . . .	1,000

**Department of Commerce.**

8363-29	For equipment . . . . .	\$1,100
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**Department of Labor and Industries.**

8363-30	For equipment, department of labor and industries, administration . . . . .	\$425
8363-31	For equipment, division of industrial inspection . . . . .	2,595
8363-32	For equipment, division of occupational hygiene . . . . .	1,475
8363-33	For equipment, division of statistics . . . . .	600
8363-34	For equipment, division of necessities of life . . . . .	825
8363-35	For equipment, labor relations commission . . . . .	250
8363-36	For equipment, health, welfare and retirement trust funds board . . . . .	350
8363-37	For equipment, division of industrial accidents . . . . .	1,000

## Department of Mental Health.

Item		
8363-38	For equipment, administration	\$2,500
8363-39	For repairs, Fall River Day Hospital	10,500
8363-40	For repairs and improvements, Mass. Mental Health Center	15,205
8363-41	For enclosing office space, research building	50,000
8363-42	For equipment, Mass. Mental Health Center	8,975
8363-43	For repairs and improvements, Boston State Hospital	25,000
8363-44	For plumbing renovations	170,000
8363-45	For roof repairs	15,000
8363-46	For steamline replacement	20,000
8363-47	For equipment, Boston State Hospital	21,600
8363-48	For repairs and improvements, Danvers State Hospital	20,300
8363-49	For waterproofing exterior walls, main group	75,000
8363-50	For modernizing plumbing	14,000
8363-51	For the replacement of fire mains	11,700
8363-52	For equipment, Danvers State Hospital	20,000
8363-53	For repairs and improvements, Foxborough State Hospital	18,400
8363-54	For equipment, Foxborough State Hospital	14,000
8363-55	For repairs and improvements, Gardner State Hospital	21,660
8363-56	For plumbing renovations	100,000
8363-57	For equipment, Gardner State Hospital	20,425
8363-58	For repairs and improvements, Grafton State Hospital	29,600
8363-59	For Elms Building renovations	125,000
8363-60	For replacement steam lines, Pines Building	39,700
8363-61	For equipment, Grafton State Hospital	30,000
8363-62	For repairs and improvements, Medfield State Hospital	22,000
8363-63	For plumbing renovations, F-2 building	68,000
8363-64	For renovations, building entrance	15,000
8363-65	For equipment, Medfield State Hospital	20,000
8363-66	For repairs and improvements, Metropolitan State Hospital	24,600
8363-68	For window replacements, A Building	147,500
8363-69	For waterproofing exterior walls and for certain roof and other repairs and improvements to the continued treatment group	150,000
8363-70	For elevator renovations	30,000
8363-71	For plumbing renovations, continued treatment group	40,000
8363-72	For equipment, Metropolitan State Hospital	21,800
8363-73	For repairs and improvements, Northampton State Hospital	23,900
8363-74	For plumbing renovations, north and south halls	25,000
8363-75	For equipment, Northampton State Hospital	25,400
8363-76	For the purchase and installation of laundry equipment	40,000
8363-77	For repairs and improvements, Taunton State Hospital	22,600
8363-78	For plumbing renovations, Lovering colony	44,000
8363-79	For equipment, Taunton State Hospital	12,500
8363-80	For repairs and improvements, Westborough State Hospital	13,800
8363-81	For heating system renovations	100,000
8363-82	For the replacement of screens, Tuberculosis Building	21,000
8363-83	For improvements to heating system, Warren colony	13,500
8363-84	For replacement of ceilings, Tuberculosis Building	25,000
8363-85	For equipment, Westborough State Hospital	16,000
8363-86	For repairs and improvements, Worcester State Hospital	13,000
8363-87	For equipment, Worcester State Hospital	15,000
8363-88	For replacement of motion picture equipment	12,000
8363-89	For repairs and improvements, Monson State Hospital	15,000
8363-90	For plumbing renovations and improvements	105,000
8363-91	For equipment, Monson State Hospital	24,000
8363-92	For repairs and improvements, Belchertown State School	18,000
8363-93	For replacement of windows and detention screens	46,800
8363-94	For equipment, Belchertown State School	22,000
8363-95	For purchase and installation of laundry equipment	17,600
8363-96	For repairs and improvements, Walter E. Fernald State School	12,250
8363-97	For renovations to heating systems	110,000
8363-98	For equipment, Walter E. Fernald State School	18,200
8363-99	For purchase and installation of a pipeline milk	15,000
8463-01	For purchase and installation of bake shop equipment	17,100

Item		
8463-79	For certain improvements to the property formerly known as the North Reading state sanatorium for the purpose of providing facilities for the care and education of retarded children under the supervision of the department of mental health, including the cost of furnishings and equipment	\$200,000
8463-80	For certain improvements to the sewage disposal system, Templeton colony	32,000
8463-02	For repairs and improvements, Wrentham State School	14,500
8463-03	For plumbing and heating renovations	150,000
8463-04	For replacement of windows and detention screens	18,200
8463-05	For equipment, Wrentham State School	14,000
8463-06	For repairs and improvements, Paul A. Dever State School	9,000
8463-07	For power plant improvements, including converting No. 3 boiler to oil	10,800
8463-81	For the construction of a garage and storage building, including the cost of equipment, to replace a building destroyed by fire	100,000
8463-08	For equipment, Paul A. Dever State School	60,000
8463-09	For improvements to the power plant, Cushing Hospital	18,000
8463-10	For equipment, Cushing Hospital	3,000

**Department of Correction.**

8463-11	For equipment, department of correction, administration	\$3,000
8463-12	For repairs and improvements, M.C.I., Bridgewater	18,000
8463-13	For the modernization of plumbing facilities, M.C.I., Bridgewater	181,500
8463-14	For improvements to the cafeteria, M.C.I., Bridgewater	38,000
8463-15	For equipment, M.C.I., Bridgewater	30,000
8463-16	For psychiatric beds, M.C.I., Bridgewater	26,000
8463-82	For additional furnishings and equipment for the new facilities at the correctional institution at Bridgewater for the treatment and custody of persons committed under the provisions of chapter one hundred and twenty-three A of the General Laws	41,000
8463-17	For repairs and improvements, M.C.I., Walpole	10,000
8463-18	For certain improvements to the drainage system, M.C.I., Walpole	25,000
8463-19	For roof repairs, M.C.I., Walpole	50,000
8463-20	For waterproofing exterior walls, M.C.I., Walpole	55,000
8463-21	For equipment, M.C.I., Walpole	10,000
8463-22	For communications' equipment	13,000
8463-23	For a hydraulic rimmer, M.C.I., Walpole, industries	30,000
8463-24	For equipment, M.C.I., Walpole, industries	2,800
8463-25	For equipment, M.C.I., Concord	15,000
8463-26	For equipment, M.C.I., Concord, industries	6,300
8463-28	For repairs and improvements, M.C.I., Framingham	16,000
8463-29	For the replacement of an elevator, M.C.I., Framingham	16,000
8463-30	For equipment, M.C.I., Framingham	12,000
8463-31	For repairs and improvements, M.C.I., Norfolk	19,600
8463-32	For certain improvements to the power plant, M.C.I., Norfolk	39,000
8463-33	For equipment, M.C.I., Norfolk	30,000
8463-34	For laundry equipment, M.C.I., Norfolk	58,800
8463-35	For certain masonry renovations, M.C.I., Norfolk, industries	45,000
8463-36	For equipment, M.C.I., Norfolk, industries	6,000
8463-37	For equipment, correctional institution camps	1,800
8356-40	Item 8356-40 of section two of chapter seven hundred and thirty-eight of the acts of nineteen hundred and fifty-five, as amended by chapter six hundred and thirteen of the acts of nineteen hundred and fifty-nine, is hereby amended by striking out the wording and inserting in place thereof the following: — For the construction, enlargement and improvement of such prison camps as may be established under the provisions of section eighty-three A of chapter one hundred and twenty-seven of the General Laws, including the cost of furnishings and equipment.	
8463-38	For equipment, parole board	500

**Department of Public Welfare.**

Item		
8463-39	For equipment, department of public welfare, administration	\$9,000

**Department of Public Health.**

8463-40	For equipment, bureau of administration . . . . .	\$1,000
8463-41	For equipment, bureau of environmental sanitation . . . . .	11,500
8463-42	For equipment, bureau of preventive disease control . . . . .	4,000
8463-43	For equipment, bureau of health services . . . . .	6,000
8463-44	For equipment, bureau of hospital facilities . . . . .	800
8463-45	For equipment, bureau of tuberculosis and institutions . . . . .	11,000
8463-46	For equipment, institute of laboratories . . . . .	9,000
8463-47	For equipment, bureau of consumer products protection . . . . .	20,500
8463-48	For repairs and improvements, Tewksbury hospital . . . . .	5,000
8463-49	For equipment, Tewksbury hospital . . . . .	20,000
8463-50	For repairs, water tank, Lakeville state sanatorium . . . . .	1,900
8463-51	For equipment, Lakeville sanatorium . . . . .	600
8463-52	For equipment, Rutland state sanatorium . . . . .	11,000
8463-83	For certain improvements in the boiler plant . . . . .	15,000
8463-53	For repairs and improvements, Westfield state sanatorium . . . . .	18,000
8463-54	For equipment, Westfield state sanatorium . . . . .	20,000
8463-55	For the purchase and installation of deep therapy treatment units, Westfield state sanatorium . . . . .	100,000
8463-56	For repairs and improvements, Lemuel Shattuck hospital . . . . .	3,500
8463-57	For improvement to air conditioning in the operating suites, Shattuck Hospital . . . . .	125,000
8463-58	For equipment, Lemuel Shattuck hospital . . . . .	20,000
8463-59	For repairs and improvements, Massachusetts Hospital School . . . . .	7,000
8463-60	For the reconstruction of parapet walls, Bradford building . . . . .	25,000
8463-61	For equipment, Massachusetts Hospital School . . . . .	15,000
8463-62	For repairs and improvements, Pondville hospital . . . . .	13,000
8463-63	For equipment, Pondville hospital . . . . .	15,000
8463-64	For equipment, cancer research project . . . . .	2,280

**Department of Public Safety.**

8463-65	For roof repairs, administration . . . . .	\$2,000
8463-66	For equipment, administration . . . . .	4,000

**Department of Public Works.**

8463-67	For equipment, division of waterways, administration . . . . .	\$14,800
8463-84	For certain repairs, alterations and improvements to the pier and buildings on the state fish pier in the city of Gloucester, including the heating system and the resurfacing of approach roadways and parking areas . . . . .	190,000
8463-68	For equipment, outdoor advertising division . . . . .	5,000
8463-69	For equipment, mass transportation commission . . . . .	300

SECTION 3. 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 4. Projects authorized by this act shall not be subject to the provisions of section thirty A of chapter seven of the General Laws; provided, however, the commission on administration and finance may, after determining that projects authorized in section two of this act will require extensive architectural or engineering services, place such projects under the supervision of the director of building construction.

SECTION 5. Except as otherwise provided in section thirteen of chapter seventy-five of the General Laws, no agency of the commonwealth receiving an appropriation under section two of this act shall make any expenditure for consultant services, so called, or services coded in accordance with the expenditure code manual under the subsidiary title "03 Services — Non-employees" unless the rate of compensation for such services shall have been approved by the commission on administration and finance upon the recommendation of the director of the division of personnel and standardization. The said director shall, immediately upon the approval of any such rate or rates, file copies of the schedule or schedules of approved rates with the comptroller and with the house and senate committees on ways and means. Every such agency before engaging such consultant services under said subsidiary title "03", as so coded, as "Professional", except for "Religious Services", shall certify to the budget commissioner that funds are available for the purpose and shall then file a statement of intent with the budget commissioner, the comptroller and the house and senate committees on ways and means. Such statement shall include the rate of compensation, the period of time for which the services are to be engaged or scope of work to be done, and such other pertinent information as may be necessary to establish the maximum limit of the commonwealth's obligation.

SECTION 6. 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-five. Such notes shall be payable from the proceeds of the excise on cigarettes as provided in section six of chapter seven hundred and seventy-four of the acts of nineteen hundred and sixty. Notwithstanding any provisions of this act, such notes shall be general obligations of the commonwealth.

*Approved July 11, 1962.*

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**Chap. 650.** AN ACT RELATIVE TO THE TERMS OF CERTAIN NOTES TO BE ISSUED BY THE COMMONWEALTH.

*Whereas*, The deferred operation of this act would cause great inconvenience in the issue of notes to carry out the purposes of chapter



five hundred and ninety-two 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:*

Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under chapter five hundred and ninety-two of the acts of the current year, authorizing temporary borrowings by the commonwealth in anticipation of receipts from certain assessments to be levied upon cities and towns constituting the Metropolitan Transit Authority, shall be issued for terms not exceeding two years, as recommended by the governor in a message to the general court, dated July ninth, nineteen hundred and sixty-two, in pursuance of section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

*Approved July 12, 1962.*

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**Chap. 651.** AN ACT PROVIDING THAT CERTAIN LICENSES FOR PLACING AND MAINTAINING FILL AND STRUCTURES OVER CERTAIN TIDEWATERS IN THE DORCHESTER DISTRICT OF THE CITY OF BOSTON BE IRREVOCABLE.

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

Any provision of general or special law to the contrary notwithstanding, the license granted by the department of public works to Willard Welsh Realty Co., Inc. to construct bulkheads and fill solid in Old Harbor, being license No. 611 granted on November twelfth in the year nineteen hundred and twenty-five, the license granted by said department to the city of Boston to construct and maintain a concrete conduit and to dredge in Old Harbor, being license No. 1483 granted on May twenty-third in the year nineteen hundred and thirty-three, the license granted by said department to Coleman Disposal Company to maintain fill, being license No. 4263 granted on November thirty in the year nineteen hundred and fifty-nine and the license granted by said department to the American Radiator Company to maintain filling, to build and maintain a bulkhead and to fill solid in Dorchester Bay, being license No. 1959 granted on May seventeenth in the year nineteen hundred and thirty-eight and any other license or authority affecting the area on the northeasterly side of Mt. Vernon Street and William T. Morrissey Boulevard in the Dorchester district of Boston consisting of lot 1 on a subdivision plan drawn by Joseph Selwyn, Civil Engineer, dated February 15, 1960, as approved by the Land Court, filed in the Land Registration Office as plan No. 28699-B, lot E on a subdivision plan drawn by Rowland H. Barnes and Henry F. Beal, Civil Engineers, dated November 1919, as approved by the Land Court, filed in the Land Registration Office as plan No. 5266-C, lot A on a subdivision plan drawn by said Barnes and Beal dated November 1919, as approved by the Land Court, filed in the Land Registration Office as plan No. 2667-C and lots B, D and E on a plan by said Barnes and Beal dated November 1919, recorded in the Suffolk registry of deeds in Book 4181, page 465, are hereby made irrevocable, except with respect to the part within sixty feet southerly from the United States bulkhead line, and any license hereafter issued by said department or any successor authority to fill or maintain fill or to erect or maintain structures within said area,

provided no tidewater land of the commonwealth is involved, shall be irrevocable, except as aforesaid, upon compliance with the following conditions:

1. Application therefor, pursuant to the provisions of section fourteen of chapter ninety-one of the General Laws;

2. Recording thereof with accompanying plan within one year after the date thereof in the registry of deeds for Suffolk county, pursuant to the provisions of section eighteen of said chapter;

3. Payment to the commonwealth of such compensation, if any, as may properly be assessed by said department for tidewater displacement, pursuant to the provisions of section twenty-one of said chapter;

3A. Payment to the commonwealth of such compensation, if any, as may be determined by the governor and council, to be properly due to the commonwealth, pursuant to the provisions of section twenty-two of said chapter;

4. Performance of any work authorized by any such license in accordance with plans submitted to and approved by said department, pursuant to the provisions of section twenty of said chapter;

5. Completion of said authorized work within five years after the date of any such license, or of any extension or extensions thereof, pursuant to the provisions of section fifteen of said chapter; and

6. The actual building or making in good faith of valuable structures, fillings or enclosures under the authority of any such license and during the term thereof, or of any extension or extensions thereof, pursuant to the provisions of section fifteen of said chapter.

*Approved July 16, 1962.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, July 16, 1962.

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 651 of the Acts of 1962, entitled "An Act Providing That Certain Licenses For Placing And Maintaining Fill And Structures Over Certain Tidewaters In The Dorchester District Of The City of Boston Be Irrevocable" and the enactment of which received my approval on July 16, 1962, 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 would defeat its purpose which is to expedite forthwith utilization of the premises described therein.

Very truly yours,

JOHN A. VOLPE,  
*Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, BOSTON, July 17, 1962.

I, Kevin H. White, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excel-

lency the Governor of the Commonwealth of Massachusetts at one o'clock, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter six hundred and fifty-one of the acts of nineteen hundred and sixty-two.

KEVIN H. WHITE,  
*Secretary of the Commonwealth.*

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**Chap. 652.** AN ACT ESTABLISHING A DIVISION OF CIVIL RIGHTS AND LIBERTIES IN THE DEPARTMENT OF THE ATTORNEY GENERAL.

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

Chapter 12 of the General Laws is hereby amended by inserting after section 11 the following section: —

*Section 11A.* There shall be in the department of the attorney general a division of civil rights and liberties. The attorney general shall designate an assistant attorney general as director of said division. Said director may appoint and remove, subject to the approval of the attorney general, such expert, clerical and other assistants as the work of the division may require.

*Approved July 16, 1962.*

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**Chap. 653.** AN ACT INCREASING THE MONTHLY TRANSPORTATION ALLOWANCE UNDER THE OLD AGE ASSISTANCE LAW.

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

Section 1 of chapter 118A of the General Laws is hereby amended by striking out the third paragraph, as most recently amended by chapter 695 of the acts of 1960, and inserting in place thereof the following paragraph: —

Each local board of public welfare shall include in the budget of each recipient an item, to be known as "Leisure Time Activities", under which there shall be paid to each recipient the sum of four dollars monthly in addition to the budgetary requirements or any other assistance granted under the provisions of this section, and an item, to be known as "Transportation Allowance", under which there shall be paid to each recipient who is not an inmate of a nursing home or institution the sum of five dollars monthly.

*Approved July 16, 1962.*

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**Chap. 654.** AN ACT PROVIDING ADDITIONAL FUNDS TO COVER THE COST OF CERTAIN PROJECTS AND WORKS WITHIN THE METROPOLITAN WATER DISTRICT.

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

SECTION 1. For the purpose of further carrying out the water supply projects and works authorized by chapter three hundred and seventy-five of the acts of nineteen hundred and twenty-six, chapter three hun-

dred 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, chapter six hundred and eighty-five of the acts of nineteen hundred and fifty-six and chapter five hundred and twenty-two of the acts of nineteen hundred and sixty-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, may expend sums not exceeding in the aggregate ten million dollars. 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 advisable. 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.

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 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 committees on ways and means of the senate and house of representatives.

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 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 1962, 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 sixteen. 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 July 16, 1962.*

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**Chap. 655.** AN ACT PROVIDING ADDITIONAL FUNDS TO EXTEND CERTAIN SEWERAGE WORKS IN THE TOWN OF DEDHAM AND THE CITY OF BOSTON.

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

SECTION 1. For the purpose of further carrying out the sewerage works authorized by chapters five hundred and twenty-seven and five hundred and ninety-nine of the acts of nineteen hundred and fifty-one and chapter five hundred and sixteen of the acts of nineteen hundred and sixty-one and acts in amendment thereof and addition thereto, the metropolitan district commission, subject to all applicable conditions of said acts and to the conditions hereafter provided, may expend the unexpended and uncommitted balance of the previously authorized amounts, and in addition thereto, may expend sums not exceeding in the aggregate five million dollars.

Engineering and administrative expenses incurred under this act shall be considered as part of the direct cost of the works for which they are incurred.

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 committees on ways and means of the senate and house of representatives.

SECTION 2. To meet the expenditure necessary in carrying out the provisions of this act, the state treasurer shall, upon 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 to be specified by the governor and council from time to time, but 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 1962, and shall be on the serial payment plan for such maximum term of years, not exceeding forty years, as the governor may recom-

mend 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 three.

SECTION 3. The interest and serial bond requirements on account of the moneys expended in accordance with this act 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 July 16, 1962.*

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**Chap. 656.** 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-two 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 subclasses within a main group may be made by said trustees or said county commissioners whenever in their opinion public necessity and conven-

ience 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 re-allocations 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-two 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.....	\$299,554 05
2.	For contractual services.....	30,000 00
3.	For supplies and materials.....	90,000 00
4.	For current charges and obligations.....	28,000 00
5.	For equipment.....	1,956 00
8.	For debt and interest.....	11,000 00
11.	For reserve fund.....	2,500 00
12.	For group insurance.....	3,900 00
For total expenditures.....		\$466,910 05

ESSEX COUNTY.

Item		
1.	For personal services.....	\$909,411 73
2.	For contractual services.....	41,400 00
3.	For supplies and materials.....	222,500 00
4.	For current charges and obligations.....	102,545 96
5.	For equipment.....	3,343 10
8.	For debt and interest.....	28,324 00
10.	For unpaid bills of previous years.....	2,338 41
11.	For reserve fund.....	10,000 00
12.	For group insurance.....	18,000 00
13.	For industrial accident insurance.....	12,131 81
	For total expenditures.....	\$1,349,995 01

HAMPSHIRE COUNTY.

Item		
1.	For personal services.....	\$232,291 13
2.	For contractual services.....	7,500 00
3.	For supplies and materials.....	56,000 00
4.	For current charges and obligations.....	20,208 80
5.	For equipment.....	5,345 00
8.	For debt and interest.....	33,000 00
11.	For reserve fund.....	2,500 00
12.	For group insurance.....	4,500 00
	For total expenditures.....	\$361,344 93

MIDDLESEX COUNTY.

Item		
1.	For personal services.....	\$1,271,888 27
2.	For contractual services.....	88,100 00
3.	For supplies and materials.....	286,600 00
4.	For current charges and obligations.....	101,488 95
5.	For equipment.....	33,070 00
6.	For structures and improvements.....	181,900 00
8.	For debt and interest.....	26,000 00
10.	For unpaid bills of previous years.....	1,997 26
11.	For reserve fund.....	10,000 00
12.	For group insurance.....	28,000 00
	For total expenditures.....	\$2,029,044 48



## NORFOLK COUNTY.

Item	
1. For personal services.....	\$669,410 62
2. For contractual services.....	41,600 00
3. For supplies and materials.....	203,600 00
4. For current charges and obligations.....	39,936 69
5. For equipment.....	39,840 00
8. For debt and interest.....	12,000 00
11. For reserve fund.....	10,000 00
12. For group insurance.....	12,000 00
For total expenditures.....	\$1,028,387 31

## PLYMOUTH COUNTY.

Item	
1. For personal services.....	\$508,788 87
2. For contractual services.....	40,650 00
3. For supplies and materials.....	152,475 00
4. For current charges and obligations.....	46,368 50
5. For equipment.....	12,496 85
7. For land and nonstructural.....	200 00
8. For debt and interest.....	10,000 00
11. For reserve fund.....	10,000 00
12. For group insurance.....	8,012 46
For total expenditures.....	\$788,991 68

## WORCESTER COUNTY.

Item	
1. For personal services.....	\$676,339 00
2. For contractual services.....	52,765 00
3. For supplies and materials.....	187,122 80
4. For current charges and obligations.....	58,111 54
5. For equipment.....	14,299 50
8. For debt and interest.....	15,000 00
10. For unpaid bills of previous years.....	2,258 77
11. For reserve fund.....	10,000 00
12. For group insurance.....	12,600 00
For total expenditures.....	\$1,028,496 61

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

*Approved July 16, 1962.*

**Chap. 657.** AN ACT AUTHORIZING SAVINGS BANKS TO PARTICIPATE WITH TRUST COMPANIES AND NATIONAL BANKING ASSOCIATIONS IN CERTAIN COLLATERAL LOANS OF THE GREATER LAWRENCE BUSINESS DEVELOPMENT CORPORATION AND CHANGING THE TERMINATION DATE AFTER WHICH CERTAIN COLLATERAL LOANS AND MORTGAGE LOANS MAY NOT BE MADE.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to enable savings banks to invest forthwith in certain collateral loans in order to promote the development of industry in the Greater Lawrence area, therefore it is hereby declared to be an emergency law necessary for the immediate preservation of the public convenience.

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

SECTION 1. Section 1 of chapter 607 of the acts of 1960 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — A savings bank may, in participation with one or more other savings banks or trust companies or national banking associations, invest in mortgage loans and collateral loans of the Greater Lawrence Business Development Corporation, and its successors in interest, provided that such loans may not be made other than in the class of loans authorized by section thirty-five and paragraph 6 of section thirty-eight of chapter one hundred and sixty-eight of the General Laws.

SECTION 2. Section 2 of said chapter 607 of the acts of 1960 is hereby amended by striking out, in line 1, the word “two” and inserting in place thereof the word: — five, — so as to read as follows: — *Section 2.* This act shall become inoperative after five years from its effective date.

*Approved July 16, 1962.*

**Chap. 658.** 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 further 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, section one of chapter five hundred and fifteen of the acts of nineteen hundred and sixty-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 amount, and, in addition thereto, sums not exceeding in the aggregate 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 committees on ways and means of the senate and house of representatives.

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 five million dollars. Such bonds shall be designated on their face, Metropolitan Sewerage Loan, Act of 1962, 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 three. 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 July 16, 1962.*

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**Chap. 659.** AN ACT AUTHORIZING THE CITY OF CHELSEA TO EXPEND FOR PARK AND PLAYGROUND PURPOSES A CERTAIN SUM RECEIVED FOR THE TAKING OF CERTAIN LAND BY THE METROPOLITAN DISTRICT COMMISSION.

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

SECTION 1. Notwithstanding the provisions of section sixty-three of chapter forty-four of the General Laws, the city of Chelsea is hereby authorized to appropriate and expend for park and playground purposes during the year nineteen hundred and sixty-two the sum of thirteen

thousand eight hundred and sixteen dollars received for the taking by the metropolitan district commission of certain park land for sewer purposes.

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

*Approved July 16, 1962.*

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**Chap. 660.** AN ACT REQUIRING THE METROPOLITAN TRANSIT AUTHORITY TO AWARD CERTAIN CONTRACTS TO THE LOWEST RESPONSIBLE BIDDER.

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

Chapter 544 of the acts of 1947 is hereby amended by inserting after section 4A, inserted by chapter 319 of the acts of 1962, the following section: —

*Section 4B.* Any concession in or lease of property for a term of more than one year shall be awarded, after advertising for bids, to the bidder who, in the judgment of the trustees, is the highest responsible bidder; provided, however, that this provision shall not be applicable to an extension or renewal of any concession in or lease of property if, by vote of the trustees, such extension or renewal is determined to be in the best interest of the authority.

All construction contracts and contracts for supplies, materials, equipment and services, when the expense thereof will exceed twenty-five hundred dollars, shall be let to the lowest responsible bidder, after advertising for bids, excepting (1) when, by the vote of the trustees, it is determined that an emergency requires immediate delivery of supplies, materials or equipment or performance of services; (2) when repair parts, accessories, equipment or services are required for equipment or services previously furnished or contracted for or when there is only one reasonable source of supply; (3) when the nature of the service required is such that competitive bidding is not in the best interest of the authority, including, without limiting, the generality of the foregoing, the services of accountants, architects, attorneys, engineers, physicians, superintendents of construction, and others possessing a high degree of skill; (4) when services such as water, light, heat, power, telephone or telegraph are required. Contracts shall not be split into parts involving less than twenty-five hundred dollars for the purpose of avoiding this provision.

Members of the board of trustees, officers and employees of the authority are forbidden to be interested directly or indirectly in any contract with the authority.

The authority shall have the right to reject all bids and to re-advertise for bids. If after such re-advertisement no responsible and satisfactory bid, within the terms of the advertisement, is received, the authority may award the contract without competitive bidding.

Advertisements for bids shall be published at least seven days before the opening thereof in the paper published by the city of Boston known as the City Record. Such advertisements shall state the time and place where all pertinent information relative to concessions and leases or where plans and specifications of proposed construction or supplies, materials and equipment may be obtained, and the time and place of opening the bids in answer to said advertisements, and that the authority reserves the right to reject any or all such bids.

All bids in response to advertisements shall be sealed and shall be publicly opened by the authority. The authority may require, as evidence of good faith, that a deposit of a reasonable sum, to be fixed by the authority, accompany the proposals, and may also require a bond conditioned on the faithful performance of the work.

*Approved July 16, 1962.*

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**Chap. 661.** AN ACT INCREASING THE MAXIMUM SALARY WHICH MAY BE PAID TO THE CITY MANAGER IN THE CITY OF HAVERHILL.

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

SECTION 1. Notwithstanding any provision of section eighty-nine of chapter forty-three of the General Laws to the contrary, the city manager in the city of Haverhill shall receive such compensation as the city council of said city shall fix by ordinance, but not exceeding twenty thousand dollars annually.

SECTION 2. The following question shall be placed upon the ballot to be used at the biennial state election in the city of Haverhill in the current year: — "Shall an act passed by the General Court in the current year, entitled 'An Act increasing the maximum salary which may be paid to the city manager in the city of Haverhill', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take effect, but not otherwise.

*Approved July 16, 1962.*

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**Chap. 662.** AN ACT PROVIDING THAT PLANS AND SPECIFICATIONS FOR THE ERECTION OF PUBLIC BUILDINGS SHALL PROVIDE CERTAIN FACILITIES FOR HANDICAPPED PERSONS.

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

Notwithstanding the provisions of any general or special law to the contrary, all plans and specifications for the erection of public buildings by the commonwealth or any political subdivision thereof shall provide facilities for the handicapped to the extent deemed feasible by the contracting authority of the commonwealth or such political subdivision, provided that in so far as feasible and financially reasonable in the opinion of said contracting authority said facilities shall conform with the booklet entitled "American standard specifications for making buildings and facilities accessible to and usable by the physically handicapped", approved by the American Standards Association, Incorporated on October thirty-first, nineteen hundred and sixty-one.

*Approved July 16, 1962.*

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**Chap. 663.** AN ACT PROVIDING THAT CERTAIN LICENSES GRANTED BY THE DEPARTMENT OF PUBLIC WORKS FOR THE PURPOSE OF MAINTAINING FILL OVER CERTAIN TIDEWATERS BE IRREVOCABLE.

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

Any provision of general or special law to the contrary notwithstanding, any licenses issued pursuant to chapter ninety-one of the General Laws, by the department of public works or by any predecessor or suc-

cessor authority to fill or maintain existing fill in so much of that area in that part of the city of Boston known as Fort Point Channel and South Bay and described in License No. 4526 granted by the commonwealth and recorded with Suffolk Registry of Deeds, Book 7608, page 141, as may lie below the original high water mark shall be deemed irrevocable, and with respect to any license hereafter issued within said area shall upon compliance with the following conditions, be deemed irrevocable.

1. Application therefor, pursuant to the provisions of section fourteen of chapter ninety-one of the General Laws;

2. Recording thereof with accompanying plan within one year after the date thereof in the Registry of Deeds for Suffolk County, pursuant to the provisions of section eighteen of said chapter;

3. Payment to the commonwealth of such compensation, if any, as may properly be assessed by said department for tidewater displacement, pursuant to the provisions of section twenty-one of said chapter;

4. Payment to the commonwealth of such compensation, if any, as may be determined by the governor and council to be properly due to the commonwealth for occupation of Commonwealth flats, so called, pursuant to the provisions of section twenty-two of said chapter;

5. Performance of any work authorized by any such license in accordance with plans submitted to and approved by said department pursuant to the provisions of section twenty of said chapter;

6. Completion of said authorized work within five years after the date of any such license, or of any extension or extensions thereof, pursuant to the provisions of section fifteen of said chapter; and

7. The actual building or making in good faith of valuable structures, fillings or enclosures under the authority of any such license and during the term thereof, or of any extensions thereof, pursuant to the provisions of section fifteen of said chapter.

*Approved July 16, 1962.*

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**Chap. 664.** AN ACT AUTHORIZING THE TOWN OF BEDFORD TO ACQUIRE CERTAIN LAND IN THE TOWN OF BILLERICA FOR THE PURPOSE OF PROTECTING ITS MUNICIPAL WATER SUPPLY.

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

For the purpose of protecting its well field and municipal water installation from pollution as required by the state department of public health, the town of Bedford is hereby authorized to acquire by purchase or take by eminent domain or otherwise the following two parcels of land in the town of Billerica, shown as parcels A and B on a plan entitled "Town of Bedford, Mass. Board of Selectmen Land Taking for Additional Water Supply. Scale: 1"=100', Feb. 1962, Haley and Ward Engineers" and recorded as Plan 737 on June 6, 1962 with Middlesex South District Registry of Deeds: —

*Parcel A.* Beginning at a granite monument in the town line between Bedford and Billerica and running northeasterly one hundred and ninety-five (195) feet to a point; thence turning and running northeasterly again two hundred and fifteen (215) feet to a point; thence turning and running northwesterly three hundred and fifty (350) feet to a point; thence turning and running southwesterly seventy (70) feet, more or less, to a point in the center line of the Shawsheen river; thence along the center line of said Shawsheen river one hundred and forty (140) feet, more or

less, to a point on the town line between Bedford and Billerica; thence turning and running southeasterly three hundred (300) feet, more or less, along said town line to the point of beginning. Containing 1.64 acres.

*Parcel B.* Beginning at aforesaid granite monument in said town line between Bedford and Billerica and running northeasterly one hundred and ninety-five (195) feet to a point; thence turning and running southwesterly one hundred and sixty-five (165) feet to a point; thence turning and running again southwesterly fifty-five (55) feet to a point on the said town line between Bedford and Billerica; thence turning and running northerly along said town line, three hundred and twenty-eight feet (328) to the point of beginning. Containing 0.52 acres.

*Approved July 16, 1962.*

**Chap. 665.** AN ACT RELATIVE TO THE ELECTION OF CONSTABLES AT THE ANNUAL TOWN ELECTION OF THE TOWN OF CLARKSBURG IN THE CURRENT YEAR.

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

The constables elected in the town of Clarksburg at the annual town election in the current year shall be deemed to have been elected for terms of three years as provided by law and in accordance with the provisions of the warrant for said election, notwithstanding the wording on the ballots used at said election that such constables were to be elected for terms of one year.

*Approved July 16, 1962.*

**Chap. 666.** AN ACT EXEMPTING FROM TAXATION CERTAIN DISABLED VETERANS, THEIR WIVES, WIDOWS, MOTHERS AND FATHERS.

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

SECTION 1. Section 5 of chapter 59 of the General Laws is hereby amended by striking out clause Twenty-second, as most recently amended by section 1 of chapter 811 of the acts of 1960, and inserting in place thereof the following clause: —

Twenty-second, Real estate of the following classes of persons who are legal residents of the commonwealth and who served in the armed forces of the United States between February fifteenth, eighteen hundred and ninety-eight and July fourth, nineteen hundred and two, between April sixth, nineteen hundred and seventeen and November eleventh, nineteen hundred and eighteen or who were awarded the World War I Victory Medal, between September sixteenth, nineteen hundred and forty and December thirty-first, nineteen hundred and forty-six, or between June twenty-fifth, nineteen hundred and fifty and January thirty-first, nineteen hundred and fifty-five and whose last discharge or release from the armed forces was under other than dishonorable conditions; and who were domiciled in Massachusetts for at least six months prior to entering such service, or who have resided in the commonwealth for five consecutive years next prior to date of filing for exemption under this clause, hereinafter referred to in this clause as

soldiers and sailors, provided such real estate is occupied in whole or in part as his domicile by such person and provided, further, that if the spouse of the soldier or sailor is also a soldier or sailor each shall receive the amount of exemption provided in this clause to the same extent as if unmarried, to the amount of two thousand dollars. No real estate shall be so exempt which the assessors shall adjudge has been conveyed to a soldier or sailor or to his wife, widow, father or mother to evade taxation.

(a) Soldiers and sailors who, as a result of disabilities contracted while in such war time service and in the line of duty, have a disability rating of ten per cent or more as determined by the Veterans Administration or by any branch of the armed forces.

(b) Soldiers and sailors who served in the military or naval service of the United States in the Spanish War, in the Philippine Insurrection or in the Chinese Relief Expedition and were discharged or released in any manner other than dishonorably therefrom.

(c) Soldiers and sailors who have been awarded the decoration of the Purple Heart. No evidence of disability shall be required under this paragraph. After the assessors have allowed an exemption under this paragraph, no further evidence of the receiving of the Purple Heart shall be required in any subsequent year in the city or town in which the exemption has been so allowed.

(d) Wives of soldiers or sailors entitled to exemption under this clause and the widows of soldiers or sailors described in this clause and in clauses twenty-second A, twenty-second B and twenty-second C who at the time of their death were entitled to exemption or who lost their lives while serving in said war or in said Insurrection or said Relief Expedition, so long as they remain unmarried.

(e) Fathers and mothers of soldiers or sailors who lost their lives in such war time service; provided that only two thousand dollars of the real estate of any such father or mother held jointly by them shall be exempted; provided, further, that the words "father and mother", as appearing in this subsection, shall be construed to include natural fathers and mothers and father and mother by adoption and persons who stood in loco parentis to such soldiers and sailors.

(f) Widows of soldiers or sailors who served in the armed forces of the United States between April sixth, nineteen hundred and seventeen and November eleventh, nineteen hundred and eighteen, or who were awarded the World War I Victory Medal; provided such widows have remained unmarried and have resided in the commonwealth for five consecutive years next prior to the date of filing for exemption under this section; and provided, further, that the whole estate real and personal of such widow does not exceed the sum of ten thousand dollars, exclusive of the value of the mortgage interest held by persons other than such widow in such mortgaged real estate as may be included in such whole estate.

SECTION 2. Said section 5 of said chapter 59 is hereby further amended by striking out clause Twenty-second A, as most recently amended by section 2 of said chapter 811, and inserting in place thereof the following clause: —

Twenty-second A, Real estate of the following soldiers and sailors and their spouses who are legal residents of the commonwealth and



who served in the armed forces of the United States between February fifteenth, eighteen hundred and ninety-eight and July fourth, nineteen hundred and two, between April sixth, nineteen hundred and seventeen and November eleventh, nineteen hundred and eighteen or who were awarded the World War I Victory Medal, between September sixteenth, nineteen hundred and forty and December thirty-first, nineteen hundred and forty-six, or between June twenty-fifth, nineteen hundred and fifty and January thirty-first, nineteen hundred and fifty-five and whose last discharge or release from the armed forces was under other than dishonorable conditions; and who were domiciled in Massachusetts for at least six months prior to entering such service, or who resided in the commonwealth for five consecutive years next prior to date of filing for exemption under this clause, who according to the records of the Veterans Administration or of the armed forces of the United States by reason of injury received or disease contracted while in such war time service and in the line of duty, lost or have suffered permanent loss of use of one foot at or above the ankle or lost or have suffered permanent loss of use of one hand at or above the wrist, who according to the records of the Veterans Administration by reason of injury received or disease contracted while in such service, or is receiving a statutory award from the Veterans Administration for such loss or loss of sight of one eye, or who have been awarded the congressional medal of honor, the distinguished service cross, the navy cross or the flying cross, to the amount of four thousand dollars in the case of each person; provided, that such real estate is occupied as his domicile by such person; and provided, further, that if said property be greater than a single family house, then only that value of so much of said house as is occupied by said person as his domicile shall be exempted.

After the assessors have allowed an exemption under this clause, no further evidence of the existence of the facts required by this clause shall be required in any subsequent year in the city or town in which the exemption has been so allowed.

Two thousand dollars of this exemption shall be borne by the city or town, the balance, up to two thousand dollars, shall be borne by the commonwealth, and the state treasurer shall annually reimburse the city or town for the amount of the tax which otherwise would have been collected on account of this balance.

SECTION 3. Said section 5 of said chapter 59 is hereby further amended by striking out clause Twenty-second B, inserted by section 1 of chapter 233 of the acts of 1959, and inserting in place thereof the following clause: —

Twenty-second B, Real estate of the following soldiers and sailors and their spouses who are legal residents of the commonwealth and who served in the armed forces of the United States between February fifteenth, eighteen hundred and ninety-eight and July fourth, nineteen hundred and two, between April sixth, nineteen hundred and seventeen and November eleventh, nineteen hundred and eighteen or who were awarded the World War I Victory Medal, between September sixteenth, nineteen hundred and forty and December thirty-first, nineteen hundred and forty-six, or between June twenty-fifth, nineteen hundred and fifty and January thirty-first, nineteen hundred and fifty-five and whose last discharge or release from the armed forces was under other than

dishonorable conditions; and who were domiciled in Massachusetts for at least six months prior to entering such service, or who resided in the commonwealth for five consecutive years next prior to date of filing for exemption under this clause, who according to the records of the Veterans Administration or of the armed forces by reason of such war time service in the armed forces of the United States have suffered in the line of duty the loss or permanent loss of use of both feet at or above the ankle, or loss or permanent loss of use of both hands at or above the wrist, or the loss or permanent loss of use of one foot at or above the ankle and one hand at or above the wrist or the loss of sight of both eyes as prescribed and certified by the Veterans Administration, to the amount of eight thousand dollars; provided, that such real estate is occupied as his domicile by such person; and provided, further, that if said property be greater than a single family house, then only that value of so much of said house as is occupied by said person as his domicile shall be exempted.

Two thousand dollars of this exemption shall be borne by the city or town, the balance, up to six thousand dollars, shall be borne by the commonwealth, and the state treasurer shall annually reimburse the city or town for the amount of the tax which otherwise would have been collected on account of this balance.

SECTION 4. Said section 5 of said chapter 59 is hereby further amended by inserting after clause Twenty-second B the following clause: —

Twenty-second C, Real estate of soldiers and sailors and their spouses who are legal residents of the commonwealth and who served in the armed forces of the United States between February fifteenth, eighteen hundred and ninety-eight and July fourth, nineteen hundred and two, between April sixth, nineteen hundred and seventeen and November eleventh, nineteen hundred and eighteen or who were awarded the World War I Victory Medal, between September sixteenth, nineteen hundred and forty and December thirty-first, nineteen hundred and forty-six, or between June twenty-fifth, nineteen hundred and fifty and January thirty-first, nineteen hundred and fifty-five and whose last discharge or release from the armed forces was under other than dishonorable conditions; and who were domiciled in Massachusetts for at least six months prior to entering such service, or who have resided in the commonwealth for five consecutive years next prior to date of filing for exemption under this clause, and who according to the records of the Veterans Administration by reason of such war time service in the armed forces of the United States have suffered in the line of duty permanent and total disability, and who by reason of such disability have received assistance in acquiring "specially adapted housing" under laws administered by the Veterans Administration, to the amount of ten thousand dollars; provided, that such real estate is occupied as his domicile by such person; and provided, further, that if said property be greater than a single family house then only that value of so much of said house as is occupied by said person as his domicile shall be exempted.

Two thousand dollars of this exemption shall be borne by the city or town, the balance, up to eight thousand dollars, shall be borne by the commonwealth, and the state treasurer shall annually reimburse the

city or town for the amount of the tax which otherwise would have been collected on account of this balance.

SECTION 5. This act shall be applicable to taxes levied for the year nineteen hundred and sixty-two and subsequent years.

*Approved July 16, 1962.*

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**Chap. 667.** AN ACT CHANGING THE NAME OF THE WEST AND SOUTH WATER SUPPLY DISTRICT OF ACTON TO THE WATER SUPPLY DISTRICT OF ACTON AND EXTENDING THE BOUNDARIES OF SAID DISTRICT.

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

SECTION 1. Chapter 326 of the acts of 1912 is hereby amended by striking out section 1 and inserting in place thereof the following section: — *Section 1.* The inhabitants of the town of Acton, liable to taxation in that town and residing therein, shall constitute a water supply district, and are hereby made a body corporate by the name of the Water Supply District of Acton, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants, and to relocate and discontinue the same, to regulate the use of such water and to fix and collect rates to be paid therefor, and to take, or acquire by lease, purchase or otherwise, and to hold property, lands, rights of way and other easements for the purposes mentioned in this act, and to prosecute and defend all actions relating to the property and affairs of the district.

SECTION 2. Section 3 of said chapter 326 is hereby amended by striking out, in line 11, the words "West and South".

SECTION 3. Section 5 of said chapter 326 is hereby amended by striking out, in line 6, the words "West and South".

SECTION 4. Section 9 of said chapter 326 is hereby amended by striking out, in line 1, the words "West and South", and by striking out, in line 2, the words "as aforesaid".

SECTION 5. Section thirteen of said chapter three hundred and twenty-six is hereby repealed.

SECTION 6. Chapter two hundred and fifty-eight of the acts of nineteen hundred and forty-six is hereby repealed.

SECTION 7. All the powers, duties and obligations vested in the West and South Water Supply District of Acton shall, on the effective date of this act, vest in the Water Supply District of Acton and when used in any statute, rule, regulation or instrument acknowledging indebtedness or other obligation the phrase West and South Water Supply District of Acton shall mean the Water Supply District of Acton.

SECTION 8. Upon the acceptance of this act, all persons now in the service of the West and South Water Supply District of Acton shall continue to serve in the same capacity without loss of any rights, including, but not limited to, seniority, civil service, retirement, and group insurance rights.

SECTION 9. This act shall take effect upon its acceptance within two years from the date of its passage by a majority vote of the voters of the West and South Water Supply District of Acton present and voting thereon at a district meeting called for such purpose.

*Approved July 16, 1962.*

**Chap. 668.** AN ACT CREATING A DETECTIVE BUREAU IN THE POLICE DEPARTMENT OF THE CITY OF CAMBRIDGE AND ESTABLISHING THE COMPENSATION OF THE MEMBERS OF SUCH BUREAU.

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

SECTION 1. A detective bureau is hereby established in the police department of the city of Cambridge, with the following grades: — lieutenant detective, sergeant detective, first grade detective, second grade detective and third grade detective. As soon as may be after this act becomes fully effective, the police officers, including superior officers, serving in the bureau of criminal investigation in the police department of said city, and the officers assigned to and carrying on criminal investigation work in the divisions of said department, shall be classified as detectives and become members of said bureau. The police chief for the city of Cambridge shall have the right to assign any of said detectives to any division or department of said police department and they shall come under the supervision of the superior officers of the division or department to which they have been assigned. Police officers so classified with the grade of lieutenant shall thereby qualify for the grade of lieutenant detective, those with the grade of sergeant shall thereby qualify for the grade of sergeant detective. Patrolmen special officers, so called, so classified who have performed criminal investigation work for ten years or more shall thereby qualify for rating as first grade detective. Patrolmen who have performed such work for five years or more, but less than ten years, shall thereby qualify for second grade detective, and patrolmen who have performed such work for less than five years shall thereby qualify for third grade detective. The police chief may transfer to the grade of third grade detective the regular patrolmen who have performed extraordinary and outstanding service in line of duty if he is of the opinion that such promotion is desirable and in the best interests of the service; provided, that in making such transfers, the requirements of chapter thirty-one of the General Laws need not be complied with; and provided, further, that such transfers shall be reported to the division of civil service as provided in section eighteen of said chapter thirty-one. For the purpose of promotions under section twenty of said chapter thirty-one, to the grades of captain, lieutenant and sergeant respectively, the grades of lieutenant and detective lieutenant shall be deemed to be in the next lower grade to that of captain; the grades of sergeant and sergeant detective shall be deemed to be in the next lower grade to that of lieutenant; and the first grade detective, second grade detective, third grade detective and patrolman shall be deemed to be in the next lower grade to that of sergeant.

SECTION 2. The members of the detective bureau shall receive the following compensation: —

A lieutenant detective shall receive an annual compensation of three hundred dollars in excess of the salary received by a regular lieutenant.

A sergeant detective shall receive an annual compensation of three hundred dollars in excess of salary received by a regular sergeant.

A first grade detective shall receive an annual compensation of five hundred dollars in excess of the maximum salary received by a regular patrolman.

A second grade detective shall receive an annual compensation of four

hundred dollars in excess of the maximum salary received by a regular patrolman.

A third grade detective shall receive an annual compensation of three hundred dollars in excess of the maximum salary received by a regular patrolman.

All members hereafter transferred to said bureau shall serve a probationary period of six months as such detectives, during which period the police chief may transfer them from said bureau to other duties in the department, provided such duties are in accordance with their civil service rating, and a person so transferred shall not have any right of appeal as provided in chapter thirty-one of the General Laws. A member hereafter transferred to said bureau after he shall have served such a probationary period, or any officer of said department classified as a detective under section one of this act at the time of passage hereof, may be transferred from said bureau to the rank held by him immediately prior to the date of his transfer to the detective bureau by order of the police chief or if he has obtained subsequently as a result of civil service examinations, a higher rank to said rank, but he shall have a right of appeal to the trial board appointed by the police chief, which shall have the power to hear and determine such appeal and the provisions of said chapter thirty-one shall in no way be applicable to said hearing and determination made thereunder. The decision of such trial board shall be final.

SECTION 3. This act shall take effect upon its acceptance during the current year by the city of Cambridge. *Approved July 16, 1962.*

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**Chap. 669.** AN ACT AUTHORIZING AND DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO CONVEY A CERTAIN PARCEL OF LAND TO THE CITY OF QUINCY FOR CEMETERY PURPOSES.

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

SECTION 1. The metropolitan district commission is hereby authorized and directed to convey the following described parcel of land to the city of Quincy to be used as a cemetery for the residents of said city: —

Beginning at a point on the westerly side line of Purgatory Road, said point being 100 feet north of the northerly side line of Chickatawbut Road; thence running in a westerly direction by a line 100 feet northerly from and parallel to the northerly side line of Chickatawbut Road, about 1725 feet; thence turning and running northeasterly about 905 feet; thence turning and running easterly about 400 feet to the southerly line of the Metropolitan District Commission water easement; thence turning and running southeasterly, northeasterly and southeasterly along the southerly line of said water easement by three courses, a total of about 1970 feet to the northwesterly side line of Purgatory Road; thence turning and running southwesterly and southerly along the northwesterly and westerly side line of Purgatory Road about 1400 feet, to the point of beginning; said parcel containing about 42 acres.

SECTION 2. Such conveyance shall be upon the condition that provision shall be made for converting said land to a cemetery within two years from the date of such conveyance, otherwise the land described in section one shall revert to the commonwealth.

*Approved July 16, 1962.*

**Chap. 670.** AN ACT FURTHER REGULATING COLLECTION AGENCIES.

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

SECTION 1. Chapter 93 of the General Laws is hereby amended by striking out section 24, as most recently amended by section 1 of chapter 711 of the acts of 1949, and inserting in place thereof the following section: — *Section 24.* No person not being an attorney at law authorized to practice in the commonwealth, a bank as defined in chapter one hundred and sixty-seven, a national banking association having its main office in the commonwealth, or a person whose usual business is not that of a collection agency, who acts as agent for such bank or national banking association for the purpose of collecting any accounts, bills or other indebtedness which arise from such person's usual business, or an agent or independent contractor employed for the purpose of collecting charges or bills owed by a tenant to a landlord or owed by a customer to a corporation subject to the supervision of the department of public utilities or the division of insurance in so far as said person collects charges or bills only for such landlord or supervised corporations, shall directly or indirectly conduct a collection agency, or engage in the commonwealth in the business of collecting or receiving payment for others of any account, bill or other indebtedness, or engage in the commonwealth in soliciting the right to collect or receive payment for another of any account, bill or other indebtedness, or advertise for or solicit in print the right to collect or receive payment for another of any account, bill or other indebtedness, without first obtaining from the commissioner of banks a license to carry on said business, nor unless such person or the person for whom he or it may be acting as agent has on file with the state treasurer a good and sufficient bond.

SECTION 2. Said chapter 93 is hereby further amended by striking out section 24A, inserted by section 2 of said chapter 711, and inserting in place thereof the following section: — *Section 24A.* Licenses granted by the commissioner under section twenty-four shall be for a period of one year from October first. Each license shall plainly state the name and business address of the licensee, and shall be posted in a conspicuous place in the office where the business is transacted. The fee for all such licenses shall be not more than fifty dollars. If the licensee desires to carry on business in more than one place, he shall procure a license for each place where the business is to be conducted.

SECTION 3. Said chapter 93 is hereby further amended by inserting after said section 24A the following two sections: —

*Section 24B.* The commissioner may require such financial statements and references of all applicants for a license as he deems necessary; and make or cause to be made an independent investigation concerning the applicant's reputation, integrity and net worth, at the expense of the applicant, and for that purpose may require such deposits against the cost thereof, not to exceed twenty-five dollars, as he deems adequate.

*Section 24C.* The commissioner may investigate the collection records of a licensee, and for that purpose the commissioner shall have free access to the books and papers of a licensee relating thereto. The commissioner may assess the cost of said investigation to the licensee. If a licensee violates any provision of sections twenty-four through twenty-five or fails to maintain its financial condition sufficient to qualify for a license on an original application or for such other just cause as the commissioner

may determine, the commissioner may, after notice and hearing pursuant to the provisions of chapter thirty A, revoke a license or suspend said license for such period as he may deem proper.

SECTION 4. Section 25 of said chapter 93, as appearing in the Tercenary Edition, is hereby amended by striking out, in line 1, the words "Said bond" and inserting in place thereof the words: — The bond required under section twenty-four.

*Approved July 16, 1962.*

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**Chap. 671.** AN ACT AUTHORIZING THE COMMONWEALTH TO SELL AND CONVEY CERTAIN LAND IN THE TOWN OF PLYMOUTH TO THE PILGRIM SOCIETY.

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

The commissioner of public works, in the name of and on behalf of the commonwealth, is hereby authorized, subject to approval by the governor and council, to sell and convey to the Pilgrim Society, by a deed approved as to form by the attorney general, all the right, title and interest of the commonwealth in and to certain land situated in the town of Plymouth and described in a certain instrument recorded in the Plymouth county registry of deeds, Book 1387, page 98; provided, that said deed shall provide that all right, title and interest shall revert to and revest in the commonwealth at any time said land ceases to be used by said society for its purposes.

*Approved July 16, 1962.*

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**Chap. 672.** AN ACT AUTHORIZING CITIES AND TOWNS TO PARTICIPATE WITH THE WATER RESOURCES COMMISSION IN THE DEVELOPMENT OF WATER RESOURCES.

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

SECTION 1. Section 5 of chapter 40 of the General Laws is hereby amended by adding after clause (53), added by chapter 236 of the acts of 1960, the following clause: —

(54) For payment to the commonwealth of the town's share of the cost of construction, including acquisition of land, of multi-purpose reservoirs and other water resource developments, which are to be constructed under the direction of the water resources commission.

SECTION 2. Section 8 of chapter 44 of the General Laws is hereby amended by inserting after clause (7A) the following clause: —

(7B) For the payment of the town's share of the cost to increase the storage capacity of any reservoir, including land acquisition, constructed by the water resources commission for flood prevention or water resources utilization, twenty years.

SECTION 3. Said section 8 of said chapter 44 is hereby amended by striking out the last paragraph, as amended by section 6 of chapter 592 of the acts of 1960, and inserting in place thereof the following paragraph: —

Debts for purposes mentioned in clauses (3), (4), (5), (6), (7), (7A) and (7B) of this section shall not be authorized to an amount exceeding ten per cent of the last preceding assessed valuation of the city or town.

*Approved July 16, 1962.*

**Chap. 673.** AN ACT AUTHORIZING THE TOWN OF FRAMINGHAM TO  
ERECT A SKATING ARENA ON CERTAIN PARK LAND IN SAID  
TOWN.

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

SECTION 1. The town of Framingham is hereby authorized to construct a skating arena on certain land held for park purposes, located at the corner of Dudley road and Fountain street in said town, and bounded and described as follows: —

Beginning at a stone bound located on the northerly location line of Fountain street; thence running N-71°-34'-W, 326.85 feet to a stone bound; thence running westerly on a curve to the left of radius 640.46 feet, 246.86 feet to a stone bound; at other land of the park department, said last two courses being by the northerly location line of Fountain street; thence N-03°-41'-W, 200.00 feet to a point on a line parallel to and 200.00 feet distant northerly from the northerly location line of Fountain street; thence running easterly on a curve to the right of radius 840.46 feet, 323.95 feet to a point; thence S-71°-34'-E, 346.99 feet to a point on the westerly location line of Dudley road, said last three courses being by other land of the park department; thence running S-07°-10'-E, 106.29 feet by the westerly location line of Dudley road to a stone bound; thence southwesterly on a curve to the right of radius 72.77 feet, 146.57 feet by the westerly location line of Dudley road to the stone bound at the point of beginning, containing 132,981 square feet, more or less.

Said land is more fully shown on a plan entitled "Plan of Land-Belonging to the Town of Framingham—Park Department—Scale 1" = 40'— May 1, 1962 — Richard T. Mackey, Town Engineer", on file in the records of the town of Framingham.

The provisions of section seven of chapter forty-five of the General Laws shall not apply to an arena erected as hereinbefore authorized.

SECTION 2. Upon the completion of a skating arena as authorized by section one, it shall be maintained and controlled by a committee, commission or such other agency as the town of Framingham may determine by vote of a town meeting; provided, however, that the Municipal Arena Committee heretofore established by said town shall operate and maintain such arena until otherwise voted by said town.

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

*Approved July 16, 1962.*

**Chap. 674.** AN ACT AUTHORIZING THE TOWN OF DARTMOUTH TO  
ESTABLISH A BOARD OF PUBLIC WORKS EXERCISING THE  
POWERS OF CERTAIN OTHER DEPARTMENTS AND TOWN  
OFFICIALS.

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

SECTION 1. There shall be established in the town of Dartmouth a board of public works, hereinafter called the board, consisting of seven members, one member from each voting precinct and one member at large. The initial members thereof shall be elected to serve as follows: — three for three years, two for two years, one for one year from the date of the annual town election at which they are elected, to be de-



terminated on the basis of total votes cast for each member, the lowest serving for one year. The initial member at large shall be elected to serve for one year from the date of said annual town election. Thereafter when the term of any member expires, his successor shall be elected to serve for three years. In all cases the members of the board shall serve until their successors are qualified. The members of the board shall forthwith after each annual town election, elect from its members a chairman and a clerk for the ensuing year. In case of a vacancy, the remaining members of the board shall, jointly with the board of selectmen, within thirty days, fill such vacancy until the next town election, when a new member or members shall be elected to fill the unexpired term. No person shall serve on the board who holds an elective or appointive office in the town other than that of town meeting member, and no person who is an employee of the town shall serve on the board.

SECTION 2. Upon the qualification of the initial members of the board of public works, the board shall have all the powers and duties now and from time to time vested by general or special law or town by-law in the following boards, departments and offices, or in boards, departments, and offices having corresponding powers and duties in the town of Dartmouth, to wit:— water commissioners, sewer commissioners, tree warden, park commissioners with respect to maintenance and construction only, refuse collection, highway surveyor, town dump, drainage, engineering, and mosquito and moth control department, cemetery maintenance and construction, and such boards, offices and departments shall be abolished. No existing contract or liability shall be affected by such abolition, but the board of public works shall in all respects be the lawful successor of the boards, departments and offices so abolished. The board shall have such added powers with respect to public works as the town may from time to time by by-law provide, any other provisions of the law to the contrary notwithstanding.

SECTION 3. The board shall appoint and fix the compensation of a superintendent of public works who shall exercise and perform, under its supervision and direction, such of the powers, rights and duties transferred to it under section two as it may from time to time designate. He shall be specially fitted by education, training and experience to perform the duties of his office and need not be a resident of the town during his tenure of office. He shall be responsible for the efficient exercise and performance of such powers, rights and duties. He may be removed for just cause only and by a vote of at least four members of the board. He shall be given a written notice at least fourteen days prior to the date of removal, which shall specify the reasons for such removal. At his request a public hearing shall be held on the charges brought against him.

During his tenure he shall hold no other elective or appointive office nor shall he engage in any other business or occupation. He shall give to the town a bond with a surety company authorized to transact business in the commonwealth as surety, for the faithful performance of his duties in such sum and upon such conditions as the board may require, and shall, subject to the approval of the board, appoint such assistants, agents and employees as the exercise and performance of his powers, rights and duties may require. He shall render to the board, as often as it may require, a full report of all operations under his control during the period reported upon, and annually, and from time to time as

required by the board, shall make a synopsis of such reports for publication and shall keep the board fully advised as to the needs of the town within the scope of his duties, and shall annually, not less than sixty days prior to the expiration of the fiscal year of said town, furnish to the board a carefully prepared and detailed estimate in writing of the appropriations required during the next succeeding fiscal year for the proper exercise and performance of all said rights and duties. Each permanent employee of any board, department or office abolished by this act (including the present superintendent of the water department) shall be transferred to and become an employee of the board of public works and every employee so transferred who immediately prior to such transfer was subject to section nine A of chapter thirty or to chapter thirty-one of the General Laws under a permanent appointment and who has served a probationary period shall continue to serve subject to the provisions of said section nine A of chapter thirty or said chapter thirty-one as the case may be, whether or not thereafter reclassified, and shall retain all rights to holidays, sick leave and vacations in effect on the effective date of this act.

SECTION 4. This act shall be submitted to the voters of the town of Dartmouth for acceptance at the annual town election in the year nineteen hundred and sixty-three, 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 election: — "Shall an act passed by the General Court in the year nineteen hundred and sixty-two, entitled 'An Act authorizing the town of Dartmouth to establish a board of public works exercising the powers of certain other departments and town officials'; be accepted?" If a majority of the votes cast in answer to this question is in the affirmative, this act shall take effect beginning with and for the purposes of the annual town election in the year nineteen hundred and sixty-four, but not otherwise.

SECTION 5. The town of Dartmouth may after the expiration of three years from the date of acceptance of this act vote at an annual meeting to revoke such acceptance, and the question of such revocation shall be submitted to the voters in the form of the following question: — "Shall the acceptance by the town of Dartmouth of an act passed by the General Court in the year nineteen hundred and sixty-two, entitled 'An Act authorizing the town of Dartmouth to establish a board of public works exercising the powers of certain other departments and town officials', be revoked?" If a majority of the votes cast in answer to said question is in the affirmative, then at the next annual town election held after said vote of revocation, the town shall elect such officers as are necessary to exercise and perform the powers, rights, and duties transferred to the board of public works by said act. Such action shall not affect any contract or liability then created or existing. All general laws respecting town administration and town officers, and any special laws, relative to said town, the operation of which has been suspended or superseded by the acceptance of this act, shall then be in full force and effect. Any by-law inconsistent with such special or general laws shall be revoked thereby. Any subsequent vote to revoke the acceptance of this act shall not be taken more often than once in three years.

*Approved July 16, 1962.*

**Chap. 675.** AN ACT REMOVING THE LIMITATION ON THE RATE OF INTEREST TO BE PAID ON BONDS ISSUED BY THE WOODS HOLE, MARTHA'S VINEYARD AND NANTUCKET STEAMSHIP AUTHORITY.

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

The first paragraph of section 5 of chapter 701 of the acts of 1960 is hereby amended by striking out, in lines 8 and 9, the words "not exceeding four and a half per centum per annum", and by striking out, in lines 33 to 39, inclusive, the words " , but no such sale shall be made at a price so low as to require the payment of interest on the money received therefor at more than four and a half per centum per annum, computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values, excluding, however, from such computation the amount of any premium to be paid on redemption of any bonds prior to maturity".

*Approved July 16, 1962.*

**Chap. 676.** AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO PAY A CERTAIN SUM OF MONEY TO WILLIAM F. HOWARD, JR.

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

For the purpose of discharging a moral obligation, the city of Springfield may pay to William F. Howard, Jr., a sum, not to exceed fifteen hundred dollars, for legal services rendered to the Springfield Housing Authority and the Springfield Redevelopment Authority.

*Approved July 16, 1962.*

**Chap. 677.** AN ACT EXTENDING THE TIME WITHIN WHICH THE SPECIAL COMMISSION ESTABLISHED TO INVESTIGATE A PROGRAM OF PARTICIPATION OF THE COMMONWEALTH AT THE 1964-1965 WORLD'S FAIR SHALL MAKE ITS FINAL REPORT.

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

Item 0405-02 of section 2 of chapter 543 of the acts of 1961 is hereby amended by striking out, in line 15, the word and figures "February 15" and inserting in place thereof the following: — July 18.

*Approved July 16, 1962.*

**Chap. 678.** AN ACT AUTHORIZING THE TOWN OF BECKET TO PAY A CERTAIN SUM OF MONEY TO PHILIP RAYMOND, FORMER HIGHWAY SUPERINTENDENT OF SAID TOWN.

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

SECTION 1. For the purpose of discharging a moral obligation, the town of Becket may appropriate and pay to Philip Raymond, former highway superintendent of said town, the sum of four hundred and fifty dollars as compensation for vacation not taken by said Philip Raymond.

SECTION 2. The vote of the town of Becket taken under Article 18 of the warrant for the annual town meeting in the current year is hereby validated and confirmed in all respects as though this act had been in full force and effect on the date when said warrant for said meeting was posted.

*Approved July 16, 1962.*

**Chap. 679.** AN ACT AUTHORIZING THE APPOINTMENT OF HAROLD P. MCKENNA, A MEMBER OF THE CITY COUNCIL OF THE CITY OF MALDEN, TO THE POSITION OF DEPUTY DIRECTOR OF VETERANS' BENEFITS AND SERVICES IN SAID CITY.

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

Notwithstanding the provisions of section eight of chapter thirty-nine of the General Laws or any provisions of any general or special law to the contrary, Harold P. McKenna, a member of the city council of the city of Malden, shall be eligible for appointment to the position of deputy director of veterans' benefits and services in said city.

*Approved July 16, 1962.*

**Chap. 680.** AN ACT INCREASING THE SALARIES OF THE JUSTICES OF THE MUNICIPAL COURT OF THE CITY OF BOSTON.

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

SECTION 1. Chapter 218 of the General Laws is hereby amended by striking out section 75, as most recently amended by section 1 of chapter 748 of the acts of 1955, and inserting in place thereof the following section: — *Section 75.* The salary of the chief justice of the municipal court of the city of Boston shall be seventeen thousand dollars, and the salary of each of the associate justices shall be sixteen thousand dollars. Such justices shall devote their entire time during ordinary business hours to their respective duties and shall not, directly or indirectly, engage in the practice of law.

SECTION 2. Notwithstanding any provision of this act to the contrary, the provisions of section seventy-five 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 said effective date.

SECTION 3. This act shall take effect as of July first, nineteen hundred and sixty-two.

*Approved July 16, 1962.*

**Chap. 681.** AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF MIDDLESEX COUNTY TO PAY A CERTAIN SUM OF MONEY TO EDWARD J. MACKEY.

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

For the purpose of discharging a moral obligation, the county commissioners of Middlesex county are hereby authorized to pay to Edward J. Mackey of Everett the sum of two hundred fifty-one dollars and thirty cents as compensation for damage to his motor vehicle caused by snow and ice falling from the roof of the hospital building of the Middlesex county jail and house of correction at Cambridge on December twenty-sixth, nineteen hundred and sixty-one. Said amount may be expended from available funds in the county treasury.

*Approved July 16, 1962.*

**Chap. 682.** AN ACT RELATIVE TO RIGHTS OF VETERANS AT RETIREMENT.

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

SECTION 1. Paragraph (a) of subdivision (3) of section 25 of chapter 32 of the General Laws, as amended by chapter 669 of the acts of 1958, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:— This paragraph shall apply only to such veterans who are employees of the commonwealth or metropolitan district commission, or who are employees of a governmental unit which has accepted sections fifty-six to sixty A, inclusive.

SECTION 2. This act shall take effect as of January first, nineteen hundred and fifty-six.

*Approved July 16, 1962.*

**Chap. 683.** 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 condition, 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-two:

## BARNSTABLE COUNTY.

Item		
1.	For interest on county debt.....	\$27,707 00
2.	For reduction of county debt.....	99,525 02
3.	For county commissioners, salaries and expenses..	19,178 48
4.	For transportation and expenses of county and acting commissioners.....	950 00
5.	For clerk of courts, salaries and expenses.....	23,561 42
6.	For county treasurer, salaries and expenses.....	27,015 62
7.	For sheriff, salary and expenses.....	12,078 50
8.	For registry of deeds, salaries and expenses.....	136,210 71
8a.	For registry of probate, salaries and expenses.....	4,660 00
9.	For law library, salaries and expenses.....	5,025 00
10.	For highways, including state highways, bridges and land damages.....	200,150 00
12.	For criminal costs in superior court.....	36,821 69
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees.....	24,800 00

Item		
14.	For district courts, salaries and expenses.....	\$127,632 38
15.	For medical examiners and commitments of insane.....	5,070 00
16.	For jail and house of correction, maintenance and operation.....	208,155 51
17.	For training school.....	4,992 00
18.	For court houses and registry buildings, maintenance and operation.....	42,338 50
20.	For agricultural school or county aid to agriculture, maintenance and operation.....	46,445 31
22.	For hospital or sanatorium.....	634,560 68
23.	For preventorium or health service.....	70,977 85
24.	For non-contributory pensions.....	19,794 04
25.	For contributory retirement system and supervisory expenses.....	34,658 84
26.	For miscellaneous and contingent expenses.....	14,047 09
27.	For unpaid bills of previous years.....	2,769 67
28.	For reserve fund.....	25,000 00
29.	For advertising recreational advantages of the county.....	65,000 00
30.	For state fire patrol.....	4,200 00
31.	For maintenance, forest fire apparatus.....	400 00
31a.	For forest fire apparatus.....	32,000 00
32.	For police training school and bureau of criminal identification.....	31,160 01
33.	For police radio system.....	36,025 83
38.	For airplane.....	2,305 00
39.	For group insurance.....	17,045 00
40.	For advertising and promoting county fairs.....	500 00
41.	For sewage system, maintenance and operation.....	3,519 00
43.	For fire fighters' training school.....	3,000 00
Total amount of appropriations.....		\$2,049,280 15
Less estimated amount available for reduction of county tax.....		736,801 05

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..... \$1,312,479 10

BERKSHIRE COUNTY.

Item		
1.	For interest on county debt.....	\$6,000 00
3.	For county commissioners, salaries and expenses.....	19,144 50
4.	For transportation and expenses of county and acting commissioners.....	1,500 00
5.	For clerk of courts, salaries and expenses.....	25,321 00
6.	For county treasurer, salaries and expenses.....	14,648 50
7.	For sheriff, salary and expenses.....	8,745 00
8.	For registries of deeds, salaries and expenses.....	105,083 42
8a.	For registry of probate, salaries and expenses.....	5,725 00
9.	For law library, salaries and expenses.....	8,794 79

Item		
10.	For highways, including state highways, bridges and land damages.....	\$260,857 14
11.	For examination of dams.....	412 00
12.	For criminal costs in superior court.....	44,651 05
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees.....	53,620 00
14.	For district courts, salaries and expenses.....	213,756 93
15.	For medical examiners and commitments of insane.....	11,000 00
16.	For jail and house of correction, maintenance and operation.....	126,494 42
17.	For training school.....	3,500 00
18.	For court houses and registry buildings, maintenance and operation.....	40,990 25
20.	For agricultural school or county aid to agriculture, maintenance and operation.....	51,627 08
21.	For state reservation, maintenance and operation (Mount Greylock).....	54,402 00
21a.	For state reservation, maintenance and operation (Mount Everett).....	7,178 00
23.	For county tuberculosis clinic.....	15,947 08
24.	For non-contributory pensions.....	6,693 30
25.	For contributory retirement system and supervisory expenses.....	31,937 95
26.	For miscellaneous and contingent expenses.....	10,065 38
27.	For unpaid bills of previous years.....	1,088 92
28.	For reserve fund.....	10,000 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.....	4,200 00
34.	For soil conservation district.....	430 00
35.	For industrial development commission.....	68,251 00
39.	For group insurance.....	10,500 00
Total amount of appropriations.....		\$1,263,814 71
Less estimated amount available for reduction of county tax.....		224,304 39

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..... \$1,039,510 32

## BRISTOL COUNTY.

Item		
1.	For interest on county debt.....	\$28,020 00
2.	For reduction of county debt.....	75,000 00
3.	For county commissioners, salaries and expenses.....	14,778 00

Item

4.	For transportation and expenses of county and acting commissioners.....	\$1,000 00
5.	For clerk of courts, salaries and expenses.....	102,123 50
6.	For county treasurer, salaries and expenses.....	49,195 50
7.	For sheriff, salary and expenses.....	11,107 58
8.	For registries of deeds, salaries and expenses.....	244,812 30
8a.	For registry of probate, salaries and expenses....	17,672 00
9.	For law libraries, salaries and expenses.....	33,148 25
10.	For highways, including state highways, bridges and land damages.....	285,200 00
11.	For examination of dams.....	1,500 00
12.	For criminal costs in superior court.....	141,941 98
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees.....	130,116 00
14.	For district courts, salaries and expenses.....	422,550 69
15.	For medical examiners and commitments of insane	36,320 00
16.	For jail and house of correction, maintenance and operation.....	252,944 90
17.	For training school.....	10,000 00
18.	For court houses and registry buildings, maintenance and operation.....	244,918 41
20.	For agricultural school or county aid to agriculture, maintenance and operation.....	387,590 47
24.	For non-contributory pensions.....	50,400 00
25.	For contributory retirement system and supervisory expenses.....	78,856 93
26.	For miscellaneous and contingent expenses.....	23,731 11
27.	For unpaid bills of previous years.....	7,672 32
28.	For reserve fund.....	30,000 00
32.	For police training school.....	500 00
39.	For group insurance.....	22,750 00

Total amount of appropriations.....	\$2,703,849 94
Less estimated amount available for reduction of county tax.....	707,412 32

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..... \$1,996,437 62

DUKES COUNTY.

Item

1.	For interest on county debt.....	\$8,200 00
2.	For reduction of county debt.....	33,721 51
3.	For county commissioners, salaries and expenses .	5,505 33
4.	For transportation and expenses of county and acting commissioners.....	485 00
5.	For clerk of courts, salaries and expenses.....	4,835 26
6.	For county treasurer, salaries and expenses.....	4,547 25
7.	For sheriff, salary and expenses.....	4,135 00



Item		
8.	For registry of deeds, salaries and expenses.....	\$15,428 00
8a.	For registry of probate, salaries and expenses.....	1,675 00
9.	For law library, salaries and expenses.....	800 00
10.	For highways, including state highways, bridges and land damages.....	24,700 00
12.	For criminal costs in superior court.....	6,604 49
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees.....	1,463 00
14.	For district courts, salaries and expenses.....	20,829 83
15.	For medical examiners and commitments of insane	750 00
16.	For jail and house of correction, maintenance and operation.....	8,850 00
18.	For court houses and registry buildings, maintenance and operation.....	6,790 50
20.	For agricultural school or county aid to agriculture, maintenance and operation.....	15,881 34
21.	For state reservation, maintenance and operation (Gay Head).....	1,000 00
21a.	For state reservation, maintenance and operation (Indian Burial Ground).....	650 00
24.	For non-contributory pensions.....	4,005 00
25.	For contributory retirement system and supervisory expenses.....	3,642 30
26.	For miscellaneous and contingent expenses.....	9,100 00
27.	For unpaid bills of previous years.....	2,129 61
28.	For reserve fund.....	5,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county.....	18,243 33
30.	For rodent control.....	7,150 00
31.	For county airport, maintenance and operation...	47,852 30
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.....		\$268,974 05
Less estimated amount available for reduction of county tax.....		56,554 94

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..... \$212,419 11

#### ESSEX COUNTY.

Item		
1.	For interest on county debt.....	\$23,178 23
2.	For reduction of county debt.....	65,000 00
3.	For county commissioners, salaries and expenses..	40,682 58
4.	For transportation and expenses of county and acting commissioners.....	1,200 00
5.	For clerk of courts, salaries and expenses.....	130,022 90

Item		
6.	For county treasurer, salaries and expenses.....	\$43,596 86
7.	For sheriff, salary and expenses.....	11,191 00
8.	For registries of deeds, salaries and expenses.....	420,152 22
8a.	For registry of probate, salaries and expenses....	14,986 40
9.	For law libraries, salaries and expenses.....	27,924 91
10.	For highways, including state highways, bridges and land damages.....	497,454 94
12.	For criminal costs in superior court.....	162,957 37
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, mas- ters and referees.....	216,295 00
14.	For district courts, salaries and expenses.....	650,288 70
15.	For medical examiners and commitments of insane	40,425 00
16.	For jail and house of correction, maintenance and operation.....	373,336 37
16a.	For industrial farm, maintenance and operation..	159,363 48
17.	For training school.....	240,609 84
18.	For court houses and registry buildings, mainte- nance and operation.....	217,386 65
20.	For agricultural school or county aid to agriculture, maintenance and operation.....	650,053 59
24.	For non-contributory pensions.....	71,802 73
25.	For contributory retirement system and supervi- sory expenses.....	160,333 51
26.	For miscellaneous and contingent expenses.....	45,306 13
27.	For unpaid bills of previous years.....	15,124 52
28.	For reserve fund.....	40,000 00
29.	For advertising recreational, industrial and agri- cultural advantages of the county.....	7,500 00
30.	For fire patrol.....	4,200 00
31.	For forest development.....	1,900 00
32.	For radio system for fire protection.....	492 00
39.	For group insurance.....	56,000 00
Total amount of appropriations.....		\$4,388,764 93
Less estimated amount available for reduction of county tax.....		1,135,427 38

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 man-  
ner provided by law, the sum of..... \$3,253,337 55

FRANKLIN COUNTY.

Item		
1.	For interest on county debt.....	\$2,250 00
3.	For county commissioners, salaries and expenses..	10,120 00
4.	For transportation and expenses of county and acting commissioners.....	800 00
5.	For clerk of courts, salaries and expenses.....	21,364 61
6.	For county treasurer, salaries and expenses.....	13,588 42
7.	For sheriff, salary and expenses.....	7,165 00

Item		
8.	For registry of deeds, salaries and expenses . . . . .	\$49,225 33
8a.	For registry of probate, salaries and expenses . . . . .	3,220 00
9.	For law library, salaries and expenses . . . . .	7,400 00
10.	For highways, including state highways, bridges and land damages . . . . .	201,075 00
11.	For examination of dams . . . . .	600 00
12.	For criminal costs in superior court . . . . .	21,646 85
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees . . . . .	22,475 00
14.	For district courts, salaries and expenses . . . . .	57,470 80
15.	For medical examiners and commitments of insane . . . . .	4,525 00
16.	For jail and house of correction, maintenance and operation . . . . .	85,704 51
17.	For training school . . . . .	1,000 00
18.	For court houses and registry buildings, maintenance and operation . . . . .	33,748 00
20.	For agricultural school or county aid to agriculture, maintenance and operation . . . . .	45,585 81
21.	For state reservation, maintenance and operation (Mount Sugarloaf) . . . . .	5,095 42
22.	For hospital or sanatorium . . . . .	34,425 00
23.	For preventorium or health service . . . . .	2,200 00
23a.	For mental health clinic . . . . .	12,781 00
25.	For contributory retirement system and supervisory expenses . . . . .	17,384 97
26.	For miscellaneous and contingent expenses . . . . .	3,865 51
27.	For unpaid bills of previous years . . . . .	105 44
28.	For reserve fund . . . . .	15,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county . . . . .	7,000 00
31.	For radio system for fire protection . . . . .	1,620 00
39.	For group insurance . . . . .	4,500 00
Total amount of appropriations . . . . .		\$692,941 67
Less estimated amount available for reduction of county tax . . . . .		151,223 53

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 . . . \$541,718 14

## HAMPDEN COUNTY.

Item		
1.	For interest on county debt . . . . .	\$10,000 00
2.	For reduction of county debt . . . . .	26,800 00
3.	For county commissioners, salaries and expenses . . . . .	26,309 00
4.	For transportation and expenses of county and acting commissioners . . . . .	600 00
5.	For clerk of courts, salaries and expenses . . . . .	83,836 89
6.	For county treasurer, salaries and expenses . . . . .	29,740 50

Item		
7.	For sheriff, salary and expenses.....	\$11,291 00
8.	For registry of deeds, salaries and expenses.....	220,042 38
8a.	For registry of probate, salaries and expenses....	35,090 00
9.	For law library, salaries and expenses.....	22,566 55
10.	For highways, including state highways, bridges and land damages.....	305,450 00
11.	For examination of dams.....	4,200 00
12.	For criminal costs in superior court.....	100,943 18
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees.....	198,561 00
14.	For district courts, salaries and expenses.....	570,774 96
15.	For medical examiners and commitments of insane	40,000 00
16.	For jail and house of correction, maintenance and operation.....	313,309 03
17.	For training school.....	128,761 13
18.	For court houses and registry buildings, mainte- nance and operation.....	174,422 82
20.	For agricultural school or county aid to agricul- ture, maintenance and operation.....	123,453 25
21.	For state reservation, maintenance and operation (Mount Tom).....	36,408 14
23.	For preventorium or health service.....	3,000 00
24.	For non-contributory pensions.....	23,018 37
25.	For contributory retirement system and super- visory expenses.....	69,680 37
26.	For miscellaneous and contingent expenses.....	12,080 03
27.	For unpaid bills of previous years.....	8,434 83
28.	For reserve fund.....	25,000 00
29.	For advertising recreational, industrial and agri- cultural advantages of the county .....	3,000 00
30.	For radio system for fire protection.....	150 00
39.	For group insurance.....	24,000 00
40.	For soil conservation.....	200 00

Total amount of appropriations.....	\$2,631,123 43
Less estimated amount available for reduction of county tax.....	637,969 38

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.... \$1,993,154 05

#### HAMPSHIRE COUNTY:

Item		
1.	For interest on county debt.....	\$3,500 00
3.	For county commissioners, salaries and expenses .	18,106 00
4.	For transportation and expenses of county and acting commissioners.....	1,000 00
5.	For clerk of courts, salaries and expenses.....	25,357 50
6.	For county treasurer, salaries and expenses.....	21,433 34

Item	
7.	For sheriff, salary and expenses..... \$7,272 50
8.	For registry of deeds, salaries and expenses..... 53,756 56
8a.	For registry of probate, salaries and expenses..... 4,226 00
9.	For law library, salaries and expenses..... 7,364 00
10.	For highways, including state highways, bridges and land damages..... 171,775 00
11.	For examination of dams..... 2,300 00
12.	For criminal costs in superior court..... 31,326 06
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees..... 42,115 00
14.	For district courts, salaries and expenses..... 104,891 06
15.	For medical examiners and commitments of insane..... 11,605 00
16.	For jail and house of correction, maintenance and operation..... 109,187 87
17.	For training school..... 100 00
18.	For court houses and registry buildings, maintenance and operation..... 36,033 16
20.	For agricultural school or county aid to agriculture, maintenance and operation..... 54,942 14
21.	For state reservation, maintenance and operation (Mount Tom)..... 5,933 01
21a.	For state reservation, maintenance and operation (Deer Hill)..... 350 00
23.	For preventorium or health service..... 675 00
24.	For non-contributory pensions..... 1,407 85
25.	For contributory retirement system and supervisory expenses..... 24,703 48
26.	For miscellaneous and contingent expenses..... 2,600 99
27.	For unpaid bills of previous years..... 78 40
28.	For reserve fund..... 10,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county..... 3,400 00
30.	For forest development in co-operation with the state..... 2,044 00
31.	For radio system for fire protection..... 1,000 00
34.	For soil conservation..... 400 00
39.	For group insurance..... 8,000 00
<hr/>	
Total amount of appropriations.....	
	\$766,883 92
Less estimated amount available for reduction of county tax.....	
	129,296 84
<hr/>	

And the county commissioners of Hampshire County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of..... \$637,587 08

## MIDDLESEX COUNTY.

Item	
1.	For interest on county debt..... \$14,813 40
2.	For reduction of county debt..... 58,100 00

Item		
3.	For county commissioners, salaries and expenses..	\$67,201 50
4.	For transportation and expenses of county and acting commissioners.....	1,500 00
5.	For clerk of courts, salaries and expenses.....	356,952 64
6.	For county treasurer, salaries and expenses.....	64,490 67
7.	For sheriff, salary and expenses.....	11,619 00
8.	For registries of deeds, salaries and expenses.....	984,477 20
8a.	For registry of probate, salaries and expenses.....	31,412 90
9.	For law libraries, salaries and expenses.....	45,854 33
10.	For highways, including state highways, bridges and land damages.....	1,076,458 96
11.	For examination of dams.....	2,500 00
12.	For criminal costs in superior court.....	525,082 56
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees.....	552,516 66
14.	For district courts, salaries and expenses.....	1,655,172 68
15.	For medical examiners and commitments of insane	86,850 00
16.	For jails and houses of correction, maintenance and operation.....	1,517,511 18
17.	For training school.....	368,307 64
18.	For court houses and registry buildings, maintenance and operation.....	532,089 59
19.	For construction of county buildings and/or purchase of land.....	30,000 00
20.	For agricultural school or county aid to agriculture, maintenance and operation.....	116,046 27
21.	For state reservation, maintenance and operation (Walden Pond).....	108,090 34
24.	For non-contributory pensions.....	115,658 28
25.	For contributory retirement system and supervisory expenses; provided, however, that notwithstanding any contrary provision of law the positions of executive secretary and administrative assistant of the county retirement board shall not be under the supervision or control of the county personnel board.....	271,080 26
26.	For miscellaneous and contingent expenses.....	109,558 58
27.	For unpaid bills of previous years.....	25,687 03
28.	For reserve fund.....	50,000 00
30.	For forest fire patrol.....	2,500 00
39.	For group insurance.....	100,000 00

Total amount of appropriations.....	\$8,881,531 67
Less estimated amount available for reduction of county tax.....	2,386,672 80

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.... \$6,494,858 87

## NORFOLK COUNTY.

Item		
1.	For interest on county debt.....	\$30,400 00
2.	For reduction of county debt.....	140,000 00
3.	For county commissioners, salaries and expenses..	25,844 00
4.	For transportation and expenses of county and acting commissioners.....	645 00
5.	For clerk of courts, salaries and expenses.....	70,559 28
6.	For county treasurer, salaries and expenses.....	37,829 90
7.	For sheriff, salary and expenses.....	11,018 50
8.	For registry of deeds, salaries and expenses.....	358,735 79
8a.	For registry of probate, salaries and expenses....	28,387 35
9.	For law library, salaries and expenses.....	7,053 50
10.	For highways, including state highways, bridges and land damages.....	607,894 33
12.	For criminal costs in superior court.....	180,559 00
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees.....	158,150 00
14.	For district courts, salaries and expenses.....	625,733 82
15.	For medical examiners and commitments of insane	49,500 00
16.	For jail and house of correction, maintenance and operation.....	293,606 23
17.	For training school.....	60,000 00
18.	For court houses and registry buildings, maintenance and operation.....	216,649 61
19.	For construction of county buildings and/or purchase of land.....	40,000 00
20.	For agricultural school or county aid to agriculture, maintenance and operation.....	474,902 71
24.	For non-contributory pensions.....	40,000 00
25.	For contributory retirement system and supervisory expenses.....	82,870 32
26.	For miscellaneous and contingent expenses.....	10,630 20
27.	For unpaid bills of previous years.....	16,680 07
28.	For reserve fund.....	35,000 00
30.	For forest fire patrol.....	2,500 00
39.	For group insurance.....	30,000 00
Total amount of appropriations.....		\$3,635,149 61
Less estimated amount available for reduction of county tax.....		1,189,116 27

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..... \$2,446,033 34

## PLYMOUTH COUNTY.

Item		
1.	For interest on county debt.....	\$13,715 25
2.	For reduction of county debt.....	194,922 00
3.	For county commissioners, salaries and expenses..	25,339 00

Item		
4.	For transportation and expenses of county and acting commissioners . . . . .	\$1,051 00
5.	For clerks of courts, salaries and expenses . . . . .	61,294 13
6.	For county treasurer, salaries and expenses . . . . .	24,237 06
7.	For sheriff, salary and expenses . . . . .	10,644 99
8.	For registry of deeds, salaries and expenses . . . . .	208,182 57
8a.	For registry of probate, salaries and expenses . . . . .	10,498 00
9.	For law library, salaries and expenses . . . . .	8,155 54
10.	For highways, including state highways, bridges and land damages . . . . .	310,985 00
11.	For examination of dams . . . . .	1,000 00
12.	For criminal costs in superior court . . . . .	131,807 50
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees . . . . .	130,337 75
14.	For district courts, salaries and expenses . . . . .	317,323 37
15.	For medical examiners and commitments of insane . . . . .	20,480 00
16.	For jail and house of correction, maintenance and operation . . . . .	344,154 76
17.	For training school . . . . .	15,000 00
18.	For court houses and registry buildings, maintenance and operation . . . . .	90,165 92
20.	For agricultural school or county aid to agriculture, maintenance and operation . . . . .	82,986 42
24.	For non-contributory pensions . . . . .	21,925 08
25.	For contributory retirement system and supervisory expenses . . . . .	60,644 53
26.	For miscellaneous and contingent expenses . . . . .	3,297 41
27.	For unpaid bills of previous years . . . . .	8,723 93
28.	For reserve fund . . . . .	30,000 00
30.	For forest fire control . . . . .	5,910 00
31.	For bureau of criminal investigation and police training school . . . . .	25,372 17
32.	For police radio network . . . . .	1,026 00
39.	For group insurance . . . . .	15,015 00
Total amount of appropriations . . . . .		\$2,174,194 38
Less estimated amount available for reduction of county tax . . . . .		553,808 02

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 . . . \$1,620,386 36

WORCESTER COUNTY.

Item		
1.	For interest on county debt . . . . .	\$49,960 00
2.	For reduction of county debt . . . . .	212,000 00
3.	For county commissioners, salaries and expenses . . . . .	37,788 70
4.	For transportation and expenses of county and acting commissioners . . . . .	2,226 00



Item		
5.	For clerk of courts, salaries and expenses . . . . .	\$175,058 42
6.	For county treasurer, salaries and expenses . . . . .	48,242 27
7.	For sheriff, salary and expenses . . . . .	11,861 00
8.	For registries of deeds, salaries and expenses . . . . .	318,167 84
8a.	For registry of probate, salaries and expenses . . . . .	16,399 50
9.	For law libraries, salaries and expenses . . . . .	37,836 00
10.	For highways, including state highways, bridges and land damages . . . . .	784,797 26
11.	For examination of dams . . . . .	1,250 00
12.	For criminal costs in superior court . . . . .	162,570 07
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees . . . . .	327,465 50
14.	For district courts, salaries and expenses . . . . .	721,485 82
15.	For medical examiners and commitments of insane . . . . .	70,450 00
16.	For jail and house of correction, maintenance and operation . . . . .	416,804 66
18.	For court houses and registry buildings, mainte- nance and operation . . . . .	270,778 84
20.	For agricultural school or county aid to agriculture, maintenance and operation . . . . .	117,205 38
21.	For state reservation, maintenance and operation (Mount Wachusett) . . . . .	33,984 83
21a.	For state reservation, maintenance and operation (Purgatory Chasm) . . . . .	17,373 00
24.	For non-contributory pensions . . . . .	54,772 00
25.	For contributory retirement system and super- visory expenses . . . . .	94,029 00
26.	For miscellaneous and contingent expenses . . . . .	26,143 93
27.	For unpaid bills of previous years . . . . .	17,499 10
28.	For reserve fund . . . . .	40,000 00
29.	For bindery department . . . . .	14,920 66
30.	For forest fire patrol . . . . .	2,500 00
31.	For radio system for fire protection . . . . .	600 00
32.	For Dutch elm disease . . . . .	9,000 00
39.	For group insurance . . . . .	37,500 00
Total amount of appropriations . . . . .		\$4,130,669 78
Less estimated amount available for reduction of county tax . . . . .		708,497 17

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 . . . \$3,422,172 61

SECTION 2. Sums appropriated in section one are based upon de-  
tailed 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 appro-  
priated 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 sub-classes within a main group may be made by the authorized official of the organization unit whenever in his opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated in section one for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated in section one shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general law to the contrary; 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 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, but not more than two may attend.

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.

No moneys appropriated under this act for the payment of unpaid bills of previous years shall be expended by county commissioners for unpaid bills which have been incurred eighteen months or more prior to the passage of this act.

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-two, in accordance with the approved list filed with the county personnel board by the joint committee on counties.

SECTION 6. This act shall take effect upon its passage.

*Approved July 18, 1962.*

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**Chap. 684.** AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO CONSTRUCT CERTAIN SEWERAGE WORKS IN THE TOWN OF BRAINTREE AND TO CONTRACT WITH THE TOWN OF BRAINTREE FOR THE DISPOSAL OF SEWAGE FROM A LOW AREA IN THE CITY OF QUINCY.

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

SECTION 1. The metropolitan district commission is hereby authorized and directed to construct such additional main sewers and sewer connections from the city of Quincy's sewer at the town line of Braintree in the vicinity of West Howard street to the Howard street pumping station of the town of Braintree, and to contract with the town of Braintree, through its board of sewer commissioners, for the use of its pumping station and discharge sewer from the pumping station to the metropolitan trunk sewer at Weymouth Fore river as it may deem necessary to enable the city of Quincy to drain by gravity its sewerage system from a low area in the vicinity of Bower road and West Howard street into the metropolitan sewer, as provided by section two of chapter ninety-two of the General Laws. 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 committees on ways and means of the senate and house of representatives.

SECTION 2. To meet the expenditures necessary in carrying out the provisions of this act, there may be expended from item 8701-00 of section two of chapter five hundred and ninety-one of the current year a sum not exceeding five thousand dollars.

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

*Approved July 18, 1962.*

**Chap. 685.** AN ACT MAKING FURTHER PROVISIONS FOR THE GOVERNMENT CENTER COMMISSION TO CONSTRUCT A STATE OFFICE BUILDING AND A HEALTH, WELFARE AND EDUCATION SERVICE CENTER.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide, as soon as may be, urgently needed facilities in the city of Boston for various state departments, commissions and agencies, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. The first paragraph of section 4 of chapter 635 of the acts of 1960 is hereby amended by adding after the word "building", in line 7, the following: — ; provided, that the commission shall not be required to demolish the building occupied by the metropolitan district commission.

SECTION 2. Said chapter 635 of the acts of 1960 is hereby further amended by striking out section 6 and inserting in place thereof the following section: — *Section 6.* The commission shall, after consultation with the Boston Redevelopment Authority, take by eminent domain, under the provisions of chapter seventy-nine of the General Laws or acquire by purchase or otherwise, such land within the area bounded by Cambridge street, Sudbury street, Merrimac street and Staniford street in the city of Boston as the commission shall deem advisable for the purpose of erecting thereon a health, welfare and education service center, consisting of (1) a mental health center and state laboratories building; (2) an employment security building, and (3) a health, welfare and education building. The commission shall conduct necessary preliminary planning surveys, shall cause to be cleared the site acquired for the health, welfare and education service center, and shall develop an over-all plan for the center, including provision for enclosed parking facilities. The commission shall also determine the location of the buildings, provide for appropriate landscaping, and determine the agencies to be located in the buildings to be constructed thereon. The plans may provide for the construction of an underground passageway or

passageways connecting said buildings with the state office building and other public buildings and facilities and shelter facilities.

The commission shall cause plans and specifications to be prepared and shall enter into contracts for the construction of the mental health center and state laboratories building which shall be for the use of the state department of mental health and other state departments requiring laboratory facilities and for the construction of the health, welfare and education building. The commission may install in said buildings such elevators, moving stairways, escalators, partitions, plumbing, heating, air conditioning, electrical fixtures, machinery and equipment as the commission may deem necessary and desirable, but shall not be required to install any furniture, furnishings or laboratory equipment.

The commission, after consultation with the division of employment security, shall cause site and building plans and specifications to be prepared for an office building for use of the said division. The commission may cause to be installed in said building such elevators, moving stairways, escalators, plumbing, heating, air conditioning, electrical fixtures, partitions, machinery and equipment, after consultation with the division of employment security, as in their judgment may be required, but shall not be required to furnish or install any furniture or furnishings. Before approval by the commission of final plans and specifications of said building, the commission shall notify in writing the state superintendent of buildings and the director of the division of employment security of the estimated costs. In determining the total estimated costs of construction, the commission shall consider the cost of construction of the building and the proportion of the cost, allocable to the employment security building and the land appurtenant thereto, of (1) the site thereof, (2) the preliminary costs including surveys and site development, (3) the payment to the city of Boston in lieu of taxes, (4) landscaping and tunnels, and (5) the finance charges including interest and amortization of the cost incident to the issuance of the bonds under section seven. After such consideration and upon approval of final plans and specifications, the commission shall enter into contracts for the construction of a division of employment security building for the use of the division of employment security. At least six months prior to the estimated date of completion of construction, the commission shall notify the director of the division of employment security and the state superintendent of buildings of the estimated date for the completion of said building. The director of the division of employment security is hereby authorized and directed following such notification to negotiate and enter into a lease for the use of said building by the division of employment security with the state superintendent of buildings which shall, upon the recommendation of the commission on administration and finance, be submitted to the governor and council for approval. The lease shall be for a term of not more than twenty years and shall provide for a square foot rental based upon, but not limited to the factors outlined in this paragraph. Said lease shall provide also that the division of employment security shall assume full responsibility for the costs of operation, as well as maintenance and repair of said building including land appurtenant thereto during the term of the lease. In addition thereto, said lease shall include an option to renew said lease on terms which will reflect only the costs of operation, maintenance and repair of the building during the period of the

term of extension, plus an apportioned share of the payment in lieu of taxes to the city of Boston, as provided in section eight of this act. Said renewal of said lease shall not include any charge based on the principal and interest of the bonds issued as provided in section seven. The treasurer and receiver general shall apply all funds received under the terms of the aforesaid lease to the payment of obligations incurred by the commonwealth pursuant to this paragraph. Any federal funds received by the commission for the purposes of constructing the facilities authorized in this paragraph and not otherwise provided for by said lease shall be applied to the payment of obligations incurred by the commonwealth.

SECTION 3. Said chapter 635 of the acts of 1960 is hereby further amended by striking out section 7 and inserting in place thereof the following section: — *Section 7.* To meet the expenditures necessary in carrying out the provisions of section six of this act, the state treasurer shall, upon request of the governor and council, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor and council from time to time, but not exceeding in the aggregate the sum of thirty-four million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, State Government Center Loan, Act of 1960, and shall be on the serial plan for such maximum term of years, not exceeding twenty years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year, shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. The bonds shall bear interest semi-annually at such rate as the state treasurer with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof, and the entire issue not later than June thirtieth, nineteen hundred and eighty-five.

SECTION 4. Said chapter 635 of the acts of 1960 is hereby further amended by striking out section 12 and inserting in place thereof the following section: — *Section 12.* Upon acceptance as completed of any building provided for by this act, the commission shall deliver to the state division of building construction all plans, specifications, surveys and papers relating to site acquisition, engineering, planning and construction of such building and the state superintendent of buildings shall assume full responsibility for the operation and maintenance of the property, subject to appropriation, except the building provided for in the third paragraph of section six. Any funds in excess of the actual cost of acquisition of the sites and construction of the buildings provided for in this act shall be applied to the repayment of any loan or loans. All federal funds received as reimbursement for any expenditures by the commission as provided in this act shall be applied to the repayment of any loan or obligation incurred by the commonwealth for the purpose.

*Approved July 18, 1962.*

**Chap. 686.** AN ACT CHANGING THE NUMBER OF DOORKEEPERS OF BOTH BRANCHES OF THE GENERAL COURT.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to change the number of doorkeepers for each branch of the legislature and it is desirable to effect such change as early as possible during the present session of the general court, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

Section 18 of chapter 3 of the General Laws, as most recently amended by section 2 of chapter 421 of the acts of 1945, is hereby further amended by striking out, in line 1, the words "a doorkeeper" and inserting in place thereof the words: — two doorkeepers, — so as to read as follows: — *Section 18.* There shall be two doorkeepers for each branch, each with the title of assistant sergeant-at-arms, and such assistant doorkeepers as it may direct, a porter in the lobby of the house of representatives, general court officers, pages, a clerk to take charge of the legislative document room, an assistant clerk of said room, and such assistants therein as may be necessary, for whose fitness and good conduct the sergeant-at-arms shall be responsible. Such employees shall receive such compensation as may be established by the committees on rules of the two branches of the general court acting concurrently.

*Approved July 18, 1962.*

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**Chap. 687.** AN ACT RESTRICTING THE HOURS DURING WHICH CERTAIN MINORS MAY OPERATE MOTOR VEHICLES.

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

Section 8 of chapter 90 of the General Laws is hereby amended by striking out the first sentence, as appearing in chapter 307 of the acts of 1958, and inserting in place thereof the following four sentences: — Application for a license to operate motor vehicles may be made by any person; but before such a license is granted the applicant shall pass such examination as to his qualifications as the registrar, without discriminating as to age, shall require, and no license shall be issued until the registrar or his authorized agent is satisfied that the applicant is a proper person to receive it and, except as hereinafter provided, no such license shall be issued to any person under eighteen years of age. A junior operator's license may be issued to a minor sixteen years of age or over but under eighteen years of age, under rules and regulations established by the registrar; provided, however, that such license shall not entitle a licensee to operate a motor vehicle between the hours of one o'clock ante meridian and five o'clock ante meridian unless accompanied by a parent or legal guardian. The extent to which a holder of a junior operator's license may operate a motor vehicle thereunder shall be printed on each such license and any holder of such a license who operates a motor vehicle otherwise than as indicated on his license shall be deemed to be operating a motor vehicle without being duly licensed under this chapter. The registrar shall prescribe the form of application for the junior operator's license, and each applicant shall submit with his application a birth, baptismal or school certificate.

*Approved July 18, 1962.*

**Chap. 688.** AN ACT PROHIBITING THE SALE OR INSTALLATION OF SECONDHAND SPACE HEATERS AND SECONDHAND PORTABLE STOVES AND THE USE OF SPACE HEATERS IN BUILDINGS USED FOR HUMAN HABITATION.

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

SECTION 1. Chapter 148 of the General Laws is hereby amended by inserting after section 25 the following section: —

*Section 25A.* No person shall sell, offer for sale or install a secondhand space heater, or a secondhand portable stove which uses kerosene, range oil or number one fuel oil for fuel. No person shall install or use in any building which is used in whole or in part for human habitation an unvented space heater which uses gas or oil as a fuel. Whoever violates any provision of this section shall be punished by a fine of not more than one hundred dollars.

SECTION 2. Said chapter 148 is hereby further amended by inserting after section 25A the following section: —

*Section 25B.* On and after July first, nineteen hundred and sixty-five, no person shall use or allow to be used a space heater in any building which is used in whole or in part for human habitation. As used in this section, "space heater" includes portable space heater, parlor heater, cabinet heater, room heater and any similar heater having a barometric fed fuel control and its fuel supply tank located less than forty-two inches from the center of the burner and means the type of heating appliance adapted for burning kerosene, range oil or number one fuel oil and used principally for the heating of the space in and adjacent to that in which such appliance is located. Whoever violates any provision of this section shall be punished by a fine of not more than one hundred dollars.

*Approved July 18, 1962.*

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**Chap. 689.** AN ACT PROVIDING THAT A CERTAIN LICENSE TO BUILD A SEA-WALL AND TO FILL SOLID OVER CERTAIN TIDEWATERS, IN SO FAR AS IT PERTAINS TO CERTAIN LAND, SHALL BE IRREVOCABLE.

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

License No. 1940 granted by the Board of Harbor and Land Commissioners to Boston and Lowell Railroad Corporation to build a sea-wall and fill solid in and over the tidewaters of Miller's River in the city of Cambridge, dated July fourteen, eighteen hundred and ninety-six, in so far as said license pertains to the following described parcel of land, shall be irrevocable, notwithstanding any provision of general or special law to the contrary: — Beginning at a point 278.00 feet South 76° 19' 15" East from a point which is 460.61 feet North 34° 21' 50" East from a point which in turn is 45.50 feet North 34° 21' 50" East from the point where the southeasterly sideline of East Street meets the northeasterly sideline of Monsignor O'Brien Highway (Bridge Street); thence running 158.00 feet South 76° 19' 15" East; thence turning and running South 13° 40' 45" West 152.00 feet; thence turning and running North 76° 19' 15" West for a distance of 215.00 feet; thence turning and running South 34° 14' 10" West a distance of 162.34 feet to the point of beginning; containing approximately twenty-eight thousand three hundred forty-



eight square feet. Said parcel of land is shown as Lot #2 on a plan entitled "Land in Cambridge, Mass. Boston & Maine Railroad to Ogden Realty Trust, J. F. Kerwin Asst. Chief Eng'r., Scale 1" = 50' November, 1960" and recorded with Middlesex South District Registry of Deeds, Book 9732, page 297.

*Approved July 18, 1962.*

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**Chap. 690.** AN ACT RELATIVE TO THE APPEAL OF CERTAIN GRIEVANCES OF STATE EMPLOYEES.

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

Section 49 of chapter 30 of the General Laws, as amended by section 16 of chapter 680 of the acts of 1954, is hereby further amended by striking out the last sentence and inserting in place thereof the following three sentences: — If the division finds that the office or position of the person appealing warrants a different position reallocation or that the class in which said position is classified should be reallocated to a higher job group, it shall report such recommendation to the budget commissioner and the house and senate committees on ways and means in accordance with paragraph (5) of section forty-five. Any employee or group of employees further aggrieved after appeal to the division may appeal to the personnel appeals board established in section fifty-four. Said board shall hear all appeals as if said appeals were originally entered before it. If said board finds that the office or position of the person appealing warrants a different position reallocation or that the class in which said position is classified should be reallocated to a higher job group, it shall report such recommendation to the budget commissioner and the house and senate committees on ways and means in accordance with paragraph (5) of section forty-five.

*Approved July 18, 1962.*

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**Chap. 691.** AN ACT PROVIDING THAT A CERTAIN LICENSE GRANTED BY THE DEPARTMENT OF PUBLIC WORKS TO BUILD AND MAINTAIN A DRAWBRIDGE AND TO FILL SOLID OVER CERTAIN TIDEWATERS, IN SO FAR AS IT PERTAINS TO CERTAIN LAND, SHALL BE IRREVOCABLE.

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

License No. 1177A granted by the department of public works to the Boston and Maine Railroad to build and maintain a drawbridge and to fill solid in the Charles river in the cities of Boston and Cambridge, in so far as said license pertains to the following described parcels of land, shall, upon compliance with the following conditions, be deemed to be irrevocable:

1. Application therefor, pursuant to the provisions of section fourteen of chapter ninety-one of the General Laws;
2. Recording thereof with accompanying plan within one year after date thereof in the registry of deeds for Suffolk county, pursuant to the provisions of section eighteen of said chapter;
3. Payment to the commonwealth of such compensation, if any, as may be properly assessed by said department for tidewater displacement, pursuant to the provisions of section twenty-one of said chapter;

4. Payment to the commonwealth of such compensation, if any, as may be determined by the governor and council to be properly due to the commonwealth for occupation of Commonwealth Flats, so-called, pursuant to the provisions of section twenty-two of said chapter;

5. Performance of any work authorized by any such license in accordance with plans submitted to and approved by said department, pursuant to the provisions of section twenty of said chapter;

6. Completion of said authorized work within five years after the date of any such license, or of any extension or extensions thereof, pursuant to the provisions of section fifteen of said chapter; and

7. The actual building or making in good faith of valuable structures, fillings or enclosures under the authority of any such license and during the terms thereof, or of any extension or extensions thereof, pursuant to the provisions of section fifteen of said chapter:

*Parcel A.* Beginning at a point on the northerly side of Causeway Street, so-called, at the southwesterly corner of the parcel herein described, said point being North  $54^{\circ} 01' 18''$  East 549.04 feet from the easterly side of Nashua Street, so-called; thence running partly along a sidewalk, so-called, and partly along the face of the North Station (Boston Garden) so-called, North  $36^{\circ} 03' 32''$  West 205.83 feet; thence turning and running along said last mentioned building and the Mail and Baggage Building, so-called, South  $53^{\circ} 54' 58''$  West 100.12 feet; thence turning and running along land of the Boston and Maine Railroad North  $36^{\circ} 03' 32''$  West 158.92 feet; thence turning and running North  $53^{\circ} 54' 58''$  East 94.12 feet; thence turning and running along a Private Way, so-called, North  $36^{\circ} 03' 32''$  West 135.07 feet; thence turning and running South  $54^{\circ} 09' 53''$  West 105.34 feet; thence turning and running along land of the Boston and Maine Railroad on the following seven courses: North  $35^{\circ} 50' 07''$  West 5.00 feet; thence North  $35^{\circ} 59' 03''$  West 445.84 feet; North  $53^{\circ} 56' 28''$  East 154.74 feet; thence turning and running South  $36^{\circ} 03' 32''$  East 951.13 feet; thence curving to the left having a radius of 20.39 feet, a distance of 30.91 feet; thence North  $57^{\circ} 05' 53''$  East 58.16 feet; thence curving to the right having a radius of 83.50 feet a distance of 58.62 feet to Warren Avenue, so-called, thence turning and running along said Warren Avenue, so-called, South  $9^{\circ} 45' 47''$  East 21.25 feet; thence turning and running with a curve to the left having a radius of 63.50 feet for a distance of 50.83 feet; thence South  $57^{\circ} 05' 53''$  West for a distance of 54.15 feet; thence curving to the left having a radius of 21.04 feet for a distance of 34.21 feet; thence running along a Private Way, so-called, South  $36^{\circ} 03' 32''$  East 384.03 feet to the northerly sideline of Causeway Street, so-called, thence turning and running along said Causeway Street, so-called, South  $54^{\circ} 01' 18''$  West 44.00 feet, to the point of beginning; said measurements being more or less.

*Parcel B.* Beginning at a point about Northerly 3680 feet Westerly 498 feet co-ordinate of the meridian (of the year 1914) of the dome of the State House, said point being on an old sea wall about 4 feet southerly of U. S. Pierhead and Bulkhead Line of Year 1950 and/or the Commonwealth of Massachusetts Harbor Line of the year 1950; thence Northeasterly and running parallel to said Pierhead and Bulkhead Line about 240 feet to a point; thence turning and running in a Southeasterly direction 10 feet from the parallel to track No. 11, 725 feet to a point on the Year 1647 extreme low water line as indicated on the plan

accompanying the final decree of the Supreme Judicial Court, Equity No. 68368; thence by said low water line of Year 1647 on seven courses as follows: Southwesterly 112 feet, Northwesterly 115 feet; thence on a curve to the right 60 feet; thence Northwesterly 220 feet; thence by a curve to the left about 95 feet; thence Westerly 70 feet; thence Westerly 245 feet to a point on the Northerly sideline of Nashua Street, so-called, said point being on the property line of the Commonwealth of Massachusetts; thence turning and running on three courses as follows: Northwesterly 79 feet; thence on a curve to the right a distance of 321 feet; thence Northwesterly about 75 feet, to the point of beginning.

*Approved July 18, 1962.*

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**Chap. 692.** AN ACT AUTHORIZING THE COMMONWEALTH TO BORROW MONEY TO MEET THE NON-FEDERAL COST OF THE THREE RIVERS, MASSACHUSETTS, LOCAL FLOOD PROTECTION PROJECT AND PROVIDING FOR CO-OPERATION WITH THE FEDERAL GOVERNMENT IN SAID PROJECT.

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

SECTION 1. For the purpose of participating with the federal government in the construction of certain works, known as the Three Rivers, Massachusetts, Local Flood Protection Project, for the protection of property against flood in the Chicopee, Ware and Quaboag rivers, in the town of Palmer, which works are authorized by the Congress under the Flood Control Act of 1960, the water resources commission is hereby authorized to give the necessary assurances to the Secretary of the Army that the conditions imposed on the local interests by the law will be met.

SECTION 2. The water resources commission, hereinafter called the commission, is hereby authorized and directed to give to the Secretary of the Army, hereinafter called the secretary, the assurances of the commonwealth, in form satisfactory to the secretary, that the commission will perform all acts required to be performed by local interests in connection with the construction of the works by the United States, and that the town of Palmer will maintain and operate, in accordance with the regulations prescribed by the secretary, such flood control works when completed as are within said town.

SECTION 3. The town of Palmer shall provide the land for the project and 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 other easements, public or private, as required by the secretary for the construction of the works authorized under this act. The value of the land acquired by the town and other non-federal project costs paid by the town as a part of the project cost, which are approved by the commission, shall be charged to the commission for payment out of the funds made available under section nine of this act.

SECTION 4. The commission is hereby authorized to relocate and reconstruct highways, roads and streets, including bridges and approaches and other structures, and including water pipes, gas pipes, sewers and power lines, railroad tracks, and other structures, tailraces, raceway conduits and extensions and connections incidental thereto,

and construct or reconstruct dams and pumping stations, both publicly and privately owned, and do all other work required by the secretary to be performed by local interests as provided in said statutes and to enter on private lands for said purposes.

SECTION 5. The commission may enter into contracts with the secretary or his agents, or with the town of Palmer, or with the state department of public works, or with railroads and the public service corporations or owners of dams to carry out and perform any of the work authorized by this act. The cost of such work shall be paid by the commission out of funds made available under section nine of this act.

SECTION 6. After completion thereof the town of Palmer shall maintain and operate all the flood control works, including pumping stations built hereunder within the municipal limits of said town, and all sewers, water pipes, highways and bridges and other structures owned by said town.

SECTION 7. Said town, within its limits, shall prescribe and enforce regulations designed to prevent encroachments on the improved channels, and shall take such means as may be necessary to prevent any encroachments upon the flood channel capacities to be provided by the proposed improvements.

SECTION 8. The commission may employ temporarily such engineering, clerical and other assistance as it deems necessary for the purpose of carrying out the work authorized by this act. Such persons shall be subject to the provisions of chapter thirty-one of the General Laws, except that their employment may continue until the completion of said work, any provision of said chapter thirty-one to the contrary notwithstanding.

SECTION 9. To meet the non-federal cost of the project for the construction of the Three Rivers, Massachusetts, Local Flood Protection Project, 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 hundred fifty thousand dollars. All bonds issued by the commonwealth as aforesaid shall bear on their face the words, Three Rivers, Massachusetts, Local Flood Protection Project Loan, Act of 1962, and shall be on the serial payment plan for such maximum term of years, not exceeding fifteen 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 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 issuance thereof.

SECTION 10. The governor and council may request the state treasurer to enter into an agreement with the secretary to finance the payment of the eligible portion of the non-federal cost under the provisions of section 203 of the Flood Control Act of 1960, if considered in the best interest of the commonwealth.

SECTION 11. The state treasurer shall notify the town of Palmer annually on January first of its assessment based on fifty per cent of the interest and principal payments on the bonds issued in accordance with section nine of this act and the annual payment, if any, made to the federal government under the provisions of section ten of this act with the assessments to be paid to the commonwealth by the following May first.

SECTION 12. This act shall take effect upon its acceptance by the town of Palmer.

*Approved July 18, 1962.*

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**Chap. 693.** AN ACT CREATING THE HAMPDEN COUNTY ARENA AUTHORITY AND PROVIDING FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF AN INDOOR HOCKEY AND SKATING RINK IN THE CITY OF SPRINGFIELD BY SAID AUTHORITY.

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

SECTION 1. The authority created by section two of this act is hereby authorized to take by eminent domain or acquire by purchase or otherwise land with or without buildings thereon in the city of Springfield, and to construct, maintain and operate thereon, an arena for the purpose of providing an indoor hockey and skating rink for use primarily by individuals, and school and amateur teams, in the cities and towns within Hampden county; provided, however, that during the months of May, June, July, August and September in each year and at such other times as there is no substantial demand for the use of such arena or any part thereof as such a rink, the authority may permit the use of such arena or part thereof for other purposes as provided in this act.

SECTION 2. There is hereby created a public body politic and corporate to be known as the Hampden County Arena Authority, hereinafter called the authority, which 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 essential governmental functions and the authority shall not 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.

The authority shall consist of the mayor of Springfield, ex officio, and four other members appointed by the governor; provided, however, that the mayor of Springfield may whenever from time to time he shall deem it expedient designate by a writing filed in the office of the state secretary, a person, for whose acts he shall be responsible, to act in his stead as a member of the authority; and so long as such designation shall remain unrevoked, such designee shall exercise the powers and perform the duties of such commissioner as a member of the authority; but such designee shall not otherwise be deemed to be, or act as, a member of the authority. The terms of the four members first appointed by the governor shall expire on May first, nineteen hundred and sixty-three, nineteen hundred and sixty-four, nineteen hundred and sixty-five and nineteen hundred and sixty-six, respectively.

As the term of any member so appointed, or of any subsequent appointive member, expires, his successor shall be appointed by the governor, for a term of four years. Any vacancy in the office of an appointive member shall be filled by the governor, for the unexpired term.

Every appointive member shall be a resident of Hampden county. Every appointive member shall continue in office after the expiration of his term until his successor is duly appointed and qualified. Any appointive member may be removed by the governor, for misfeasance, malfeasance or wilful neglect of duty, but only after reasonable notice and a public hearing unless the same are in writing expressly waived.

The governor shall from time to time designate one of the appointive members as chairman and another as vice-chairman; and the authority shall elect a secretary-treasurer who need not be a member of the authority. Three members of the authority shall constitute a quorum; and a vote of three 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.

The members of the authority shall serve without compensation, but shall be reimbursed for expenses necessarily incurred in the performance of their duties. Every member of the authority shall execute a surety bond in the penal sum of twenty thousand dollars, and the secretary-treasurer shall execute a surety bond in the penal sum of fifty thousand dollars, each 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 state secretary.

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 take by eminent domain, acquire, hold and dispose of real and personal property, and to construct on property so taken, acquired or held an arena, in the exercise of its powers and the performance of its duties under this act;

(e) To insure, maintain, repair and improve such arena and operate the same as an indoor hockey and skating rink for use primarily by individuals, and school and amateur teams, in the cities and towns within Hampden county, but not to the full exclusion of other individuals or teams or of skating exhibitions or championship hockey matches or the like, and, during the months of May, June, July, August and September in each year and at such other times as there is no substantial demand for the use of such arena or any part thereof as such a rink, to permit the use of such arena or part thereof for such school and civic athletics and physical education and for such educational, recreational, social, civic, philanthropic and similar purposes as the authority may deem to be for the interest of the people of said cities and towns; or, if there is no substantial demand for such use of such arena or part thereof, to permit the use of such arena or part thereof for commercial purposes;

(f) To provide through its employees, or by the grant of one or more concessions, or in part through its employees and in part by the grant of one or more concessions, for the furnishing of services and things for the accommodation of persons admitted to or using such arena or any part thereof;

(g) To establish rules and regulations, and fix policies, for the use of such arena as an indoor hockey and skating rink and for the other purposes provided for in this act;

(h) To fix from time to time and charge and collect fees for admission to, or the use or occupancy of, such arena or any part thereof, and for the grant of concessions therein and for things furnished, or services rendered, by the authority; and

(i) To make all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act, to employ a general manager and such other employees and agents as may be necessary in its judgment, and to fix their compensation, and to do all acts and things necessary or convenient to carry out the powers expressly granted in this act.

The authority shall fix such fees under clause (h) as in its judgment are best adapted to insure sufficient income to meet the expenses of the authority.

SECTION 4. If so requested in writing by the authority, the department of public works may perform work or render services for the authority, and the authority shall pay the commonwealth therefor the amount which said department shall determine the performance of such work or the rendition of such services cost the commonwealth.

SECTION 5. Expenses, liabilities and obligations incurred in carrying out 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 such political subdivision, but shall be payable solely from funds provided under authority of this act; and no expense, liability or obligation shall be incurred by the authority under this act beyond the extent to which moneys shall have been provided under the provisions of this act. Any member, agent or employee of the authority who contracts with the authority or is interested, either directly or indirectly, in any contract with the authority 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 6. The authority and all its real and personal property shall be exempt from taxation and from betterments and special assessments; and the authority shall not be required to pay any tax, excise or assessment to or for the commonwealth or any of its political subdivisions; nor shall the authority be required to pay any fee or charge for any permit or license issued to it by the commonwealth, by any department, board or officer thereof, or by any political subdivision of the commonwealth, or by any department, board or officer of such political subdivision.

SECTION 7. 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 state

auditor; and the cost thereof shall be treated as part of the cost of operating such arena. Such audits shall be deemed to be public records within the meaning of chapter sixty-six of the General Laws.

SECTION 8. 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 the project; provided, however, that the amount of bonds to be issued under this act shall not exceed, in the aggregate, the sum of one 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 at such time or times not exceeding forty years from their date or dates as may be determined by the authority, and may be made redeemable before maturity at the option of the authority, at such price or prices and under such terms and conditions as may be fixed by the authority prior to the issuance of the bonds. The authority shall determine the form of the bonds, including any interest coupons to be attached thereto, and the manner of execution of the bonds, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within the commonwealth. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery. All bonds issued under the provisions of this act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the Uniform Commercial Code. The bonds may be issued in coupon or in registered form, or both, as the authority may determine, and provision may be made for the registration of any coupon bonds as to principal alone, and also as to both principal and interest, and for the reconversion into coupon bonds of any bonds registered as to both principal and interest. The authority may sell such bonds in such manner, either at public or at private sale, and for such price, as it may determine to be for the best interests of the authority, but no such sale shall be made at a price so low as to require the payment of interest on the money received therefor at more than 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, and shall be disbursed in such manner and under such restrictions, if any, as the authority 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, 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 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 by the authority under the provisions of this act without obtaining the consent of any department, division, commission, board, bureau or agency of the commonwealth, and without any other proceedings or the happening of any other conditions or things than those proceedings, conditions or things which are specifically required by this act.

The authority is hereby authorized to provide by resolution for the issuance of refunding bonds of the authority for the purpose of refunding any bonds that are outstanding and issued under the provisions of this act, including 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, and the duties of the authority in respect to the same, shall be governed by the provisions of this act in so far as the same may be applicable.

While any bonds issued by the authority 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 9. The authority shall, in awarding contracts for the construction of a building or construction work on a building, be subject to the provisions of sections twenty-six to twenty-seven D, inclusive, and sections forty-four A to forty-four L, inclusive, of chapter one hundred and forty-nine of the General Laws, and sections thirty-nine F, thirty-nine J and thirty-nine K of chapter thirty of the General Laws.

*Approved July 18, 1962.*

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**Chap. 694.** AN ACT INCREASING THE SALARIES OF THE DISTRICT ATTORNEY AND ASSISTANT DISTRICT ATTORNEYS FOR THE SOUTHERN DISTRICT AND PROVIDING FOR THE APPOINTMENT OF TWO ADDITIONAL ASSISTANT DISTRICT ATTORNEYS FOR SAID DISTRICT AND ESTABLISHING THEIR SALARIES.

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

SECTION 1. Section 14 of chapter 12 of the General Laws is hereby amended by striking out the eighth paragraph, contained in lines 17 to 22, inclusive, as appearing in section 2 of chapter 423 of the acts of 1948, and inserting in place thereof the following paragraph:—

For the southern district, six assistant district attorneys.

SECTION 2. Section 15 of said chapter 12 is hereby amended by striking out the eighth paragraph, as appearing in section 1 of chapter 684 of the acts of 1956, and inserting in place thereof the following paragraph:—

For the southern district, twelve thousand dollars.

SECTION 3. Section 16 of said chapter 12 is hereby amended by striking out the eighth paragraph, as amended by chapter 500 of the acts of 1959, and inserting in place thereof the following paragraph:—

For the southern district, one assistant, six thousand five hundred dollars; one assistant, five thousand five hundred dollars; and four assistants, four thousand five hundred dollars.

*Approved July 18, 1962.*

**Chap. 695.** AN ACT RELATIVE TO REGISTRATION OF AND ISSUANCE OF PERMITS FOR RETAIL DRUG STORES.

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

Chapter 112 of the General Laws is hereby amended by striking out section 39, as most recently amended by chapter 281 of the acts of 1953, and inserting in place thereof the following section: — *Section 39.* The board may, upon application made in such manner and form as it shall determine, register a store for the transaction of the retail drug business, which store shall be independent of and separate from any business or store other than a retail drug store and issue to such person as it deems qualified to conduct such store, a permit to keep it open; provided, however, that the board may deny such registration and refuse to issue such permit if, in its discretion, such store would be inconsistent with or opposed to the best interests of the public health, welfare or safety, but no such registration shall be made or permit issued in the case of a corporation unless it shall appear to the satisfaction of the board that the management of such drug store or pharmacy is in the hands of a registered pharmacist. Such permit shall expire on January first following the date of its issue, and the fee therefor shall be ten dollars.

*Approved July 18, 1962.*

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**Chap. 696.** AN ACT PROVIDING FOR FURNISHING SECURITY FOR PAYMENT OF TRANSPORTATION CHARGES TO TRANSPORTERS OF MATERIALS, APPLIANCES AND EQUIPMENT USED OR EMPLOYED IN PUBLIC CONSTRUCTION.

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

Section 29 of chapter 149 of the General Laws, as most recently amended by section 1 of chapter 682 of the acts of 1957, is hereby further amended by striking out the first and second paragraphs and inserting in place thereof the following two paragraphs: —

Officers or agents contracting in behalf of the commonwealth or in behalf of any county, city, town, district or other political subdivision of the commonwealth or other public instrumentality for the construction, reconstruction, alteration, remodeling, repair or demolition of public buildings or other public works when the amount of the contract in the case of the commonwealth is more than five thousand dollars, and in any other case is more than two thousand dollars, shall obtain security by bond in an amount not less than one half of the total contract price, for payment by the contractor and subcontractors for labor performed or furnished and materials used or employed therein, including lumber so employed which is not incorporated therein and is not wholly or necessarily consumed or made so worthless as to lose its identity, but only to the extent of its purchase price less its fair salvage value, and including also any material specially fabricated at the order of the contractor or subcontractor for use as a component part of said public building or other public work so as to be unsuitable for use elsewhere, even though such material has not been delivered and incorporated into the public building or public work, but only to the extent of its purchase price less its fair salvage value and only to the extent that such specially fabricated material is in conformity with the contract, plans and speci-

cations or any changes therein duly made; for payment of transportation charges for materials used or employed therein which are consigned to the contractor or to a subcontractor who has a direct contractual relationship with the contractor; for payment by such contractor and subcontractors of any sums due for the rental or hire of vehicles, steam shovels, rollers propelled by steam or other power, concrete mixers, tools and other appliances and equipment employed in such construction, reconstruction, alteration, remodeling, repair or demolition; for payment of transportation charges directly related to such rental or hire; and for payment by such contractor and subcontractors of any sums due trustees or other persons authorized to collect such payments from the contractor or subcontractors, based upon the labor performed or furnished as aforesaid, for health and welfare plans and other fringe benefits which are payable in cash and provided for in collective bargaining agreements between organized labor and the contractor or subcontractors; provided, that any such trustees or other persons authorized to collect such payments for health and welfare plans and other fringe benefits shall, subject to the following provisions, be entitled to the benefit of the security only in an amount based upon labor performed or furnished as aforesaid for a maximum of one hundred and twenty consecutive calendar days.

In order to obtain the benefit of such security the claimant shall file, with the county treasurer in the case of a contract with a county, with the city or town clerk in the case of a contract with a city or town, and with the contracting officer or agent in the case of a contract with the commonwealth, a district or other political subdivision or other public instrumentality, a sworn statement of his claim prior to the expiration of ninety days after the claimant ceases to perform labor or furnish labor, materials, appliances and equipment or transportation as aforesaid, for which claim is made, and for payments due for health and welfare plans and other fringe benefits, prior to the expiration of ninety days after the date of the furnishing of the last of the labor for which such payments are made and claimed, and for specially fabricated material prior to the expiration of ninety days after delivery, or if delivery is refused by the contractor or subcontractor prior to the expiration of ninety days after the date of such refusal; provided, that no such claim shall be valid for specially fabricated material ordered by a subcontractor unless written notice of the placement of the order and the amount thereof has been given to the contractor principal on the bond within twenty days after such placement; and provided, that no such claim shall be valid for transportation charges, other than demurrage charges, unless written notice of the amount of the claim has been given to the contractor principal on the bond within twenty days after the date of delivery of the materials, appliances or equipment, and in the case of demurrage charges, unless written notice of the amount of the claim has been given to the contractor principal on the bond within sixty-three days after the date of release of the transportation equipment; and, if such claim is not paid or satisfied, shall file, within one year after the filing of such claim, a petition in equity in the superior court for the proper county to enforce his claim or intervene in a petition already filed.

*Approved July 18, 1962.*

**Chap. 697.** AN ACT TO AUTHORIZE THE FORMATION OF A REGIONAL SCHOOL DISTRICT FOR VOCATIONAL EDUCATION BY THE TOWNS OF SOMERSET, SWANSEA AND WESTPORT AND THE CITY OF FALL RIVER.

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

SECTION 1. The City of Fall River, by vote of its city council, and the towns of Somerset, Swansea and Westport, 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 to be appointed by the mayor, one of whom shall be a member of the school committee, and two members from each of said towns so voting to be appointed by the moderator, one of whom shall be a member of the school committee of each town.

SECTION 2. It shall be the duty of the regional school district planning board to study the advisability of establishing a regional school district, its organization, operation and control, and of constructing, maintaining and operating a school or schools to serve the needs of such district; to estimate the construction and operating costs thereof; to investigate the methods of financing such school or schools, and any other matters pertaining to the organization and operation of a regional school district; and to submit a report of its findings and recommendations to the city council of said city and to the selectmen of each of said towns.

SECTION 3. The said regional district planning board may recommend that there shall be established a regional school district which may include all the municipalities represented by its membership, or alternatively, any specified combination of such municipalities. If the said regional district planning board so recommends, it shall submit a proposed agreement or agreements setting forth as to each alternative recommendation, if such be made, the following: —

(a) The number, composition, method of selection, and terms of office of the members of the regional district school committee.

(b) The municipality or municipalities in which, or the general area within the regional school district where, the regional district school or schools are to be located.

(c) The method of apportioning the expenses of the regional school district, and the method of apportioning the costs of school construction, including any interest and retirement of principal of any bonds or other obligations issued by the district among the several municipalities comprising the district, and the time and manner of payment of the shares of said municipalities of any such expense.

(d) The method by which school transportation shall be provided.

(e) The terms by which any municipality may be admitted to or separated from the regional school district.

(f) The method by which the agreement may be amended.

(g) The detailed procedure for the preparation and adoption of an annual budget.

(h) Any other matters, not incompatible with law, which the said board may deem advisable.

Copies of such agreement shall be submitted to the emergency finance board, established under chapter forty-nine of the acts of nineteen hundred and thirty-three, and the department of education, and, subject to their approval, to the several municipalities for their acceptance.

The type of regional district school or schools shall be a vocational high school or schools consisting of grades nine through twelve, inclusive. When the district has been organized and its school is available for use, no city or town belonging to the district and no other regional school district of which such city or town is a member shall offer vocational education except with the approval of the commissioner of education. Said commissioner shall not give such approval if in his opinion it would involve unnecessary duplication of facilities. As used in this section, vocational education includes such kinds of education as may be provided by cities or towns pursuant to chapter seventy-four of the General Laws.

SECTION 4. The agreement made under section three of this act, or any amendment to such an agreement, may contain provisions authorizing any member municipality to sell, lease or grant a license to use any school building and any land appurtenant thereto or used in connection therewith to the regional school district, and any such municipality may authorize such sale, lease or license accordingly, notwithstanding the provisions of section three of chapter forty of the General Laws or any other provisions of law to the contrary. In case of a sale, the price and time or times of payment and the method by which the municipalities other than the selling municipality shall be assessed for such payment shall be set forth in the agreement or amendment; but in no case shall payments be made which shall extend over a period in excess of twenty years. In the case of a lease or license to use the rental or license fee and terms of payment and assessment shall be set forth in the agreement or amendment. The lease or license to use may be for a term or period not in excess of twenty years, and may contain provisions for the extension of the lease or license to use for an additional term or period not in excess of twenty years, at the option of the regional district school committee.

SECTION 5. Upon receipt by the city council of Fall River of a recommendation that a regional school district be established, and of a proposed agreement therefor submitted in accordance with the provisions of section one to three inclusive, of this act, said council shall direct the city clerk to cause the question of accepting the provisions of this act to be placed on the ballot to be used at the next state election or at the regular city election to be held in the year nineteen hundred and sixty-three, whichever occurs first, in substantially the form hereinafter set forth; and upon receipt by the selectmen of each of said towns of a recommendation that a regional school district be established and of a proposed agreement therefor submitted in accordance with the provisions of sections one to three of this act, said selectmen shall cause to be presented for determination by vote, with printed ballots at an annual or a special town meeting called for the purpose the question of accepting the provisions of this act, which question shall be in substantially the following form: — "Shall the city (town) accept the provisions of an act passed by the General Court in the year nineteen hundred and sixty-two, providing for the establishment of a regional school district by the city of Fall River, and the towns of (such towns as may be recommended under section three of this act) and the construction, maintenance, and operation of a regional school by the said district in accordance with the provisions of a proposed agreement filed with the city council of said city and the selectmen of said towns?" If a majority

of the voters in said city, present and voting, and a majority of the voters present and voting on said question in at least two of said towns shall vote in the affirmative, this act shall become fully effective, and the proposed regional school district, comprising said city and the towns which accepted this act as herein provided, shall be deemed to be established forthwith in accordance with the terms of the agreement so adopted.

SECTION 6. The regional school district established under the provisions of section five shall be a body politic and corporate with all the powers and duties conferred by law upon school committees, and with the following additional powers and duties: —

(a) To adopt a name and a corporate seal. The engraved or printed facsimile of such seal on a bond or note of the district shall have the same validity and effect as though such seal were impressed thereon.

(b) To sue and be sued, but only to the same extent and upon the same conditions that a city or town may sue or be sued.

(c) To acquire property within the municipalities comprising the district under the provisions of chapter seventy-nine and section fourteen of chapter forty of the General Laws, for the purposes of the district, and to construct, reconstruct, add to, remodel, make extraordinary repairs to, equip, organize and operate a school or schools for the benefit of the municipalities comprising the district, and to make any necessary contracts in relation thereto.

(d) To incur debt for the purpose of acquiring land and constructing, reconstructing, adding to, and equipping a school building or buildings for a term not exceeding twenty years or for the purpose of remodeling and making extraordinary repairs to a school building or buildings for a term not exceeding ten years; provided, however, that any indebtedness so incurred shall not exceed an amount approved by the emergency finance board; and provided, further, that written notice of the amount of the debt and of the general purposes for which it was authorized shall be given to the city council of said city and to the board of selectmen in each of the member towns comprising the district not later than seven days after the date on which said debt was authorized by the district committee; and no debt may be incurred until the expiration of thirty days from the date said debt was authorized by the district committee. If, prior to the expiration of said period, the city council of said city expresses disapproval of the amount authorized by the district committee, or any member town expresses such disapproval by vote of a majority of the voters present and voting on the matter at a town meeting called for the purpose of expressing such disapproval, the said debt shall not be incurred and the district school committee shall prepare another proposal which may be the same as any prior proposal and an authorization to incur debt therefor.

(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 treasurer of the district committee, except that said chairman by a writing bearing his written signature and filed in the office of said treasurer, which writing shall be open to public inspection, may authorize said treasurer to cause to be engraved or printed on said bonds or notes a facsimile of said chairman's signature, and such facsimile so engraved or printed shall have the same validity and effect as said chairman's written signature, and each issue of bonds or notes shall be a separate loan.

- (f) To receive and disburse funds for any district purpose.
- (g) To incur temporary debt in anticipation of revenue to be received from member municipalities.
- (h) To assess member municipalities for any expenses of the district.
- (i) To receive any grants or gifts for the purposes of the regional district school or schools.
- (j) To engage legal counsel.
- (k) To submit an annual report to each of the member municipalities, containing a detailed financial statement, and a statement showing the method by which the annual charges assessed against each municipality were computed, together with such additional information relating to the operation and maintenance of such school or schools as may be deemed necessary by the district school committee or by the city council of said city or by the selectmen of any member town.
- (l) To employ an administrator who meets the qualifications for a director of a state aided vocational school as established by the division of vocational education of the department of education, and said administrator shall have all the powers and duties imposed upon school superintendents by law.
- (m) To adopt an annual operating and maintenance budget, not later than December first.

SECTION 7. The powers, duties and liabilities of a regional school district shall be vested in and exercised by a regional district school committee organized in accordance with the agreement. The committee shall choose a chairman by ballot from its membership. It shall appoint a secretary and a treasurer who may be the same person, but who need not be members of said committee. The treasurer shall receive and take charge of all money belonging to the district, and shall pay any bill of the district which shall have been approved by the committee. The committee may appoint an assistant treasurer who need not be a member of the committee, and who shall, in the absence of the treasurer, perform his duties and shall have the powers and be subject to the requirements and penalties applicable to him. The treasurer and assistant treasurer may, by vote of said committee, be compensated for their services. The treasurer and assistant 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, to the extent applicable.

SECTION 8. The regional district school committee shall annually determine the amounts necessary to be raised to maintain and operate the district school or schools during the ensuing calendar year, and the amounts required for payment of debt and interest incurred by the district which will be due in the said year, and shall apportion the amount so determined among the several municipalities in accordance with the terms of the agreement. The amounts so apportioned for each municipality shall, prior to December thirty-first in each year, be certified by the regional district treasurer to the treasurers of the several municipalities. Each municipality shall appropriate the amounts so certified, and in case any such municipality fails to pay over to the treasurer of said district the amount of its apportionment within the time specified in said agreement for such payment, the district school committee shall invoke the provisions of section thirty-four of chapter seventy-one of the General Laws. The city or town treasurer, as the case may be, shall

pay the amount so appropriated or any amount ordered to be raised by court decree to said district at the time or times specified in the agreement.

SECTION 9. The regional school district shall be subject to all laws pertaining to school transportation; and when the agreement provides for the furnishing of transportation by the regional school district, the commonwealth shall reimburse such district to the full extent of the amounts expended for such transportation, except that no such reimbursement shall be made for transportation of any pupil who resides less than one and one half miles, measured by a commonly traveled route, from the district school which he attends. The state treasurer shall annually, on or before November twentieth, pay to the regional school district from the proceeds of the tax on incomes, which shall be available therefor, subject to appropriation, the sums required for such reimbursement and approved by the commissioner of education. There shall be allocated from the proceeds of the tax on incomes such sums as said commissioner shall certify as necessary for the payment of such reimbursement.

SECTION 10. Each municipality comprising the regional school district shall continue to receive state aid for educational purposes in the amount to which it would be entitled if such district had not been formed; and such regional school district shall be entitled to receive state aid for construction of regional schools. The state treasurer in making annual payments to the several municipalities of the amounts required under chapter seventy of the General Laws shall pay to each municipality comprising a regional school district an additional amount equal to fifteen per cent of the amount to which such municipality would be entitled if such regional school district had not been formed. No payment shall be made under the provisions of the preceding sentence to any such municipality prior to the date of award of a contract for the construction of a regional school by the regional district school committee.

SECTION 11. The director of accounts in the department of corporations and taxation shall annually cause an audit to be made of the accounts of the regional district school committee, and for this purpose he, and his duly accredited agents, shall have access to all necessary papers, books and records. Upon the completion of each audit, a report thereon shall be made to the chairman of the district committee, and a copy thereof shall be sent to the mayor of said city and to the chairman of the board of selectmen of each town and the chairman of the school committee of each municipality which is a member of the district. The director shall apportion the cost among the several municipalities which are members of the district on the basis provided by section three of this act, and submit the amounts of each apportionment to the state treasurer, who shall issue his warrant requiring the assessors of the municipalities which are members of the district to assess a tax to the amount of the expense, and such amounts shall be collected and paid to the state treasurer as provided by section twenty of chapter fifty-nine of the General Laws.

SECTION 12. Non-teaching employees of the regional school district shall be eligible to be members of the contributory retirement system of the City of Fall River.

SECTION 13. No municipality in the regional school district shall be liable for any obligation imposed on any other municipality in said dis-



trict by authority of this act, or of any agreement thereunder, any other provision of law to the contrary notwithstanding.

SECTION 14. The members of the aforesaid emergency finance board when acting under this act shall receive from the commonwealth compensation to the same extent as provided under chapter three hundred and sixty-six of the acts of nineteen hundred and thirty-three, as amended, including chapter seventy-four of the acts of nineteen hundred and forty-five.

SECTION 15. The provisions of sections sixteen to twenty-eight, inclusive, of chapter forty-four of the General Laws shall, so far as pertinent, apply to the regional school district, but the provisions of said section sixteen relating to the countersigning of bonds and notes and the provisions of section twenty-four of said chapter forty-four relating to the countersigning and approval of notes and the certificates of the clerk relating thereto shall not apply to said district.

SECTION 16. If any provisions of this act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of said act and the application of such provisions to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

SECTION 17. This act shall take effect upon its passage.

*Approved July 19, 1962.*

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**Chap. 698.** AN ACT AUTHORIZING THE COMMISSIONER OF MENTAL HEALTH TO PROVIDE TRAINING FOR CERTAIN DOCTORS IN PSYCHIATRY, AND TO GRANT FELLOWSHIPS TO AID SUCH DOCTORS.

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

Section 4 of chapter 19 of the General Laws, as amended by section 5 of chapter 486 of the acts of 1938, is hereby further amended by adding at the end the following four sentences: — The commissioner may establish a program for the training of residents in psychiatry. Such residents shall be designated as fellows in psychiatry and shall be eligible for training grants from the commonwealth. Recipients of said grants shall be exempt from the provisions of chapters thirty-one and sixty-two, and shall not be deemed to be employees of the commonwealth. Approval of such training program by the director of personnel and standardization shall be required in accordance with the provisions of section twenty-eight of chapter seven. *Approved July 19, 1962.*

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**Chap. 699.** AN ACT AUTHORIZING THE CITY OF PEABODY TO APPROPRIATE AND PAY CERTAIN OUTSTANDING INVOICES OF THE JOSIAH B. THOMAS HOSPITAL.

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

SECTION 1. The city of Peabody is hereby authorized to appropriate and pay Crowley and Gardner, Boston, Massachusetts — nine hundred and seven dollars and fifty-six cents; Simplex Time Recorder Co., Gardner, Massachusetts — four hundred and sixty-nine dollars and

eighty-four cents; Edward Weck Co., Brooklyn, New York — fifty dollars and seventy cents; Boston Medical Laboratory, Boston, Massachusetts — twenty-nine dollars; Endo Laboratory Inc. — seventy-nine dollars and sixty-seven cents; said sums being in payment for goods and services furnished to the Josiah B. Thomas Hospital in said city in the year nineteen hundred and sixty, payment of which is legally unenforceable against 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 passage.

*Approved July 19, 1962.*

**Chap. 700.** AN ACT AUTHORIZING CHIEFS OF POLICE TO APPLY TO CERTAIN JUSTICES OF THE PEACE FOR SUMMONSES FOR VIOLATIONS OF THE MOTOR VEHICLE LAWS.

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

Section 27 of chapter 90 of the General Laws, as most recently amended by section 1 of chapter 592 of the acts of 1961, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph: — 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, or
- (3) apply for a summons to the district court having jurisdiction or to a justice of the peace authorized under chapter two hundred and eighteen to issue complaints. 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.

*Approved July 19, 1962.*

**Chap. 701.** AN ACT DIRECTING THE CONVEYANCE BY THE COMMONWEALTH TO THE TOWN OF PROVINCETOWN OF CERTAIN LAND WITHIN THE PROVINCE LANDS AND CERTAIN TIDELANDS IN SAID TOWN.

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

SECTION 1. The commissioner of public works, in the name of and on behalf of the commonwealth is hereby authorized and directed, subject to the approval of the governor and council, to convey to the town of Provincetown for use as a harbor of refuge and a marina a certain tract of land, within the limits of the Province Lands at Provincetown, and tidelands in said town, bounded and described as follows: — Beginning at the Massachusetts State Highway bound on Commercial Street in said town at the Federal Breakwater, thence running and turning north  $52^{\circ}42'41''$  west, 286.46 feet; thence turning and running north  $48^{\circ}16'55''$  west, 90.97 feet; thence turning and running northwesterly in a curved line of radius 830.00 feet, and length of curve 158.36 feet; thence turning and running north  $37^{\circ}21'00''$  west 165.69 feet; thence turning and running northwesterly on a curved line with radius 1970.00 feet and length of curve 217.38 feet; thence turning and running north  $43^{\circ}40'20''$  west, 57.30 feet; thence turning and running northwesterly in a curved line with radius of 480.00 feet and length of curve 192.37 feet; thence turning and running north  $66^{\circ}38'05''$  west, 365.81 feet; thence turning and running south  $16^{\circ}57'03''$  west, 1023.45 feet; thence turning and running south  $02^{\circ}01'10''$  east 500 feet; thence turning and running north  $87^{\circ}58'50''$  east, 700 feet; thence turning and running south  $22^{\circ}39'13''$  east, 1,144.95 feet; thence turning and running south  $82^{\circ}01'12''$  east, 738.55 feet; thence turning and running north  $12^{\circ}01'10''$  west, 133.02 feet; thence turning and running north  $82^{\circ}01'12''$  west, sixty (60) feet; thence turning and running north  $12^{\circ}01'10''$  west, 1566.98 feet to the point of beginning. Containing approximately 30.7 acres of Province Lands and approximately 10.8 acres of tidelands.

SECTION 2. If the town of Provincetown fails to use the land and tidelands conveyed to it under section one for a harbor of refuge and a marina within the ten years following the date of the conveyance of said tract, the title to said tract shall on the tenth anniversary of said date be transferred to and shall vest in the United States of America, and said land and tidelands shall be part of the Cape Cod National Seashore, under the administrative jurisdiction of the Secretary of the Interior.

The deed conveying said land and tidelands shall be subject to the conditions herein set forth and shall be approved by the attorney-general.

*Approved July 21, 1962.*

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**Chap. 702.** AN ACT PROVIDING FOR THE ACQUISITION BY THE COMMONWEALTH OF ALL RIGHTS IN CERTAIN TIDEWATERS IN THE CITY OF BOSTON AND FOR THE MAINTENANCE OF CERTAIN BRIDGES OVER THE SAME WITHOUT A DRAW.

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

SECTION 1. The department of public works is hereby authorized to acquire in the name and behalf of the commonwealth, with such conditional limitations, if any, as said department shall deem proper, all

rights in the tidewaters between the northeasterly side of the highway bridge over Fort Point channel at Northern avenue in the city of Boston and the easterly side of the highway bridge over said channel at Dorchester avenue in said city, and to do in the name and behalf of the commonwealth any and all things necessary to have said tidewaters declared to be non-navigable waters within the meaning of the constitution and laws of the United States. After said tidewaters have been so declared, the city of Boston may maintain without a draw its bridges over said tidewaters.

SECTION 2. Notwithstanding any contrary provision of general or special law, the city of Boston, by its mayor, is hereby authorized and empowered to convey to the commonwealth, without consideration, all rights of said city in the aforesaid tidewaters; provided, that said conveyance is authorized, after two separate readings, by two separate votes of two thirds of all the members of the city council of said city, the second of said readings and votes to be had not less than fourteen days after the first.

*Approved July 20, 1962.*

**Chap. 703.** AN ACT TO AUTHORIZE THE FORMATION OF A REGIONAL VOCATIONAL SCHOOL DISTRICT BY THE CITIES OF CHELSEA, MALDEN, MELROSE, REVERE AND WOBURN, AND THE TOWNS OF NORTH READING, READING, SAUGUS, STONEHAM, WAKEFIELD AND WINCHESTER.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is, in part, to authorize the formation of a regional vocational school district by certain cities and towns, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. The cities of Chelsea, Malden, Melrose, Revere and Woburn, and the towns of North Reading, Reading, Saugus, Stoneham, Wakefield and Winchester, or any one or more of these cities, or any one or more of these towns, or any combination thereof, by vote of their respective city councils or vote in town meeting, may create a special unpaid board to be known as a regional vocational school district planning board, to consist of one member of the school committee and two members at large to be appointed by the city council of each of said cities so voting, and one member of the school committee and two members at large to be appointed by the moderator of each of said towns so voting. Each of said cities and each of said towns may appropriate for the expense of said board such sum or sums, not exceeding one tenth of one per cent of the assessed valuation of such municipality in the preceding year, as it may deem necessary. Said board shall organize forthwith upon its appointment by the election of a chairman and secretary-treasurer.

SECTION 2. It shall be the duty of the regional vocational school district planning board to study the advisability of establishing a regional school district, its organization, operation and control, and of constructing, maintaining and operating a vocational-technical school to serve the needs of such district; to estimate the construction and

operating costs thereof; to investigate the methods of financing such vocational-technical school, and any other matters pertaining to the organization and operating of a regional school district; and to submit a report of its findings and recommendations to the city council of each of said cities and to the selectmen of each of said towns.

SECTION 3. The said regional district planning board may recommend that there shall be established a regional vocational school district which may include all the municipalities represented by its membership, or any specified combination of such municipalities including at least two cities and at least two towns. If the said regional district planning board so recommends, it shall submit a proposed agreement setting forth the following:—

(a) The number, composition, method of selection and terms of office of the members of the regional district school committee.

(b) The municipality or municipalities in which, or the general area within the regional school district where, the regional district vocational school is to be located.

(c) The type of regional district vocational school which may include all phases of state-aided vocational education as prescribed in chapter seventy-four of the General Laws.

(d) The method of apportioning the expenses of the regional school district, and the method of apportioning the costs of school construction, including any interest and retirement of principal of any bonds or other obligations issued by the district among the several municipalities comprising the district, and the time and manner of payment of the shares of said municipalities of any such expense.

(e) The method by which school transportation shall be provided.

(f) The terms by which any municipality may be admitted to or separated from the regional school district.

(g) The method by which the agreement may be amended.

(h) The detailed procedure for the preparation and adoption of an annual budget.

(i) Any other matters, not incompatible with law, which the said board may deem advisable.

Copies of such agreement shall be submitted to the emergency finance board, established under section one of chapter forty-nine of the acts of nineteen hundred and thirty-three, and the department of education, and, subject to their approval, to the several municipalities which are recommended to be included in the district, for their acceptance.

SECTION 4. The agreement made under section three of this act, or any amendment to such an agreement, may contain provisions authorizing any member municipality to sell, lease or grant a license to use any school building and any land appurtenant thereto or used in connection therewith to the regional school district, and any such municipality may authorize such sale, lease or license accordingly, notwithstanding the provisions of section three of chapter forty of the General Laws or any other provisions of law to the contrary. In case of a sale, the price and time or times of payment and the method by which the municipalities other than the selling municipality shall be assessed for such payment shall be set forth in the agreement or amendment; but in no case shall payments be made which shall extend over a period in excess of twenty years. In the case of a lease or license to use, the rental or license fee and terms of payment and assessment shall be set forth in the agreement

or amendment. The lease or license to use may be for a term or period not in excess of twenty years, and may contain provisions for the extension of the lease or license to use for an additional term or period not in excess of twenty years, at the option of the regional district school committee.

SECTION 5. Upon receipt by any city council of a recommendation that a regional school district be established, and of a proposed agreement therefor submitted in accordance with the provisions of sections one to three, inclusive, of this act, said city council shall direct the city clerk to cause the question of accepting the provisions of this act to be placed on the ballot to be used at the next state election or at the regular city elections to be held in the year nineteen hundred and sixty-three, whichever occurs first, in substantially the form hereinafter set forth; and upon receipt by the selectmen of any town of a recommendation that a regional school district be established and of a proposed agreement therefor submitted in accordance with the provisions of sections one to three of this act, said selectmen shall cause to be presented for determination by vote, with printed ballots at an annual or a special town meeting called for the purpose the question of accepting the provisions of this act, which question shall be in substantially the following form: — "Shall the city (town) accept the provisions of an act passed by the General Court in the year nineteen hundred and sixty-two, providing for the establishment of a regional school district by the cities (such cities as may be recommended under section three of this act) and the towns (such towns as may be recommended under section three of this act) and the construction, maintenance and operation of a regional vocational school by the said district in accordance with the provisions of a proposed agreement filed with the city councils of said cities and the selectmen of said towns?" If a majority of the voters present and voting in at least two of said cities and a majority of the voters present and voting in at least two of said towns shall vote in the affirmative, this act shall become fully effective, and the proposed regional vocational school district comprising the cities and towns which accepted this act as herein provided, shall be deemed to be established forthwith in accordance with the terms of the agreement so adopted.

SECTION 6. The regional school district established under the provisions of section five shall be a body politic and corporate with all the powers and duties conferred by law upon school committees, and with the following additional powers and duties: —

(a) To adopt a name and a corporate seal, and the engraved or printed facsimile of such seal on a bond or note of the district shall have the same validity and effect as though such seal were impressed thereon.

(b) To sue and be sued, but only to the same extent and upon the same conditions that a city or town may sue or be sued.

(c) To acquire property within the municipalities comprising the district under the provisions of chapter seventy-nine and section fourteen of chapter forty of the General Laws, for the purposes of the district, and to construct, reconstruct, add to, remodel, make extraordinary repairs to, equip, organize and operate a vocational school for the benefit of the municipalities comprising the district, and to make any necessary contracts in relation thereto.

(d) To incur debt for the purpose of acquiring land and constructing, reconstructing, adding to, and equipping a school building or buildings

for a term not exceeding twenty years or for the purpose of remodeling and making extraordinary repairs to a school building or buildings for a term not exceeding ten years; provided, however, that any indebtedness so incurred shall not exceed an amount approved by the emergency finance board; and provided, further that written notice of the amount of the debt and of the general purposes for which it was authorized shall be given to the city council of each member city and to the board of selectmen of each member 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 any member city expresses disapproval of the amount authorized by the district committee, or any member town expresses such disapproval by vote of a majority of the voters present and voting on the matter at a town meeting called for the purpose of expressing such disapproval, the said debt shall not be incurred and the district school committee shall prepare another proposal which may be the same as any prior proposal and an authorization to incur debt therefor.

(e) To issue bonds and notes in the name and upon the full faith and credit of said districts; said bonds or notes shall be signed by the chairman and treasurer of the district committee, except that said chairman by a writing bearing his written signature and filed in the office of said treasurer, which writing shall be open to public inspection, may authorize said treasurer to cause to be engraved or printed on said bonds or notes a facsimile of said chairman's signature, and such facsimile so engraved or printed shall have the same validity and effect as said chairman's written signature, and each issue of bonds or notes shall be a separate loan.

(f) To receive and disburse funds for any district purpose.

(g) To incur temporary debt in anticipation of revenue to be received from member municipalities.

(h) To assess member municipalities for any expenses of the district.

(i) To receive any grants or gifts for the purposes of the regional district school.

(j) To engage legal counsel.

(k) To submit an annual report to each of the member municipalities, containing a detailed financial statement, and a statement showing the method by which the annual charges assessed against each municipality were computed, together with such additional information relating to the operation and maintenance of such school as may be deemed necessary by the district school committee or by the city council of any member city or by the selectmen of any member town.

(l) To employ an administrator who meets the qualifications for a director of a state aided vocational school as established by the division of vocational education of the department of education, and said administrator shall have all the powers and duties imposed upon school superintendents by law.

(m) To adopt an annual operating and maintenance budget, not later than December first.

SECTION 7. The powers, duties and liabilities of the regional school district shall be vested in and exercised by a regional district school committee organized in accordance with the agreement. The committee

shall choose a chairman by ballot from its membership. It shall appoint a secretary and a treasurer who may be the same person, but who need not be members of said committee. The treasurer shall receive and take charge of all money belonging to the district and shall pay any bill of the district which shall have been approved by the committee. The treasurer and secretary may, by vote of said committee, be compensated for their services. The treasurer of said district shall be subject to the provisions of sections thirty-five, fifty-two and one hundred and nine A of chapter forty-one of the General Laws to the extent applicable.

SECTION 8. The regional district school committee shall annually determine the amounts necessary to be raised to maintain and operate the district school during the ensuing calendar year, and the amounts required for payment of debt and interest incurred by the district which will be due in the said year, and shall apportion the amount so determined among the several municipalities in accordance with the terms of the agreement. The amounts so apportioned for each municipality shall, prior to December thirty-first in each year, be certified by the regional district treasurer to the treasurers of the several municipalities. Each municipality shall appropriate the amounts so certified, and in case any such municipality fails to pay over to the treasurer of said district the amount of its apportionment within the time specified in said agreement for such payment, the district school committee shall invoke the provisions of section thirty-four of chapter seventy-one of the General Laws. The city or town treasurer, as the case may be shall pay the amount so appropriated or any amount ordered to be raised by court decree to said district at the time or times specified in the agreement.

SECTION 9. The regional vocational school district shall be subject to all laws pertaining to school transportation; and when the agreement provides for the furnishing of transportation by the regional school district, the commonwealth shall reimburse such district to the full extent of the amounts expended for such transportation, except that no such reimbursement shall be made for transportation of any pupil who resides less than one and one half miles, measured by a commonly traveled route, from the district school which he attends. The state treasurer shall annually, on or before November twentieth, pay to the regional school district from the proceeds of the tax on incomes, which shall be available therefor, subject to appropriation, the sums required for such reimbursement and approved by the commissioner of education. There shall be allocated from the proceeds of the tax on incomes such sums as said commissioner shall certify as necessary for the payment of such reimbursement.

SECTION 10. Each municipality comprising the regional vocational school district shall continue to receive state aid for educational purposes in the amount to which it would be entitled if such district had not been formed; and such regional school district shall be entitled to receive state aid for construction of regional schools. The state treasurer in making annual payments to the several municipalities of the amounts required under chapter seventy of the General Laws shall pay to each municipality comprising the regional school district an additional amount equal to fifteen per cent of the amount to which such municipality would be entitled if such regional school district had not been formed. No payment shall be made under section three B of chapter seventy of the General Laws to any such municipality prior to the date



of award of a contract for the construction of a regional school by the regional district school committee.

SECTION 11. The director of accounts in the department of corporations and taxation shall annually cause an audit to be made of the accounts of the regional district school committee, and for this purpose he, and his duly accredited agents, shall have access to all necessary papers, books and records. Upon the completion of each audit, a report thereon shall be made to the chairman of the district committee, and a copy thereof shall be sent to the mayor of each city and to the chairman of the board of selectmen of each town and the chairman of the school committee of each municipality which is a member of the district. The director shall apportion the cost among the several municipalities which are members of the district on the basis provided by section three of this act, and submit the amounts of each apportionment to the state treasurer, who shall issue his warrant requiring the assessors of the municipalities which are members of the district to assess a tax to the amount of the expense, and such amounts shall be collected and paid to the state treasurer as provided by section twenty of chapter fifty-nine of the General Laws.

SECTION 12. The regional school district shall maintain a contributory retirement system for non-teaching employees of the district, subject in all respects to the applicable provisions of chapter thirty-two of the General Laws.

SECTION 13. No municipality in the regional school district shall be liable for any obligation imposed on any other municipality in said district by authority of this act, or of any agreement thereunder, any other provision of law to the contrary notwithstanding.

SECTION 14. The members of the aforesaid emergency finance board when acting under this act shall receive from the commonwealth compensation to the same extent as provided under chapter three hundred and sixty-six of the acts of nineteen hundred and thirty-three, as amended, including chapter seventy-four of the acts of nineteen hundred and forty-five.

SECTION 15. The provisions of sections sixteen to twenty-eight, inclusive, of chapter forty-four of the General Laws shall, so far as pertinent, apply to the regional vocational school district, but the provisions of said section sixteen relating to the countersigning of bonds and notes and the provisions of section twenty-four of said chapter forty-four relating to the countersigning and approval of notes and the certificates of the clerk relating thereto shall not apply to said district.

SECTION 16. If any provisions of this act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of said act and the application of such provisions to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

*Approved July 21, 1962.*

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**Chap. 704.** AN ACT AUTHORIZING AND DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO CONSTRUCT, ENLARGE AND IMPROVE ITS RECREATIONAL FACILITIES.

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

SECTION 1. The metropolitan district commission is hereby authorized and directed to construct recreational facilities within the

metropolitan parks district, and to enlarge and improve existing facilities, in such manner and at such locations as it may determine, and in a manner designed to serve all parts of the metropolitan parks district equally in proportion to the need; provided, that projects constructed as herein authorized shall not be subject to section thirty A of chapter seven of the General Laws; and provided, further, that said commission shall expend, from the proceeds of the bonds authorized to be issued under section four, not less than one hundred thousand dollars for resanding and cleaning, and making such repairs as may be necessary, including repairs to the seawall, at Revere beach in the city of Revere, not less than twenty-five thousand dollars for improvements at Savin Hill beach in the city of Boston, and not less than seven hundred thousand dollars for a swimming pool and skating rink at Franklin Field in the city of Boston.

SECTION 2. The metropolitan district commission shall charge reasonable fees wherever feasible to cover costs of operation and maintenance of its facilities and may enter into leases or other agreements relating to the operation of its facilities with public or other bodies or individuals, upon such terms and conditions as it may deem just and expedient. The terms of such leases or agreements may include the right to charge fees as herein authorized, and full and complete information regarding any and all such leases and agreements and the operations resulting therefrom shall be a matter of public record and shall, at all times, be available upon reasonable request.

SECTION 3. The metropolitan district commission, acting so far as may be in consultation with the proper local boards, may, on behalf of the commonwealth, take by eminent domain under chapter seventy-nine of the General Laws, in fee or otherwise, or acquire by purchase, gift or devise, such public or private lands, water rights, rights of way, easements or other interests in land as it may deem necessary or desirable for carrying out the provisions of this act; provided, that nothing in this act shall be construed to limit existing rights of any city or town in relation to water supply purposes, or in any way obstruct such rights.

SECTION 4. To meet the expenditures necessary in carrying out the construction and improvements authorized in section one of this act, the state treasurer shall, upon request of the governor and council, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor and council from time to time, but not exceeding in the aggregate the sum of three million dollars. All bonds issued by the commonwealth as aforesaid shall be designated on their face, Metropolitan District Commission Recreational Loan, Act of 1962, 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.

SECTION 5. This act shall take effect upon its passage.

*Approved July 21, 1962.*

**Chap. 705.** AN ACT TO PROVIDE FOR A 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 capital outlay program for the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. To provide for a 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.

**Boards and Commissions Serving Under Governor and Council.**

*State Superintendent of Buildings.*

Item		
8063-52	For certain improvements and masonry repairs, Ashburton entrance	\$50,000

**Soldiers' Home in Massachusetts.**

8063-01	For certain improvements to the headquarters' and Quigley memorial hospital cafeterias, kitchens, canteen and auditoriums, and for the construction of storerooms, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8261-24 of section two of chapter seven hundred and seventy-four of the acts of nineteen hundred and sixty	\$275,000
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**Department of Natural Resources.**

8063-02	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 8262-32 of section two of chapter five hundred and forty-four of the acts of nineteen hundred and sixty-one; provided, that the comptroller shall include in the assessment made under section five of chapter one hundred and thirty-two A the sum of thirty-three thousand seven hundred fifty dollars yearly for the years nineteen hundred and sixty-three to nineteen hundred and eighty-two, inclusive, and shall credit said amount to the General Fund	\$500,000
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- Item  
8258-86 Notwithstanding any other provisions of the law to the contrary, the comptroller is hereby authorized and directed to adjust any assessments made to cover item 8258-86 of section two of chapter seven hundred and sixty-three of the acts of nineteen hundred and fifty-seven under the provisions of section five of chapter one hundred and thirty-two A so that the total assessed shall not exceed the expenditure made under this item.

**Department of Education.**

- 8063-53 For the preparation of plans to provide educational television facilities for western Massachusetts . . . . . \$50,000

*Massachusetts Maritime Academy.*

- 8063-03 For the construction of an engineering-classroom building, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8259-11 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight . . . . . \$269,000

*State College at Bridgewater.*

- 8063-04 For the construction of a central power plant, including improvements to the utility distribution system and the cost of equipment . . . . . \$910,000

*State College at Fitchburg.*

- 8063-05 For the preparation of plans for a women's dormitory . . . . . \$91,000  
8260-12 Item 8260-12 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine as amended by item 8260-12 of section two of chapter six hundred and forty-nine of the acts of the current year is hereby further amended by inserting after the word "additional" the words: — land or.  
8063-54 For improvements to physical education fields and facilities, including the cost of equipment . . . . . 250,000

*State College at Lowell.*

- 8063-06 For the construction of a central power plant, including improvements to the utility distribution system and the cost of equipment . . . . . \$800,000  
8261-21 Item 8261-21 of section 2 of chapter 774 of the acts of 1960 is hereby amended by inserting, after the word "building" in line 2, the words "including the installation of a closed-circuit television system with necessary cabling to, and equipment installation in other college buildings and the Bartlett School of the city of Lowell, and"  
8063-45 For the construction of a women's dormitory, including the cost of furnishings and equipment . . . . . 993,000  
8063-46 For the acquisition of certain land or land with buildings thereon by purchase or by eminent domain under chapter seventy-nine of the General Laws; provided, that no payment shall be made for the purchase of said property until an independent appraisal of the value of the property has been made by a qualified disinterested appraiser . . . . . 40,000

*State College at North Adams.*

- 8063-07 For the acquisition of land or land with buildings thereon for the further development of the college by purchase or by eminent domain under chapter seventy-nine of the General Laws; provided, that no payment shall be made for the purchase of said property until an independent appraisal of the value of the property has been made by a qualified, disinterested appraiser; and for the preparation of plans for a new central power plant . . . . . \$215,000

*State College at Salem.*

Item		
8063-08	For the acquisition of land or land with buildings thereon for the further development of the college by purchase or by eminent domain under chapter seventy-nine of the General Laws; provided, that no payment shall be made for the purchase of said property until an independent appraisal of the value of the property has been made by a qualified, disinterested appraiser; and for the preparation of plans for a women's dormitory, including kitchen and dining facilities	\$184,000

*State College at Westfield.*

8063-09	For the construction of an addition to the women's dormitory, including the cost of furnishings and equipment and necessary improvements to utilities and parking areas	\$910,000
8063-10	For the renovation of the training school, including the cost of furnishings and equipment	45,000

*Bradford Durfee College of Technology.*

8063-55	For certain improvements to the library, classrooms and laboratories, including the cost of equipment	\$70,000
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*Lowell Technological Institute of Massachusetts.*

8063-47	For the acquisition of certain land or land with buildings thereon by purchase or by eminent domain under chapter seventy-nine of the General Laws; provided, that no payment shall be made for the purchase of said property until an independent appraisal of the value of the property has been made by a qualified, disinterested appraiser; and for the preparation of plans for an athletic and physical education building	\$260,000
8063-56	For the preparation of plans for certain building renovations and the moving of machinery and fixtures for additional classroom space	25,000

*University of Massachusetts.*

8063-11	For the construction of an engineering building and service building for the experiment station, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8259-57 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight	\$2,200,000
8063-12	For certain improvements and additions to the power plant and utility distribution systems, including a survey and plans for the future power plant and utility service needs of the university, to be in addition to the amount appropriated in item 8262-11 of section two of chapter five hundred and forty-four of the acts of nineteen hundred and sixty-one	500,000
8063-13	For the preparation of plans for an addition to Machmer Hall	30,000
8063-14	For the acquisition of land by purchase or by eminent domain under chapter seventy-nine of the General Laws for a rail siding to provide for coal storage facilities; 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; and for the preparation of plans for said coal storage facilities	35,000
8063-15	For the preparation of plans for a new administration building which when completed shall be designated as the Representative Philip F. Whitmore Memorial Building	110,000
8063-16	For the preparation of plans for a classroom and laboratory building, for the College of Arts and Science	110,000
8063-17	For the preparation of plans for a new poultry plant	15,000
8063-18	For the renovation of certain older classroom buildings, including the cost of furnishings and equipment; to be expended with any federal funds available for the purpose	100,000

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| Item    |  |
| 8063-19 | For the acquisition of certain land or land with buildings thereon for the further development of the university in accordance with the master plan, by purchase or by eminent domain under chapter seventy-nine of the General Laws; provided, that no payment shall be made for the purchase of said property until an independent appraisal of the value of the property has been made by a qualified, disinterested appraiser; to be in addition to the amount appropriated in item 8262-12 of section two of chapter five hundred and forty-four of the acts of nineteen hundred and sixty-one <span style="float: right;">\$300,500</span> |

*Massachusetts Board of Regional Community Colleges.*

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| 8063-20 | For establishing regional community colleges in the Boston, Greenfield, Springfield and Worcester 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 8363-13 of section two of chapter six hundred and forty-nine of the acts of the current year <span style="float: right;">\$150,000</span> |
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*Division of Youth Service.*

*Industrial School for Boys.*

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| 8063-21 | For certain improvements to the sewerage distribution system <span style="float: right;">\$75,000</span>  |
| 8063-70 | For the construction of a staff house and central cafeteria, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8256-34 of section two of chapter seven hundred and thirty-eight of the acts of nineteen hundred and fifty-five <span style="float: right;">716,000</span> |

*Industrial School for Girls.*

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| 8063-22 | For the preparation of plans for a new security treatment unit <span style="float: right;">\$30,000</span> |
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**Department of Mental Health.**

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| 8063-71 | For the preparation of plans for a mental health center in the city of Lowell, as authorized by chapter four hundred and seventy-seven of the acts of the current year <span style="float: right;">\$60,000</span> |
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*Massachusetts Mental Health Center.*

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| 8063-23 | For the acquisition of certain land with buildings thereon, by purchase or by eminent domain under chapter seventy-nine of the General Laws; provided, that no payment shall be made for the purchase of said property until an independent appraisal of the value of the property has been made by a qualified, disinterested appraiser <span style="float: right;">\$650,000</span> |
| 8063-24 | For the construction of a fourth floor on the nurses' home, including the cost of the installation of an elevator and furnishings and equipment <span style="float: right;">196,000</span>  |

*Boston State Hospital.*

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| 8063-25 | For the construction of an out-patient building, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8258-48 of section two of chapter seven hundred and sixty-three of the acts of nineteen hundred and fifty-seven <span style="float: right;">\$500,000</span>   |
| 8063-26 | For the construction of a service building, including kitchen, cafeteria and dining facilities and the cost of furnishings and equipment, and including the demolition of "C" building, to be in addition to the amount appropriated in item 8260-32 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine <span style="float: right;">1,470,000</span> |

*Danvers State Hospital.*

Item		
8063-27	For the construction of a new laundry building, including the cost of equipment, to be in addition to the amount appropriated in item 8258-50 of section two of chapter seven hundred and sixty-three of the acts of nineteen hundred and fifty-seven, as amended	\$800,000
8063-28	For the construction of a school for mentally retarded children, including certain renovations and alterations to existing facilities and including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8261-11 of section two of chapter seven hundred and seventy-four of the acts of nineteen hundred and sixty	5,000,000

*Medfield State Hospital.*

8063-29	For the preparation of plans for a new service building	\$73,000
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*Metropolitan State Hospital.*

8063-57	For certain additional improvements to the continued treatment group, to be in addition to the amount appropriated in item 8363-69 of section 2 of chapter six hundred and forty-nine of the acts of the current year	\$275,000
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*Northampton State Hospital.*

8063-30	For the preparation of plans for a ward building	\$150,000
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*Taunton State Hospital.*

8063-31	For certain improvements to food service facilities, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8256-71 of section two of chapter seven hundred and thirty-eight of the acts of nineteen hundred and fifty-five	\$550,000
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*Worcester State Hospital.*

8063-58	For the renovation of the Folsom building, including the cost of furnishings and equipment	\$700,000
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*Westborough State Hospital.*

8063-32	For the preparation of plans for improvements to the water supply system	\$25,000
8063-33	For the preparation of plans for a new female geriatrics building	90,000

*Belchertown State School.*

8063-34	For the preparation of plans for improvements to the sewage disposal facilities	\$16,000
8063-35	For the preparation of plans for a new boys' dormitory	55,000

*Walter E. Fernald State School.*

8063-36	For the preparation of plans for a new dormitory building, Templeton colony	\$100,000
8063-37	For the construction of a feed storage building, including the cost of equipment, Templeton colony	45,000

*Wrentham State School.*

8063-59	For the preparation of plans for certain improvements to the sewage disposal system	\$20,000
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**Department of Correction.***Correctional Institution at Bridgewater.*

8063-60	For the preparation of plans for the installation of elevators in the infirmary building	\$13,000
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*Correctional Institution at Concord.*

Item		
8063-61	For the preparation of plans for Stage 1 of the replacement of the Main Group	\$100,000

*Correctional Institution at Framingham.*

8063-65	For the construction of an infirmary, admission building and cottages, including the cost of furnishings and equipment, and the enlargement of the power plant, the utility distribution system and including demolition of certain buildings, to be in addition to the amount appropriated in item 8261-42 of section two of chapter seven hundred and seventy-four of the acts of nineteen hundred and sixty	\$2,450,000
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*Correctional Institution at Norfolk.*

8063-38	For certain improvements to the water supply system, including the cost of equipment	\$230,000
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**Department of Public Health.**

*Institute of Laboratories.*

8063-39	For the acquisition of the so-called Bussey estate, as authorized by chapter six hundred and one of the acts of nineteen hundred and fifty-nine	\$600,000
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*Western Massachusetts Hospital.*

8063-40	For certain improvements to the power plant, to be in addition to the amount appropriated in item 8259-90 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight	\$130,000
8063-68	For the preparation of plans for an addition to the hospital for a Western Massachusetts cancer research center	80,000

*Tewksbury Hospital.*

8063-41	For the construction of a dairy barn and feed storage building to replace the structure destroyed by fire, including the cost of equipment	\$66,000
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*Massachusetts Hospital School.*

8063-62	For the preparation of plans for an addition to the hospital, including laundry and kitchen renovations	\$90,000
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*Pondville Hospital.*

8063-63	For the preparation of plans for a new hospital building, including cancer research laboratories	\$100,000
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**Department of Public Works.**

*Division of Waterways.*

8063-42	For the commonwealth's share of the cost of dredging Nuisance brook in the town of Southbridge, as authorized by section eleven of chapter ninety-one of the General Laws; provided, that the town of Southbridge shall contribute an equal amount to the cost of this project	\$25,000
8063-48	For the rebuilding of Jourdan dam in the town of Upton	70,000
8063-49	For the second phase of flood control of the Charles river in the town of Milford	221,000
8063-50	For the second phase of flood control of Kings brook in the town of Shrewsbury	180,000
8063-66	For the commonwealth's share of the cost of dredging Ipswich river in the town of Wilmington as authorized by section eleven of chapter ninety-one of the General Laws; provided that the town of Wilmington shall contribute an equal amount to the cost of this project	25,000



*Division of Building Construction.*

## Item

- 8063-64 For fire protection improvements in accordance with the 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 **\$890,000**
- 8063-43 For the preparation of preliminary plans and descriptive specifications, as authorized by section thirty H of chapter seven of the General Laws **400,000**
- 8063-44 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 **301,500**

SECTION 2A. To provide for a special construction and improvement program for properties under the control of the metropolitan district commission, the sum set forth in the following item in this section is hereby appropriated from the Metropolitan District Commission Fund, subject to the provisions of law regulating the disbursement of public funds and the approval thereof, appropriation expires June thirtieth, nineteen hundred and sixty-five.

**METROPOLITAN DISTRICT COMMISSION FUND.***Metropolitan Parks.*

## Item

- 8603-04 For the renovation and beautification of the Saxton C. Foss Park in the city of Somerville **\$250,000**

SECTION 3. No agency of the commonwealth receiving an appropriation under section two or two A 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. Every such agency before engaging such consultant services under said subsidiary title "03" from funds provided in this act, shall certify to the budget commissioner that funds are available for the purpose and shall then file a statement of intent with the budget commissioner, the comptroller and the house and senate committees on ways and means. Such statement shall include the rate of compensation, the period of time for which the services are to be engaged or scope of work to be done, and such other pertinent information as may be necessary to establish the maximum limit of the commonwealth's obligation.

SECTION 4. 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 5. 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 four of this act, the state treasurer shall, upon request of the governor and council, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor and council from time to time, but not exceeding in the aggregate, the sum of twenty-seven million, three hundred and five thousand dollars. All bonds issued by the commonwealth, as aforesaid shall be designated on the face Capital Outlay Loan Act of 1962, 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-eight.

*Approved July 21, 1962.*

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**Chap. 706.** AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH TO INSTITUTE A PROGRAM TO COMBAT MENTAL RETARDATION IN CERTAIN CHILDREN.

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

Chapter 111 of the General Laws is hereby amended by inserting after section 4D the following section: —

*Section 4E.* The department of public health is hereby authorized and directed to establish a program to combat mental retardation in children suffering from a genetic effect causing phenylketonuria. The said program may be conducted in conjunction with any foundation or scientific organization, hospital or medical school or with an agency of the federal government. The department may accept for such purpose any special grant of money, services or property from the federal government or any of its agencies or from any such foundation, organization or medical school.

*Approved July 21, 1962.*

**Chap. 707.** AN ACT INCREASING THE AMOUNT OF REAL AND PERSONAL PROPERTY THAT THE CONGREGATION OF THE SISTERS OF SAINT JOSEPH OF BOSTON MAY HOLD.

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

The Congregation of the Sisters of Saint Joseph of Boston, a corporation organized under general law on the twenty-fifth day of March, eighteen hundred and eighty, is hereby authorized to hold real and personal estate to an amount not exceeding twenty-five million dollars, to be used for the purposes of said corporation as set forth in its charter or certificate of incorporation or in any amendment thereof.

*Approved July 21, 1962.*

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**Chap. 708.** AN ACT PROVIDING FOR REIMBURSEMENT TO CITIES AND TOWNS BY THE COMMONWEALTH FOR PAYMENT TO CERTAIN TEACHERS.

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

Section 46E of chapter 71 of the General Laws, as amended by section 2 of chapter 535 of the acts of 1956, is hereby further amended by adding at the end the following paragraph: — The word “teachers”, as used in this section, shall include all supervisory personnel concerned with the education and training of children in classes conducted to meet the requirements of section forty-six, and whose duties include the instruction of such classes.

*Approved July 21, 1962.*

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**Chap. 709.** AN ACT REQUIRING MOTOR VEHICLES TO BE EQUIPPED WITH SUITABLE STOP LIGHTS AND TRAILERS WITH SUITABLE REAR LIGHTS.

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

SECTION 1. Chapter 395 of the acts of 1962 is hereby amended by striking out section 1 and inserting in place thereof the following section: — *Section 1.* The first paragraph of section 7 of chapter 90 of the General Laws is hereby amended by striking out the seventh sentence, as most recently amended by chapter 116 of the acts of 1962, and inserting in place thereof the following two sentences: — Every motor vehicle so operated shall have a rear light so placed as to show a red light from behind and a white light so arranged as to illuminate and not obscure the rear number plate, and shall be equipped with suitable stop lights. Every trailer so operated shall have a rear light so placed as to show a red light from behind and a white light so arranged as to illuminate and not obscure the rear number plate.

SECTION 2. This act shall take effect on January first, nineteen hundred and sixty-three.

*Approved July 21, 1962.*

**Chap. 710.** AN ACT INCREASING THE PENALTY FOR VIOLATION OF CERTAIN RULES AND REGULATIONS OF THE DEPARTMENT OF LABOR AND INDUSTRIES.

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

The third paragraph of section 6 of chapter 149 of the General Laws is hereby amended by striking out the first sentence, as amended by chapter 224 of the acts of 1961, and inserting in place thereof the following sentence: — Whoever violates any rule, regulation or requirement made by the department under authority hereof shall be punished by a fine of not more than two hundred and fifty dollars for each offense.

*Approved July 21, 1962.*

**Chap. 711.** AN ACT AUTHORIZING AND DIRECTING THE REGISTRAR OF MOTOR VEHICLES TO ISSUE TO RICHARD SUTHERLAND OF QUINCY DISTINCTIVE NUMBER PLATES OF THE TYPE ISSUED TO HANDICAPPED PERSONS.

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

Notwithstanding any contrary provision of law, the registrar of motor vehicles is hereby authorized and directed to issue to Richard Sutherland of the city of Quincy distinctive number plates of the type or types furnished to handicapped persons in each year in which he makes application therefor; provided, however, that in each such year said Richard Sutherland certifies to the registrar that his daughter is one of the group of handicapped children he intends to transport to and from school during such year.

*Approved July 21, 1962.*

**Chap. 712.** AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO CONSTRUCT A SHORE WALL WITH BOAT RAMPS THEREIN ALONG THE MERRIMACK RIVER IN THE CITY OF LOWELL.

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

The department of public works, through its division of waterways, is hereby authorized and directed to expend from funds available in item 8259-93 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight, a sum, not exceeding one hundred and fifty thousand dollars, for the purpose of constructing in the city of Lowell approximately two thousand feet of shore wall along the north bank of the Merrimack river, adjacent to and northwest of the present shore wall located on said bank adjacent to Pawtucket boulevard in said city. Said department is further directed to construct boat ramps in convenient locations along said wall.

The terms and conditions of expenditures made under the provisions of this act shall be the terms and conditions set forth in item 8261-44 of section two of chapter seven hundred and seventy-four of the acts of nineteen hundred and sixty.

*Approved July 21, 1962.*

**Chap. 713.** AN ACT AUTHORIZING THE TOWN OF MAYNARD TO PAY A SUM OF MONEY TO THE TRUSTEE OF CONSOLIDATED HOMES CORPORATION.

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

For the purpose of discharging a moral obligation, the town of Maynard may appropriate and pay to Harry J. Mitchell, trustee of Consolidated Homes Corporation, such sum, not exceeding twenty-two thousand dollars, as may be necessary to satisfy in full, including court costs and interest, a final judgment obtained in an action commenced by said corporation in Middlesex superior court against Frank C. Litori, Irving Manning and John J. Johnson, members of the board of health of said town, arising out of the exercise of the official duties of the defendants as members of said board.

No payment shall be made hereunder until there is filed with the treasurer of said town a release of all liability of said defendants arising out of said action together with an execution issued on said judgment acknowledged as satisfied in full.

*Approved July 21, 1962.*

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**Chap. 714.** AN ACT PROVIDING FOR THE FORMATION OF DENTAL SERVICE CORPORATIONS.

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

The General Laws are hereby amended by inserting after chapter one hundred and seventy-six D the following chapter: —

CHAPTER 176E.

DENTAL SERVICE CORPORATIONS.

*Section 1.* In this chapter the following words shall have the following meanings:

“Commissioner”, the commissioner of insurance.

“Covered dependent”, a dependent for whose dental care provision is made in a subscription certificate issued by a dental service corporation to a subscriber.

“Dependent”, the spouse, child or foster child of a subscriber.

“Dental service”, the dental services ordinarily provided by registered dentists in accordance with accepted practices in the community where the services are rendered.

“Dental service corporation”, a corporation organized as provided by the provisions of this chapter for the purpose of establishing and operating a non-profit dental service plan.

“Non-profit dental service plan”, a plan operated by a dental service corporation under the provisions of this chapter, whereby the cost of dental service furnished to subscribers and covered dependents is paid by the corporation to participating dentists and to such other dentists as are provided for herein.

“Participating dentist”, a registered dentist who agrees in writing with a dental service corporation to perform dental service for subscribers and covered dependents and to abide by the by-laws, rules and regulations of such corporation.

"Registered dentist", a dentist registered to practice dentistry in the commonwealth as provided in sections forty-five and forty-eight of chapter one hundred and twelve.

"Subscriber", a person who has subscribed to a non-profit dental service plan and to whom a subscription certificate has been issued in accordance with the provisions of section six.

*Section 2.* For the purpose of establishing, maintaining and operating a non-profit dental service plan, seven or more persons may form a dental service corporation. Such a corporation shall be formed in the manner prescribed in and subject to section nine of chapter one hundred and fifty-five and sections six and eight to twelve, inclusive, of chapter one hundred and fifty-six, except as follows:

The agreement of association of a corporation having no capital stock may omit the statement of the amount of the capital stock and the par value and number of its shares. The fee to be paid to the state secretary upon the filing of the articles of organization shall be twenty-five dollars.

The articles of organization specified in section ten of said chapter one hundred and fifty-six, with the records and by-laws of the corporation, shall be submitted to the commissioner instead of to the commissioner of corporations and taxation, and he shall have the powers and perform the duties relative thereto specified in section eleven of said chapter one hundred and fifty-six.

The certificate issued by the state secretary under section twelve of said chapter one hundred and fifty-six shall be modified to conform to the requirements of this section.

The commissioner shall not approve the articles of organization of such a corporation until he is satisfied by such examination as he may make and such evidence as he may require that the incorporators are of good repute and intend in good faith to operate the corporation and that an adequate initial reserve fund will be established to protect the subscribers. He shall execute a certificate of his findings, which shall be attached to the articles of organization prior to the filing thereof with the state secretary.

*Section 3.* The by-laws of a dental service corporation may contain any lawful provisions approved by the commissioner and shall provide that a majority of the directors shall at all times be persons approved in writing by a dental society incorporated in the commonwealth not less than ten years and having not less than two thousand registered dentists as members, and that no less than one-third of the directors shall be persons who are or who agree to become subscribers to the non-profit dental service plan. The by-laws of such a corporation may define the qualifications of those persons eligible to become subscribers as provided in section five. Any such corporation may adopt such rules and regulations as may be consistent with the provisions of this chapter.

Any dental service corporation may contract with a corporation formed under chapter one hundred and seventy-six A or under chapter one hundred and seventy-six B, or both, for the joint or cooperative administration of their affairs and for the joint or cooperative writing and issuing of subscription certificates. Such a contract shall not require that a subscriber to the dental service corporation be a subscriber

to a corporation formed under chapter one hundred and seventy-six A or under chapter one hundred and seventy-six B or both.

Any dental service corporation may join with any other dental service corporation, non-profit hospital service corporation, or medical service corporation, or all of them, organized either under the laws of the commonwealth or of any other state for the purpose of establishing or maintaining an agency or corporation designed to facilitate the provisions of dental service for residents of the commonwealth employed by firms having employees located in more than one state:

Any dental service corporation may contract with any agency of the United States of America, of the commonwealth or of any city or town within the commonwealth for the purpose of providing dental service:

*Section 4.* Any dental service corporation may enter into contracts with its subscribers and with participating dentists, for such dental and surgical services as may lawfully be rendered by them to the subscribers and to their dependents, and may pay for such services. The form of the agreement with participating dentists shall at all times be subject to the written approval of the commissioner. The fees to be paid to participating dentists for their services to the subscribers or to insured dependents, shall at all times be subject to a public hearing as provided by section two of chapter thirty A and to the written approval of the commissioner. Such fees shall not be equal to or higher than the fees charged by participating dentists to their average non-subscriber patients; and in consideration of said fees submitted for his approval, he shall give weight to the ease and certainty of collection by the participating dentists of said fees charged subscribers through such corporation. Acquisition costs in connection with the solicitation of subscribers and costs of administration shall at all times be limited to such amounts as the commissioner shall approve.

Any agreement between a dental service corporation and a person whereby such corporation undertakes to furnish benefits for dental service to said person and his covered dependents, if any, shall be considered a non-group dental service agreement. Any agreement between a dental service corporation and a group of five or more persons or with the employer, employers or other representatives of such group whereby the dental service corporation undertakes to furnish benefits for dental service to said persons and to their covered dependents, if any, shall be considered a group dental service agreement. Under any such agreement, the form of the subscription certificate, the extent of dental services contained therein, and the premiums charged by such corporation to the subscribers shall be filed with and receive the prior approval of the commissioner. No such agreement shall be approved if he finds that the extent of dental services offered therein is unreasonable in relation to the premium charged for such services, or if the premiums charged are excessive, inadequate or unfairly discriminatory.

Nothing in this section shall be construed to prohibit as unreasonable or unfairly discriminatory the establishment of classifications or modifications of classifications of risks based upon size, expense, management, individual experience, purpose, location or dispersion of hazard or any other reasonable considerations, or to prohibit retrospective refunds.

*Section 5.* Any person residing in the commonwealth shall have the right to become a subscriber of a dental service corporation if his quali-

fications meet those specified in the by-laws of such corporation, provided that such a corporation may, in its discretion, refuse to issue a subscription certificate to, or upon due notice cancel the subscription certificate of, any person who has made any fraudulent claim or representation to the corporation or to a participating dentist, or has been guilty of uncooperative or unethical dealings with the corporation, or has failed to pay premiums and assessments seasonably and promptly or for any other cause which may be approved by the commissioner.

*Section 6.* A subscription certificate shall be issued by a dental service corporation to each non-group subscriber. No subscription certificate shall be issued unless the commissioner shall have approved in writing the form of certificate nor unless it contains in substance the following provisions:

(a) A statement of the dental service to be paid for by the corporation and if any dental service is excepted, a statement of such exception.

(b) A statement of the duration of the agreement and of the terms and conditions upon which it may be extended, renewed, revised, cancelled or otherwise terminated.

(c) A statement of the period of grace which will be allowed for making any payment due from the subscriber under the contract, which in any event shall not be less than ten days.

(d) A statement that any child who is mentally or physically incapable of earning his own living who is eligible for services by membership of his parent under a family contract shall be eligible under the membership of his parent as a member of such family contract so long as he continues to be mentally or physically incapable of earning his own living, without any limitation as to age, subject, however, to such rules and regulations, premiums or additional premiums as the commissioner of insurance may approve.

*Section 7.* Every registered dentist shall have the right, on complying with such rules and regulations as the corporation may make, to enter into a written agreement with a dental service corporation, doing business in the city or town where the said dentist resides or has his usual place of business to perform dental service. This chapter shall not change the normal relations between dentist and patient except as to the manner and amount of fees which are to be paid by the dental service corporation to participating dentists on behalf of the subscriber. No restriction shall be placed by any such corporation upon its participating dentists as to methods of diagnosis or of treatment. No officer, agent or employee of a dental service corporation shall influence or attempt to influence a subscriber or a covered dependent in his choice of a participating dentist. A subscriber or covered dependent, subject to the by-laws, rules and regulations of a dental service corporation and the terms and provisions of his subscription certificate, shall be entitled to the benefits of this chapter upon receiving dental service from any participating dentist or, in the discretion of the corporation, upon receiving dental service from any non-participating dentist in an emergency or when outside the commonwealth. A corporation may terminate its agreement with any participating dentist at any time (a) for failure to comply with the reasonable rules and regulations of such corporation including without limitation such rules and regulations as may be adopted governing the keeping of accounts, records and statistics, the



making or reports and proof of services rendered, or (b) for presenting any fraudulent, unreasonable or improper claim for payment, or compensation.

*Section 8.* Every dental service corporation shall annually on or before the first day of March, file in the office of the commissioner a statement verified by at least two of the principal officers of said corporation, showing its condition as of the thirty-first day of December next preceding. Such statements shall be in such form and shall contain such matters as the commissioner shall prescribe. A corporation neglecting to file its annual statement within the time herein specified shall forfeit one hundred dollars for each day during which such neglect continues, and upon notice by the commissioner to that effect, its authority to do business shall cease while such default continues.

*Section 9.* The commissioner, or any deputy examiner or any other person designated by the commissioner, shall, at least once in three years, and whenever the commissioner deems it prudent, visit any dental service corporation and examine into its affairs. The commissioner shall have free access to all of the books, records and papers of the corporation, and may summon and examine under oath its officers, agents, employees and other persons in relation to its affairs and condition. The commissioner shall require every such corporation to keep its books, records, accounts and vouchers in such manner that he or his authorized representatives may readily verify its annual statements and determine whether the corporation has complied with the law.

*Section 10.* The funds of a dental service corporation shall be invested only in such securities as are permitted by chapter one hundred seventy-five for the investment of the capital of insurance companies, except that not more than five per cent of its invested assets, exclusive of real estate occupied by itself for the transaction of business, may be invested in mutual funds, or it may deposit the whole or any portion of its funds in any savings bank or savings account in a trust company organized under the laws of the commonwealth or a national banking association. It shall have the right to acquire and own real estate to be occupied by itself in the transaction of its business. The commissioner may require any such corporation after the first full calendar year of doing business to accumulate and maintain a special contingent surplus, over and above its reserves and liabilities, in such amount as the commissioner may deem proper.

*Section 11.* Unless each such payment is first authorized by a vote of its board of directors, no dental service corporation shall pay any salary, compensation or emolument to any officer, trustee or director thereof, or any salary, compensation or emolument to any person amounting in any year to more than five thousand dollars. No such corporation shall make any agreement with any of its officers, trustees or employees whereby it agrees that for any services rendered or to be rendered to it, they shall receive any salary, compensation or emolument for a period of more than three years from the date of such agreement.

*Section 12.* Any dispute or controversy arising between a dental service corporation and any participating dentist, or any subscriber, or any person whose subscription certificate has been cancelled or to whom such corporation has refused to issue such certificate may within thirty days after such dispute or controversy arises be submitted by any person aggrieved to a board serving in the division of insurance

and consisting of the commissioner or a person designated by him, the chairman of the board of dental examiners or any person designated by him, and the attorney general or a person designated by him, for its decision with respect thereto. Such an appeal to said board shall be conducted as an adjudicatory proceeding in accordance with the provisions of section eleven of chapter thirty A. All decisions and orders of the board or of the commissioner made under any provision of this chapter may be revised as justice and equity may require upon a petition in equity filed in the superior court within and for the county of Suffolk by any party aggrieved by such decision or order. Such proceedings in equity for judicial review shall be conducted in accordance with section fourteen of chapter thirty A.

*Section 13.* If the commissioner is satisfied, as to any dental service corporation, that (1) it has failed to comply with the provisions of its charter, or (2) it is being operated for profit, or (3) it is fraudulently conducted, or (4) its condition is such as to render its further transaction of business hazardous to the public or to its subscribers, or (5) its officers and agents have refused to submit to an examination under section nine, or (6) it has exceeded its powers, or (7) it has violated any provision of law, or (8) it has compromised, or is attempting to compromise, with its creditors on the ground that it is financially unable to pay its claims in full, or (9) it is insolvent, he may apply to the supreme judicial court for an injunction restraining it from further proceeding with its business. The court may forthwith issue a temporary injunction restraining the transaction of any business, and it may, after a full hearing, make the injunction permanent, and appoint one or more receivers to take possession of the books, papers, moneys and other assets of the corporation, settle its affairs, and distribute its funds to those entitled thereto, subject to such rules and orders as the court may prescribe.

*Section 14.* Every dental service corporation is hereby declared to be a charitable corporation. No such corporation shall be liable for injuries resulting from negligence or malpractice on the part of any participating dentist, nor shall it be liable for the cost of dental services to which the subscriber or covered dependent may be entitled under the provisions of any workmen's compensation law, but said corporation shall be liable for injuries resulting from negligence or malpractice on the part of any dentist employed by it or of its agents, servants or employees. Every such corporation shall be exempt from all provisions of the insurance laws of the commonwealth, except as otherwise provided in this chapter. The property of every such corporation shall, except as hereinafter provided, be exempt from all state and local taxes.

*Section 15.* It shall be unlawful for any person, firm, corporation or association, except a dental service corporation, to establish, maintain or operate a non-profit dental service plan; provided, however, that this chapter shall not render unlawful or affect any operation or activity of any company organized under the provisions of chapter one hundred and seventy-five, of any society or fraternal benefit society organized under the provisions of chapter one hundred and seventy-six or subject to any of the provisions thereof, of any non-profit hospital service or medical service corporation organized under the provisions of chapter one hundred and seventy-six A, one hundred and seventy-six B, or one hundred and seventy-six C, or of any corporation organized

or to be organized under chapter one hundred and eighty, the existence, purposes, activities and operations of which were lawful or would be lawful notwithstanding the provisions of this chapter.

*Section 16.* The provisions of this chapter may be enforced by a bill in equity brought in the supreme judicial court by the commissioner, the attorney general, or any district attorney. *Approved July 21, 1962.*

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**Chap. 715.** AN ACT RELATIVE TO THE PROMOTION AND DEVELOPMENT OF MARINE FISHERIES OF THE COMMONWEALTH.

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

SECTION 1. Chapter 21 of the General Laws is hereby amended by inserting after section 5 the following section: —

*Section 5A.* There shall be in the division of marine fisheries a commission to be known as the marine fisheries advisory commission hereinafter called the commission, which shall consist of nine members, qualified in the field of marine fisheries by training and experience, to be appointed by the governor with the approval of the council. As the term of a member expires, his successor shall be appointed for a term of three years, except that initially three members shall be appointed for terms of three years, three members shall be appointed for terms of two years and three members shall be appointed for terms of one year. The governor may also, with the like approval, fill any vacancy in an unexpired term. No member of the commission shall hold any other position in the department while serving as such, nor for a period of two years thereafter.

The commission shall annually elect its own chairman and clerk and shall keep accurate records of its meetings and hearings and shall meet at least quarterly and at the call of the chairman. A quorum to conduct business shall consist of five members. The commission shall hold public hearings relative to matters within the jurisdiction of the division and shall make recommendations to the director for the proper management and development of the marine fisheries of the commonwealth. The director or his designee shall attend all meetings and hearings of the commission and may present evidence thereat and shall include in his annual report a report of the commission. The members of the commission shall serve without compensation but shall be reimbursed for actual expenses incurred in the performance of their official duties.

SECTION 2. Said chapter 21 is hereby further amended by adding after section 16 the following section: —

*Section 17.* There shall be in the department a board to be known as the public access board composed of the commissioner of the department of natural resources, who shall be designated chairman, the director of the division of fisheries and game, the director of the division of motorboats and the commissioner of public works. The board shall meet at the call of the chairman and shall by majority vote designate locations of public access and related facilities to great ponds and the coastal waters. There is hereby established a fund to be known as the public access fund to which shall be credited such sums as shall be determined under the provisions of section thirteen of chapter sixty-four A. Such fund shall be expended subject to appropriation, only for the purpose of providing public access and related facilities in and to great ponds, as defined in section thirty-five of chapter ninety-one, and coastal waters as defined in chapter one hundred and thirty, and the public access board shall

designate the department of public works as the contracting agent for the expenditure of such funds.

SECTION 3. The third sentence of section 7 of chapter 64A of the General Laws, as appearing in section 1 of chapter 728 of the acts of 1957, is hereby amended by inserting after the word "fuel", in line 3, the following: — ; except claims for reimbursement of the excise paid for fuel used in producing or generating power for the operation of watercraft of every description, other than a seaplane, which shall be filed within sixty days from the date of purchase or invoice of such fuel.

SECTION 4. Said chapter 64A is hereby further amended by striking out section 13, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 13.* All sums received under this chapter shall be paid into the treasury of the commonwealth and credited as follows: —

(a) Ninety-eight and four-fifths per cent of the excise imposed by section four and all sums received as penalties, forfeitures, interest, costs of suits and fines shall be credited to the Highway Fund; provided that there shall be deducted therefrom all amounts allowed by the commissioner for reimbursement under sections seven and seven A, except as provided in clause (b);

(b) Whereas not less than one and one-fifth per cent of the excise imposed by said section four, hereinafter called the balance, is obtained from the sale or importation of fuel used in producing or generating power for the operation of watercraft of every description, except seaplanes, said balance, after deducting all reimbursements allowed to persons who have used such fuel in producing or generating power in the operation of such watercraft, shall be credited as follows: — one-sixth to the inland fisheries and game fund established by section three A of chapter one hundred and thirty; two-sixths to the public access fund established by section seventeen of chapter twenty-one; two-sixths to the marine fisheries fund established by section two A of chapter one hundred and thirty; and one-sixth to the Recreational Boating Fund established under section sixteen of chapter ninety B.

SECTION 5. Chapter 91 of the General Laws is hereby amended by inserting after section 5, as appearing in the Tercentenary Edition, the following section: —

*Section 5A.* The department shall, after notice in writing signed by the chairman of the public access board, established under section sixteen of chapter twenty-one, and with the consent of the governor and council, take by eminent domain, under the provisions of chapter seventy-nine, such land and water areas designated by said board for the purposes of providing public access and related facilities in and to coastal waters, as defined in chapter one hundred and thirty, and great ponds, and shall construct and maintain such roads, parking areas, docks, ramps and related facilities as may be designated by said board. The cost of such acquisition and construction shall be chargeable to the public access fund established under section seventeen of chapter twenty-one.

SECTION 6. Section 2 of chapter 130 of the General Laws is hereby amended by striking out the last paragraph, as amended by section 3 of chapter 98 of the acts of 1945, and inserting in place thereof the following three paragraphs: —

Whoever violates any provision of this chapter shall, unless otherwise provided, be punished by a fine of not less than ten nor more than one

thousand dollars, or by imprisonment for not more than one month, or both.

Whoever violates any rule or regulation made under authority of this chapter shall, unless otherwise provided, be punished by a fine of not less than ten nor more than one thousand dollars.

Any penalty imposed under this section shall be in addition to the suspension or revocation of licenses, permits or certificates as authorized by this section, and to any forfeiture proceedings authorized under this chapter.

SECTION 7. Said chapter 130 is hereby further amended by inserting after said section 2 the following section: —

*Section 2A.* Moneys received by the commonwealth for licenses, certificates, permits, fines or other penalties relating to marine fish and fisheries and such sums as may be credited under section thirteen of chapter sixty-four A, and all sums received by the commonwealth from the federal government on account of activities of the division of marine fisheries shall be credited to a fund to be known as the marine fisheries fund. All moneys in said fund shall be appropriated only for the purpose of maintaining, managing, operating and administering the division of marine fisheries in carrying out its functions.

SECTION 8. Said chapter 130 is hereby further amended by inserting after section 17 the following section: —

*Section 17A.* Upon petition signed by any interested party or upon his own motion, the director shall submit to the marine fisheries advisory commission proposals relating to the management of the marine fisheries. After public hearing, notice of which shall be published in a newspaper of general distribution in the areas affected, the commission shall in writing approve or disapprove such proposals. If any proposal is so approved, the director shall in accordance with such approval adopt, amend or repeal rules and regulations, subject to the approval of the commissioner, which shall govern the following activities only:

- (1) The manner of taking fish;
- (2) The legal size limits of fish to be taken;
- (3) The seasons and hours during which fish may be taken;
- (4) The numbers or quantities of fish which may be taken;
- (5) The opening and closing of areas within the coastal waters to the taking of any and all types of fish; provided that no area shall be so opened or closed without the consent of the selectmen of the town or the mayor and council of the city affected thereby. Upon the request of the commission, the selectmen or mayor and council shall hold a public hearing upon the question and shall thereafter notify the commission in writing within forty-five days after such request has been received or consent will be deemed to have been granted.

No such rule or regulation shall require a license for the taking of finned fish from coastal waters for non-commercial purposes.

SECTION 9. Said chapter 130 is hereby further amended by striking out section 104 and inserting in place thereof the following section: —

*Section 104.* This chapter shall not be deemed to affect any privileges granted in any special statute relating to fisheries in any particular place, except such provisions thereof as relate to shellfish and shell-fisheries, to alewife fisheries, and to those activities which are the subject of rules and regulations under section seventeen A.

*Approved July 23, 1962.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, July 23, 1962.

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 of 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 715 of the Acts of 1962, entitled "An Act Relative to the Promotion and Development of Marine Fisheries of the Commonwealth" and the enactment of which received my approval on July 23, 1962, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and that 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 immediately bring about the orderly and coordinated activities of our marine fisheries and all activities relating to same and in all their several aspects.

Respectfully submitted,

JOHN A. VOLPE,  
*Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, Boston, July 24, 1962.

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, 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 seven hundred and fifteen of the acts of nineteen hundred and sixty-two.

KEVIN H. WHITE,  
*Secretary of the Commonwealth.*

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**Chap. 716.** AN ACT TO PROVIDE FOR A SPECIAL PROGRAM FOR MASS TRANSPORTATION DEMONSTRATION AND PLANNING PROGRAMS BY THE MASS TRANSPORTATION COMMISSION.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide funds immediately for a special program for mass transportation demonstration and planning programs by the mass transportation commission, 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 mass transportation demonstration and planning programs by the mass transportation commission, the sums set forth in section two of this act are hereby made available for the period ending June thirtieth, nineteen hundred and sixty-five, subject to

the provision of law regulating the disbursement of public funds and the approval thereof.

## SECTION 2.

### Department of Public Works.

#### *Mass Transportation Commission.*

Item	
8463-85	For expenses of conducting mass transportation demonstration and planning programs; provided, that expenditures from this item shall be contingent upon the prior approval of the proper federal authorities and assurance that such expenditures will be matched by federal grants to the extent authorized by the National Housing Act as amended by the Housing Act of 1961, to be in addition to any other federal funds available for the purpose <span style="float: right;">\$1,900,000</span>

SECTION 3. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary for the purpose of meeting payments as authorized by section two of this act, and may issue and renew from time to time notes of the commonwealth therefor, bearing interest payable at such times and at such rates as shall be fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, but the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, nineteen hundred and sixty-six.

SECTION 4. The state auditor shall annually, during the period for which funds are made available under the provisions of this act, audit the books and records of any railroad receiving any of such funds.

*Approved July 23, 1962.*

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## **Chap. 717.** AN ACT PROVIDING FOR THE DISPOSITION OF CERTAIN FUNDS PAID BY THE MASSACHUSETTS TURNPIKE AUTHORITY UPON THE TAKING BY EMINENT DOMAIN OF THE STATE ARMORY ON IRVINGTON STREET IN THE CITY OF BOSTON.

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

SECTION 1. Funds paid by the Massachusetts Turnpike Authority for the taking by eminent domain of the state armory, located at Irvington Street in the city of Boston, together with all land and appurtenances thereto, shall be paid into the state treasury and may be expended by the armory commission for the acquisition of sites and the erection and equipping of armory facilities to replace said armory, to be expended in connection with federal funds available for the purpose, and to be in addition to the amount appropriated in item 8262-01 of section two of chapter five hundred and forty-four of the acts of nineteen hundred and sixty-one.

SECTION 2. No payment shall be made for the purchase of land until an independent appraisal of the value of the land shall be made by a qualified, disinterested appraiser.

SECTION 3. The construction of said armory facilities, and the subsequent use and operation of same under the provisions of chapter

thirty-three of the General Laws, is hereby authorized, any restriction on such use by zoning ordinances or otherwise, to the contrary notwithstanding.

SECTION 4. The provisions of section thirty A of chapter seven of the General Laws shall not apply to expenditures authorized herein.

*Approved July 23, 1962.*

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**Chap. 718.** AN ACT AUTHORIZING THE BURLINGTON WATER DISTRICT TO CONSTRUCT AND OPERATE A RESERVOIR FOR WATER STORAGE AND TO OBTAIN ADDITIONAL SOURCES OF WATER SUPPLY.

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

SECTION 1. Chapter 635 of the acts of 1949 is hereby amended by inserting after section 1 the following two sections: —

Section 1A. The district may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase, lease or otherwise the flood waters of the Shawsheen river in the town of Billerica and may divert the flood waters of said river in said town during the months of January to June, inclusive, in amounts approved by the department of public health, and hold for use by the district the water so diverted in a storage reservoir located within the town of Burlington. The district may also so take or acquire by purchase or otherwise and hold in the town of Billerica all lands, rights-of-way and easements necessary for collecting and diverting the waters of said river to the district; and also may so take by purchase or otherwise and hold all lands, rights-of-way and easements, necessary for collecting, storing, purifying, preserving and conveying the water, in the city of Woburn lying within five hundred feet of the junction of the boundaries of the towns of Wilmington and Burlington and the city of Woburn; provided, that no public way in the city of Woburn or the town of Billerica shall be relocated or obstructed other than temporarily for construction purposes; provided, further, that no source of water supply and no lands necessary for preserving the quality of the water shall be taken without first obtaining the advice and approval of the department of public health; and also provided that the situation of all dams and reservoirs to be used as sources of water supply under this section shall be subject to the approval of said department. The district may construct on the lands so acquired and held, proper dams, reservoirs, standpipes, tanks, buildings, fixtures and other structures, and may make excavations, procure and operate machinery and provide such other means and appliances and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct reservoirs and establish pumping works, lay and maintain aqueducts, conduits, pipes and other works under and over any land, water courses, and public or other ways, and along such ways in any of said towns or city in such manner as not unnecessarily to obstruct the same. For the purpose of constructing, laying, maintaining, operating and repairing such aqueducts, conduits, pipes and other works, and for all other proper purposes of this section, the district may dig up or raise and embank any such lands, highways or other ways, in such manner as to cause the least possible hindrance to public travel on such ways.



*Section 1B.* For the purpose of paying the necessary expenses and liabilities incurred under the provisions of section one A, the district may borrow from time to time 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, Burlington Water District Loan, Act of 1962. Each authorized issue shall constitute a separate loan, and such separate loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this section shall be in excess of the statutory limit, but shall, except as provided herein, be subject to the provisions of chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its acceptance by a majority 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.

*Approved July 23, 1962.*

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**Chap. 719.** AN ACT FURTHER REGULATING THE LICENSING OF DAY CARE SERVICES FOR CHILDREN.

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

SECTION 1. Chapter 111 of the General Laws is hereby amended by striking out sections 58 to 62, inclusive, and inserting in place thereof the following five sections: —

*Section 58.* "Day care services for children" as used in sections fifty-eight to sixty-two, inclusive, shall include the services of any institution or place whether known as a day nursery, nursery school, kindergarten, child play school, progressive school or preschool, or under any other name, except a Sunday school conducted by a church or a summer recreation camp, which receives for temporary custody, with or without stated educational purposes during part or all of the day apart from their parents, three or more children under seven years of age and not of common parentage, separate and apart from their parents. The term "day care services for children" shall not include: (1) services of kindergartens or nursery schools operating as part of organized educational systems and; (2) services of kindergartens or nursery schools operated by a state agency, provided such agency certifies annually to the department that its services are in accord with the minimum requirements of the department as specified in section sixty.

*Section 59.* No person shall conduct day care services for children without obtaining a license from the department. The department may delegate this responsibility to a local health department or board of health in certain designated localities provided such local health department or board of health thereof meets the requirements of the department for satisfactory standards, adequate staff and program for the carrying out of this activity, and consents to such delegation. A person wishing to conduct a day care service for children within such designated localities shall obtain a license from the designated local health department or board of health. The department shall determine a reasonable fee to be charged by it or by the designated local health department or board of health. All licenses shall expire twelve months from the date of issuance and shall be renewed annually. A temporary license may be issued to a day care service for children, which service

has not previously operated. Such temporary license shall be valid for six months, and may be renewed once for a six-month period. No license shall be transferable. No license shall be issued or renewed unless the day care service for children obtains a certificate issued under section forty-nine of chapter one hundred and forty-three, stating that the building to be occupied by such service has safe means of egress, adequate means of preventing the spread of fire, and necessary equipment for extinguishing fire.

*Section 60.* Minimum requirements for the proper care of children in day care services as are deemed necessary to protect the health, well-being, and development of the children shall be issued by the department in the form of rules and regulations relating to day care services for children, and may be revised from time to time. In establishing these requirements the departments of public welfare, education, mental health and public safety, shall jointly establish minimum standards which shall be included in the rules and regulations issued by the department. Any local health department or board of health may establish higher standards and requirements than those contained in said rules and regulations. Without limiting the generality of the foregoing, such regulations may include provisions for (1) appropriate and adequate admission policies and procedures; (2) the safe transport of children to and from the day care service where transportation is provided; (3) adequate physical plant and necessary equipment; (4) appropriate programs and materials; (5) medical supervision and adequate nutrition; (6) number of staff and their qualifications, which may include certification by the department of education; (7) any matter of administration reasonably necessary to insure compliance with the established requirements and standards. Any rules and regulations involving compulsory medical examination and treatment shall include appropriate exemptions for children whose parents object thereto on religious grounds in conformity with the teachings and practice of any well recognized church or religious denomination.

*Section 61.* The department or designated local health departments and boards of health may, at any time, visit and inspect day care services in order to determine whether they are conducted in compliance with law and with the rules and regulations made under section sixty. Failure by any day care service for children to comply with said rules and regulations shall be cause for the revocation of its license. The department shall assign qualified personnel to fully implement the licensing program, and to provide appropriate consultation to inspecting personnel as well as to the day care services.

*Section 62.* Whoever establishes, conducts, manages or maintains a day care service for children without first obtaining a license, or after revocation of such license, 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 2.** A provisional license may be issued to any day care service for children which is operating on the effective date of this act, and which is temporarily unable to conform with the requirements for the issuance of a license. Such provisional license shall be effective for one year following its issuance and may be renewed for one additional year only; provided, however, that such license may be revoked for cause.

SECTION 3. The department of public health shall take any and all steps necessary from time to time to secure any benefits to which it may be entitled under any existing or future legislation of the federal government and any federal funds received by the commonwealth for day care services for children shall be used by said department in carrying out the provisions of sections fifty-eight to sixty-two, inclusive, of chapter one hundred and eleven of the General Laws, including the administration thereof.

SECTION 4. This act shall effect on January first, nineteen hundred and sixty-three.

*Approved July 23, 1962.*

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**Chap. 720.** AN ACT MAKING THE LAWS RELATING TO THE ERECTION, ALTERATION AND INSPECTION OF BUILDINGS APPLICABLE TO BUILDINGS USED FOR DAY CARE SERVICES FOR CHILDREN.

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

SECTION 1. Section 1 of chapter 143 of the General Laws is hereby amended by inserting after the paragraph defining "Commissioner", added by chapter 480 of the acts of 1945, the following paragraph: —

"Day care services for children", the services of any institution or place whether known as a day nursery, nursery school, kindergarten, child play school, progressive school or preschool, or under any other name, except a Sunday school conducted by a church or a summer recreation camp, which receives for temporary custody, with or without stated educational purposes during part or all of the day apart from their parents, three or more children under seven years of age and not of common parentage, separate and apart from their parents. The term "day care services for children" shall not include: (1) services of kindergartens or nursery schools operating as part of organized educational systems and; (2) services of kindergartens or nursery schools operated by a state agency, provided such agency certifies annually to the department of public health that its services are in accord with the minimum requirements specified in section sixty of chapter one hundred and eleven.

SECTION 2. The first sentence of section 15 of said chapter 143 is hereby amended by inserting after the word "patients", in line 7 as appearing in section 2 of chapter 446 of 1959, the words: —, or as a day care service for children.

SECTION 3. The first sentence of section 21 of said chapter 143, as most recently amended by section 3 of said chapter 446, is hereby further amended by inserting after the word "home", in line 6, the words: — or of a day care service for children.

*Approved July 23, 1962.*

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**Chap. 721.** AN ACT INCREASING THE NUMBER OF JUSTICES OF THE SUPERIOR COURT.

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

Section 1 of chapter 212 of the General Laws, as amended by chapter 370 of the acts of 1958, is hereby further amended by striking out, in line 2, the word "thirty-seven" and inserting in place thereof the word: — forty-one, — so as to read as follows: — *Section 1.* The superior court shall consist of one chief justice and forty-one associate justices.

*Approved July 23, 1962.*

**Chap. 722.** AN ACT RELATIVE TO THE TRANSFER OF CAUSES AND MATTERS BETWEEN THE SUPREME JUDICIAL AND OTHER COURTS.

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

SECTION 1. Section 1 of chapter 185 of the General Laws is hereby amended by adding after clause (m), added by section 5 of chapter 318 of the acts of 1935, the following clause: —

(n) Proceedings transferred to it under the provisions of section four A of chapter two hundred and eleven.

SECTION 2. Chapter 211 of the General Laws is hereby amended by inserting after section 4 the following section: —

*Section 4A.* The supreme judicial court or a justice thereof may transfer for partial or final disposition in any appropriate lower court any cause or matter which might otherwise be disposed of by a single justice, and said lower court shall thereupon have jurisdiction thereof, subject to appeal, exceptions, or other proceeding in the nature of an appeal, and shall have such assistance from other departments or from the use of other writs and processes as the law provides shall be available to it or any other court with respect to like causes or matters, but no transfer shall be made of the following: —

(1) Petitions to vacate, or writs or bills to review a judgment or decree of the supreme judicial court, or a writ of audita querela as to a judgment of the supreme judicial court.

(2) Writs of prohibition, or writs of mandamus to a court or judicial officer, or the superintendence of insolvency cases under chapter two hundred and sixteen.

(3) Dismissal under section thirteen of chapter fifty-eight A of appeals from the appellate tax board; stays of execution of sentence after exceptions or appeal under sections four and forty-nine A of chapter two hundred and seventy-nine; reduction of bail under section fifty-eight of chapter two hundred and seventy-six; summary review of questions of law pertaining to issuance or denial or preliminary injunctions in labor disputes under subsection (6) of section nine A of chapter two hundred and fourteen; suspension or modification of workmen's compensation orders pending appeal under chapter one hundred and fifty-two; suspension, modification, or annulment of orders or decrees under section twenty-two of chapter two hundred and fourteen after an appeal; stays or orders pending appeal, or variances or discharge of probate court orders for a stay, under sections twenty-three and twenty-four of chapter two hundred and fifteen; grants of leave to appeal late under section twenty-eight of chapter two hundred and fourteen or section fifteen of chapter two hundred and fifteen, or to enter an appeal, bill of exceptions or report late under section eleven of this chapter; establishment of exceptions under section one hundred and seventeen of chapter two hundred and thirty-one; or any similar matter incidental to the appellate jurisdiction of the full court for which provision may hereafter be made.

In any case involving public utility rates, insurance rates, or other matter clearly affecting the public interest or an entire industry, a single justice shall file with the order of transfer a statement of his reasons therefor.

The supreme judicial court may also direct any cause or matter to be transferred from a lower court to it in whole or in part for further action or directions, and in case of partial transfer may issue such orders or

directions in regards to the part of such cause or matter not so transferred as justice may require.

SECTION 3. Chapter 213 of the General Laws is hereby amended by striking out section 1A, as most recently amended by chapter 180 of the acts of 1941, and inserting in place thereof the following section: —  
*Section 1A.* Unless otherwise specifically provided, the superior court shall have original jurisdiction, concurrently with the supreme judicial court, of all proceedings, cases and matters of which the supreme judicial court has jurisdiction, excepting those within the appellate jurisdiction of the full court, those provided for under section four of chapter two hundred and eleven, and those which cannot be transferred under section four A of said chapter.

SECTION 4. Section 1B of said chapter 213, inserted by section 1 of chapter 257 of the acts of 1939, is hereby amended by striking out, in lines 9 to 11, inclusive, the words “, and section thirty-two of said chapter two hundred and fourteen shall apply to proceedings within the concurrent jurisdiction provided for by said section one A”.

SECTION 5. Section thirty-two of chapter two hundred and fourteen of the General Laws is hereby repealed.

SECTION 6. The first sentence of section 3 of chapter 215 of the General Laws, as amended by section 2 of chapter 567 of the acts of 1962, is hereby further amended by striking out the words “thirty-two A of chapter two hundred and fourteen” and inserting in place thereof the words: — four A of chapter two hundred and eleven.

SECTION 7. Section 19 of chapter 218 of the General Laws, as most recently amended by section 1 of chapter 369 of the acts of 1958, is hereby further amended by adding at the end the following sentence: — They shall have jurisdiction of proceedings transferred to them under the provisions of section four A of chapter two hundred and eleven.

SECTION 8. Section 26 of said chapter 218, as most recently amended by chapter 138 of the acts of 1958, is hereby further amended by adding at the end the following sentence: — They shall have jurisdiction of proceedings referred to them under the provisions of section four A of chapter two hundred and eleven.

SECTION 9. The first sentence of section 60 of said chapter 218, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word “children”, in line 4, the following: —, and over proceedings referred to it under the provisions of section four A of chapter two hundred and eleven.

*Approved July 23, 1962.*

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**Chap. 723.** AN ACT PROVIDING FOR AN INCREASE IN THE RATE PER MILLION GALLONS TO BE CHARGED CITIES AND TOWNS WHICH ARE MEMBERS OF THE METROPOLITAN WATER DISTRICT.

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

SECTION 1. Section 10 of chapter 92 of the General Laws is hereby amended by striking out paragraph (12), as amended by section 2 of chapter 575 of the acts of 1947, and inserting in place thereof the following paragraph: —

(12) All payments made as aforesaid for admission of towns and for furnishing water to water companies, non-member towns, groups of towns, or districts referred to in paragraph (3), and for selling and de-

livering water, except payments of annual assessments by towns, water companies, non-member towns, groups of towns, or such districts shall be deposited with the state treasurer and credited as other revenue in the metropolitan water district fund, established in accordance with section twenty-five. All payments made as annual assessments, in accordance with section twenty-six, either by towns, water companies, non-member towns, groups of towns, or such districts, shall be applied as provided in section twenty-five.

SECTION 2. Said chapter 92 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.* All monies received by the commonwealth on account of the operation of the metropolitan water district, together with the proceeds of bonds issued under the provisions of section twenty-six A shall be credited on the books of the commonwealth to a fund to be known as the metropolitan water district fund, to be expended, subject to appropriation for the purposes of the said metropolitan water district. Assessments received in accordance with section twenty-six, together with the proceeds of bonds issued under the provisions of section twenty-six A, shall comprise the operating revenues of said metropolitan water district fund. So much of said operating revenues, or other revenues credited in accordance with specific statute as are required to meet the debt service requirements of metropolitan water district bonds shall be credited to debt service accounts maintained for each of the metropolitan water district loans, and together with any accrued interest and premiums which may be received in connection therewith may be expended for debt service costs without further appropriation.

SECTION 3. Said chapter 92 is hereby further amended by inserting after section 25 the following section: —

*Section 25A.* The amount of fiscal year charges representing amounts appropriated together with other authorized charges to the metropolitan water district fund, less any amounts of prior appropriations which may revert in accordance with law, shall be determined annually by the comptroller as of the close of each fiscal year.

The comptroller shall certify to the state treasurer the amount by which the fiscal year charges together with the amount of the fund requirements carried forward from the previous fiscal year exceeds the total of operating revenues, as defined in section twenty-five and all other revenues of the metropolitan water district fund.

SECTION 4. The first paragraph of section 26 of said chapter 92, as appearing in chapter 618 of the acts of 1953, is hereby amended by striking out clause (a) and inserting in place thereof the following clause: —

(a) In the case of each city and town that was a member of and took its entire supply from the district at the beginning of the year an amount equal to the rate of one hundred and twenty dollars per million gallons times its estimated consumption, taken as the number of million gallons of water consumed in the previous calendar year;

SECTION 5. The first sentence of section 26A of said chapter 92, as appearing in section 7 of chapter 549 of the acts of 1946, is hereby amended by striking out, in lines 4 to 11, inclusive, the words "balance, not met by the assessments authorized in sections ten and twenty-six of the requirements for maintenance and operation, for miscellaneous interest, for any credits to member towns, for the sinking fund and for

interest and principal payments on all bonds issued for the construction of the metropolitan water system, and on all bonds issued under the authorization of this section" and inserting in place thereof the words: — requirements of the fund as certified by the comptroller.

SECTION 6. The second sentence of said section 26A of said chapter 92, as so appearing, is hereby amended by striking out, in line 5, the word "balance" and inserting in place thereof the words: — fund requirements.

SECTION 7. Said section 26A of said chapter 92 is hereby further amended by adding at the end the following paragraph: —

In any year in which the amount of bonds issued in accordance with the provisions of this section exceeds the amount of principal payments in the prior fiscal year on all bonds issued for the construction of the metropolitan water system, excluding bonds issued under the authorization of this section, the state treasurer shall report that fact to the legislature with a draft of legislation designed to change the then existing rate by increasing it to the next higher multiple of five dollars a million gallons.

SECTION 8. Section 26B of said chapter 92, inserted by section 3 of chapter 587 of the acts of 1945, is hereby repealed.

SECTION 9. Said chapter 92 is hereby further amended by striking out section 59A, as most recently amended by section 4 of chapter 612 of the acts of 1959, and inserting in place thereof the following section: — *Section 59A.* Annual assessments for maintenance made in any year upon the cities and towns of each of the metropolitan districts referred to in this chapter, other than the metropolitan sewerage district and the metropolitan water district, shall be payable on November twentieth of such year and shall be based upon seven twelfths of the appropriations for such district for the fiscal year ending with the preceding June thirtieth and five twelfths of such appropriations for the fiscal year immediately following said June thirtieth. Annual assessments to meet the interest, sinking fund and serial or other bond requirements on account of each of such districts other than the metropolitan sewerage district and the metropolitan water district for any year shall be payable on November twentieth of such year and shall be made for the twelve-month period ending November thirtieth of such year, except that annual assessments to meet such serial or other bond requirements on bonds shall be made for the twelve-month period ending January second of the following year.

SECTION 10. Section 82 of said chapter 92, as appearing in the Tercentenary Edition, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — All money received under this section shall be paid to the commonwealth and credited as other revenue in the metropolitan water district fund.

SECTION 11. Any city or town which has increased its rates for water to the consumers since January first, nineteen hundred and sixty is hereby prohibited from making any further rate increase prior to January first, nineteen hundred and sixty-five.

SECTION 12. This act shall take effect as of July first, nineteen hundred and sixty-two, provided, however, that assessments payable in the current calendar year shall be at the rate per million gallons in effect on January first, nineteen hundred and sixty-two.

*Approved July 23, 1962.*

**Chap. 724.** AN ACT PROHIBITING THE OPEN BURNING OF TRASH OR OTHER REFUSE IN A CERTAIN DUMPING GROUND IN THE CITY OF PEABODY.

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

The city of Peabody is hereby authorized and directed to prohibit the open burning of trash or other refuse in its dumping ground located in the vicinity of Forest street and state highway Route 1 in said city.

*Approved July 23, 1962.*

**Chap. 725.** AN ACT INCREASING THE SALARY OF THE CLERK OF THE THIRD DISTRICT COURT OF SOUTHERN WORCESTER.

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

Section 79 of chapter 218 of the General Laws is hereby amended by striking out paragraph (1), as most recently amended by section 1 of chapter 613 of the acts of 1961, and inserting in place thereof the following paragraph: —

(1) The clerks of the following courts shall be paid in accordance with the salary schedule as set forth in paragraph (2): —

*Class I.* — The district court of northern Berkshire,  
district court of southern Berkshire,  
fourth district court of Berkshire,  
district court of Dukes County,  
second district court of Essex,  
third district court of Essex,  
district court of eastern Franklin,  
district court of eastern Hampden,  
district court of eastern Hampshire,  
district court of Lee,  
district court of Leominster,  
district court of Nantucket,  
district court of Williamstown,  
district court of Winchendon,  
second district court of southern Worcester, and  
district court of western Worcester.

*Class II.* — The second district court of Barnstable,  
district court of Chicopee,  
district court of eastern Essex,  
district court of Franklin,  
district court of Marlborough,  
district court of Natick,  
district court of Newburyport,  
third district court of Plymouth,  
fourth district court of Plymouth,  
first district court of eastern Worcester,  
second district court of eastern Worcester, and  
third district court of southern Worcester.

*Class III.* — The first district court of Barnstable,  
first district court of Bristol,  
fourth district court of Bristol,  
district court of Fitchburg,



district court of western Hampden,  
 district court of Hampshire,  
 district court of Holyoke,  
 district court of central Middlesex,  
 fourth district court of eastern Middlesex,  
 first district court of northern Middlesex,  
 district court of southern Norfolk,  
 district court of western Norfolk,  
 district court of Peabody, and  
 first district court of northern Worcester.

*Class IV.* — The district court of central Berkshire,  
 second district court of Bristol,  
 third district court of Bristol,  
 district court of Brockton,  
 municipal court of Brookline,  
 first district court of Essex,  
 central district court of northern Essex,  
 district court of southern Essex,  
 district court of Lawrence,  
 district court of Lowell,  
 second district court of eastern Middlesex,  
 first district court of southern Middlesex,  
 district court of northern Norfolk,  
 second district court of Plymouth,  
 district court of Somerville, and  
 first district court of southern Worcester.

*Class V.* — The first district court of eastern Middlesex,  
 third district court of eastern Middlesex,  
 district court of Newton,  
 district court of East Norfolk,  
 municipal court of the Roxbury district,  
 municipal court of the West Roxbury district,  
 district court of Springfield, and  
 central district court of Worcester.

*Approved July 23, 1962.*

**Chap. 726.** AN ACT AUTHORIZING THE BURLINGTON WATER DISTRICT  
 TO CONSTRUCT AND OPERATE A SYSTEM OF SEWERS.

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

SECTION 1. Chapter 635 of the acts of 1949 is hereby amended by striking out section 1 and inserting in place thereof the following section: — *Section 1.* The inhabitants of the town of Burlington, liable to taxation in said town and residing within the territory comprising the town of Burlington as bounded by its corporate limits, excepting that portion in the southwesterly part of the town beginning at a point in the southerly line of Wheelers road one thousand feet from the intersection of the Middlesex turnpike and running northwesterly and parallel to the Middlesex turnpike, to the boundary line of the town of Burlington and the town of Bedford; then turning in a southwesterly direction along the boundary line of the towns of Burlington and Bedford to the boundary line of the towns of Burlington, Bedford and Lexington; and then

in a southeasterly direction along the boundary line of the towns of Burlington and Lexington to the southerly line of Wheelers road; then turning in an easterly direction along the southerly line of Wheelers road to the point of beginning, shall constitute a water and sewer district and are hereby made a body corporate by the name of the Burlington Water and Sewer District, hereinafter called the district, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and discontinue the same; to regulate the use of such water and to fix and collect rates to be paid therefor; for the purpose of providing a system of sewage disposal for a part or the whole of its territory, with power to lay out, construct, maintain and operate a system or systems of common sewers, with such connections, pumping stations, treatment plants and other works as may be required for such system of sewage disposal, and to contract for said purposes with any person, corporation, city, town, district or the metropolitan district commission; and for the purposes of assessing and raising taxes as provided herein for the payment of such services, and for defraying the necessary expenses of carrying on the business of said district, subject to all general laws now or hereafter in force relating to such districts, except as otherwise provided herein. Except as otherwise expressly provided herein, the district shall have all the powers of a town granted by sections one through nine, inclusive, fifty-nine A and sixty of chapter ninety-two of the General Laws, and all provisions of said sections relative to towns shall apply to the district, including without limitation the authority of the metropolitan district commission to contract with any town for the extension thereto of the metropolitan sewerage district system of sewage disposal, the reception and disposal of the sewage therefrom, the admission of any town to said sewerage district, the use by any town of a part of the metropolitan system as a municipal sewer, and the acquisition of the local sewer of any town to become a part of the metropolitan system. The district shall have power to prosecute and defend all actions relating to its property and affairs.

SECTION 2. Section 2 of said chapter 635 is hereby amended by inserting after the word "water", in line 2, the words:— and sewer.

SECTION 3. Said chapter 635 is hereby further amended by inserting after section 2 the following two sections:—

*Section 2A.* For the purpose of providing a system of sewage disposal as aforesaid, the district, acting by and through its board of water and sewer commissioners, hereinafter provided for, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by lease, purchase or otherwise, and hold, any lands, rights of way or other easements, public or private, in the district, or acquire by lease, purchase or otherwise, and hold, any lands, rights of way, or other easements, public or private, in any adjoining town or city necessary for accomplishing any purpose mentioned in this act, and may in the district construct and maintain such sewers, connections, pumping stations, treatment plants or other works 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 it shall not take in fee any land of a railroad corporation, or land of an electric transmission line corporation, and that it 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 it may agree upon with such corporation, or in case of failure to agree, as may be approved by the department of public utilities.

*Section 2B.* The district 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 eighty-one of chapter forty-one of the General Laws or any other general law, the district shall have voted prior to the beginning of construction therein that the sewer system be extended to such private way.

SECTION 4. Said chapter 635 is hereby further amended by inserting after section 4 the following section: —

*Section 4A.* For the purpose of paying the necessary expenses and liabilities incurred in providing such system of sewage disposal under this act the district may from time to time, within five years after the effective date of this section, borrow such sums as may be necessary, not exceeding, in the aggregate, two million dollars and may issue bonds or notes therefor, which shall bear on their face the words, Burlington Water and Sewer District Loan, Act of 1962. Each authorized issue shall constitute a separate loan, and each such separate loan shall be payable in not more than thirty years from its date. 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 5. Said chapter 635 is hereby further amended by striking out section 5 and inserting in place thereof the following section: —

*Section 5.* The district shall, at the time of authorizing the loan or loans referred to in section four of this act, provide for the payment thereof in accordance with said section four; and, when a vote to that effect has been passed, a tax equal to a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the district, and to make such payments on the principal as may be required under this act, shall without further vote be assessed upon the district by the assessors of said town of Burlington annually thereafter until the debt incurred by said loan or loans is extinguished.

SECTION 6. Said chapter 635 is hereby further amended by inserting after section 5 the following section: —

*Section 5A.* The district shall, at the time of authorizing the loan or loans referred to in section four A of this act, provide for the payment thereof in accordance with said section four A; and, when a vote to that effect has been passed, a tax equal to a sum which, with the income derived from sewer charges and assessments, will be sufficient to pay the annual expense of operating its sewer system and the interest as it accrues on the bonds or notes issued as aforesaid by the district, and to

make such payments on the principal as may be required under this act, shall without further vote be assessed upon the district by the assessors of said town of Burlington annually thereafter until the debt incurred by said loan or loans is extinguished.

SECTION 7. Section 6 of said chapter 635 is hereby amended by inserting after the word "water", in line 3, the words: — and sewer.

SECTION 8. Said chapter 635 is hereby further amended by striking out section 7 and inserting in place thereof the following section: — *Section 7.* Whenever a tax is duly voted by the district for the purposes of this act, the clerk shall send a certified copy of the vote to the assessors of said town, who shall assess the same on property within the district in the same manner in all respects in which town taxes are required by law to be assessed; provided, that no estate shall be subject to any tax assessed on account of the system of water supply under this act if, in the judgment of the board of water and sewer commissioners hereinafter provided for, after a hearing, due notice whereof shall have been given, such estate is so situated that it can receive no aid in the extinguishment of fire from the said system of water supply, or if such estate is so situated that the buildings thereon, or the buildings that might be constructed thereon, could not be supplied with water from said system in any ordinary or reasonable manner, but all other estates in the district shall be deemed to be benefited and shall be subject to such tax; and provided, further, that no estate shall be subject to any tax assessed on account of the system of sewerage under this act if, in the judgment of said board, after a hearing, due notice whereof shall have been given, such estate is so situated that it can receive no aid from the said sewerage system, or if such estate is so situated that the buildings thereon, or the buildings that might be constructed thereon, could not be connected with the said system in any ordinary or reasonable manner, but all other estates in the district shall be deemed to be benefited and shall be subject to such tax. A certified list of the estates exempt from taxation under the provisions of this section shall annually be sent by said board to said assessors, at the same time at which the clerk shall send a certified copy of the vote as aforesaid. The assessment shall be committed to the town collector, who shall collect said tax in the manner provided by law for the collection of town taxes, and shall deposit the proceeds thereof with the district treasurer for the use and benefit of the district. The district may collect interest on overdue taxes in the manner in which interest is authorized to be collected on town taxes.

SECTION 9. Section 8 of said chapter 635 is hereby amended by striking out, in line 5 and in line 21, in each instance, the word "water".

SECTION 10. Said chapter 635 is hereby further amended by striking out section 9 and inserting in place thereof the following section: — *Section 9.* The district shall, after the acceptance of this act as aforesaid, elect by ballot, either at the same meeting at which this act shall have been accepted, or thereafter, at an annual meeting or at a special meeting called for the purpose, three persons, inhabitants of and voters in said district, to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year, from the date of the next succeeding annual district meeting, to constitute a board of water and sewer commissioners, hereinafter called the board; and at every annual district meeting following such next succeeding annual district meeting one such commissioner shall be

electd by ballot for the term of three years. The date of the next annual meeting shall be fixed by by-law or by vote of the board, but in no event shall it be later than fifteen months subsequent to the date on which such commissioners were first elected. All the authority granted to said district by this act, except sections four, four A, five and five A, and not otherwise specifically provided for, shall be vested in said board, who shall be subject, however, to such instructions, rules and regulations as the district may by vote impose. At the meeting at which said commissioners are first elected and at each annual meeting held thereafter, the district shall elect by ballot, each for a term of one year, a clerk and a treasurer of the district. The treasurer shall not be such a commissioner, and shall give bond to the district in such an amount as may be approved by said commissioners and with a surety company authorized to transact business in the commonwealth as surety. A majority of said commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in the board from any cause may be filled for the remainder of the unexpired term by said district at any legal meeting called for the purpose. No money shall be drawn from the treasury of the district on account of its water works or system of sewerage except upon a written order of said commissioners or a majority of them.

SECTION 11. Said chapter 635 is hereby further amended by striking out section 10 and inserting in place thereof the following section: —

*Section 10.* The board shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be appropriated to defray all operating expenses, interest charges and payments on the principal as they shall accrue upon any bonds or notes issued under authority of section four of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it may be appropriated for such new construction of water works as said commissioners may recommend, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. Said commissioners shall annually, and as often as the district may require, render a report upon the condition of the water works under their charge, and an account of their doings, including an account of receipts and expenditures.

SECTION 12. Said chapter 635 is hereby further amended by inserting after section 10 the following section: —

*Section 10A.* The board shall fix just and equitable annual charges for the use of common sewers which shall be paid by every person who enters his particular sewer therein, and the board shall prescribe the time and manner of payment thereof. The income of the sewer system shall be appropriated to defray all operating expenses, interest charges and payments on the principal as they shall accrue upon any bonds or notes issued under authority of section four A of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it may be appropriated for such new construction of sewer works as said commissioners may recommend, and in case a surplus should remain after payment for such new construction the sewer charges shall be reduced proportionately. Said commissioners shall annually, and as often as the district may require, render a report upon the condition of the sewer works under their charge, and an account of their doings, including an account of receipts and expenditures.

SECTION 13. Section 11 of said chapter 635 is hereby amended by striking out, in line 7, the words "water works", and inserting in place thereof the words: — water or sewer works, or both.

SECTION 14. Said chapter 635 is hereby further amended by inserting after section 11 the following section: —

*Section 11A.* Said board may, from time to time, prescribe rules and regulations for the connection of estates and buildings with main drains and sewers, and for inspection of the materials, the construction, alteration and use of all connections and drains entering into such main drains or 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 Burlington if there be any, and if not, then in some newspaper published in the county of Middlesex, and shall not take effect until such publications have been made.

SECTION 15. Section 13 of said chapter 635 is hereby stricken out.

SECTION 16. Said chapter 635 is hereby further amended by inserting after section 13 the following three sections: —

*Section 13A.* The district is hereby authorized, acting through the board, upon the application of the owner of any estate abutting on any public or private way where a common sewer is constructed, to lay in such sewered way and in the private land of such owners such particular sewer as may be necessary to connect any building on such estate with such sewer, and the board may make all necessary contracts in the name and behalf of the district for such purposes. The cost of constructing each particular connection shall be assessed by the board upon the estate so connected, with provision for the levying of annual assessments on such estate so that the district 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 district a certificate, designating the way and the private land in which said 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 Middlesex County Registry of Deeds, Southern District, or in the case of registered land, filed with the assistant recorder of the Land Court, Middlesex South Registry District. The board of assessors shall, upon receipt of such certificate, forthwith commit such assessments with their warrant to the collector of taxes, who shall forthwith make a demand in writing for the payment of such assessments, 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. 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 assess-

ment made under this section shall attach upon the recording or filing for 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 13B.* All contracts made by the board shall be made in the name of the district and shall be signed by a majority of 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 district therefor.

*Section 13C.* No act shall be done under authority of the preceding sections in relation to the providing of such system of sewage disposal, 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 17. This act shall take full effect upon its acceptance by a majority of the voters of the Burlington Water District voting thereon at an annual or special district 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 July 23, 1962.*

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**Chap. 727.** AN ACT RELATIVE TO THE COLLECTION OF EXCISE TAXES ON REGISTERED MOTOR VEHICLES.

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

Notwithstanding the provisions of section two of chapter sixty A of the General Laws, the commissioner of corporations and taxation may, as soon as he deems it expedient, transmit to the boards of assessors a commitment list with warrant and individual tax bill for each vehicle appearing on such list, and a charge of fifteen cents shall be made for each such tax bill transmitted. The amount of the charges for said tax bills so transmitted shall be computed by the commissioner and such amount shall be certified by said commissioner to the assessors of each city and town as provided in section twenty-one of chapter fifty-nine. All sums received as a result of such charges shall be deposited in the Highway Fund.

*Approved July 23, 1962.*

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**Chap. 728.** AN ACT RELATIVE TO THE POWERS OF THE CAPITOL POLICE TO REMOVE ILLEGALLY PARKED VEHICLES.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to make effective forthwith the power of the capitol police to remove certain vehicles from streets or areas under their jurisdiction or control, 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 12 of chapter 8 of the General Laws is hereby amended by adding at the end the following paragraph: —

The capitol police may, through an independent contractor, remove from any area or way subject to their jurisdiction or control and store in any convenient place, any vehicle parked or standing thereon in viola-

tion of any law, ordinance, by-law, rule, regulation, or order; provided, however, that such removal and storage shall be at no expense to and without liability on the part of the commonwealth. The owner or person in charge of such vehicle, in addition to any penalty for such violation, shall be liable for the charges for such removal and storage, not exceeding eight dollars for removal nor one dollar and a half per day for storage.

*Approved July 24, 1962.*

**Chap. 729.** AN ACT FURTHER REGULATING THE AWARDED OF SCHOOL BUS CONTRACTS.

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

SECTION 1. The first paragraph of section 7A of chapter 71 of the General Laws, as amended by chapter 754 of the acts of 1949, is hereby further amended by inserting after the word "basis", in line 18, the words: — of prevailing wage rates, as hereinafter provided, and.

SECTION 2. Said section 7A of said chapter 71 is hereby further amended by inserting after the first paragraph, as amended by section 1 of this act, the following three paragraphs: —

Prior to awarding a contract, the school committee in a city or in a town having a population of sixteen thousand or over shall request the commissioner of labor and industries to determine the rate of wages to be paid to each person to be employed by the bidder under said contract, and shall forward to the commissioner a list of jobs to be performed under the contract. The commissioner shall proceed forthwith to determine the same, and shall furnish said school committee with a schedule of such rate or rates of wages. The determined rate per hour of said wages shall not be less than those established by collective agreements or understandings between organized labor and employers in such city or town for operators of motor buses; provided, that in cities or towns where such rate or rates have been so established, the wages determined shall not be less than the wages paid for that type of employment by such bidders.

In advertising for or inviting bids, said school committee shall incorporate said schedule in the advertisement or invitation by an appropriate reference thereto, and shall furnish a copy of said schedule, without cost, to any person requesting the same. Said schedule shall be made a part of the contract, and shall continue to be the minimum rate or rates of wages during the life of the contract. The bidder shall cause a copy of said schedule to be kept posted in a conspicuous place during the life of the contract.

Whoever pays or agrees to pay less than said rate or rates of wages to any person performing work within the schedule and whoever, for himself, or as representative, agent or officer of another person, accepts as a rebate, refund or gratuity, or in any other guise, any part or portion of the wages paid to any such person for work done or service rendered under said contract, shall be punished by a fine of not less than one hundred nor more than five hundred dollars. Whoever is convicted of a second violation of this paragraph shall be prohibited from contracting, directly or indirectly, with any city or town for a period of two years from the date of such conviction.

*Approved July 24, 1962.*



**Chap. 730.** AN ACT PROVIDING FOR CONTRIBUTION AMONG JOINT TORTFEASORS.

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

SECTION 1. The General Laws are hereby amended by inserting after chapter 231A the following new chapter:—

## CHAPTER 231B.

## CONTRIBUTION AMONG JOINT TORTFEASORS.

*Section 1.* (a) Except as otherwise provided in this chapter, where two or more persons become jointly liable in tort for the same injury to person or property, there shall be a right of contribution among them even though judgment has not been recovered against all or any of them.

(b) The right of contribution shall exist only in favor of a joint tortfeasor, hereinafter called tortfeasor, who has paid more than his pro rata share of the common liability, and his total recovery shall be limited to the amount paid by him in excess of his pro rata share. No tortfeasor shall be compelled to make contribution beyond his own pro rata share of the entire liability.

(c) A tortfeasor who enters into a settlement with a claimant shall not be entitled to recover contribution from another tortfeasor in respect to any amount paid in a settlement which is in excess of what was reasonable.

(d) A liability insurer, who by payment has discharged in full or in part the liability of a tortfeasor and has thereby discharged in full its obligation as insurer, shall be subrogated to the tortfeasor's right of contribution to the extent of the amount it has paid in excess of the tortfeasor's pro rata share of the common liability. This provision shall not limit or impair any right of subrogation arising from any other relationship.

(e) This chapter shall not impair any right of indemnity under existing law. Where one tortfeasor is entitled to indemnity from another, the right of the indemnity obligee shall be for indemnity and not contribution, and the indemnity obligor shall not be entitled to contribution from the obligee for any portion of his indemnity obligation.

*Section 2.* In determining the pro rata shares of tortfeasors in the entire liability (a) their relative degrees of fault shall not be considered; (b) if equity requires, the collective liability of some as a group shall constitute a single share; and (c) principles of equity applicable to contribution generally shall apply.

*Section 3.* (a) Whether or not judgment has been entered in an action against two or more tortfeasors for the same injury, contribution may be enforced by separate action.

(b) Where a judgment has been entered in an action against two or more tortfeasors for the same injury, contribution may be enforced in that action by judgment in favor of one against other judgment defendants by motion upon notice to all parties to the action.

(c) If there is a judgment for the injury against the tortfeasor seeking contribution, any separate action by him to enforce contribution must be commenced within one year after the judgment has become final by lapse of time for appeal or after appellate review.

(d) If there is no judgment for the injury against the tortfeasor seeking contribution, his right of contribution shall be barred unless he has either (1) discharged by payment the common liability within the statute of limitations period applicable to claimant's right of action against him and has commenced his action for contribution within one year after payment, or (2) agreed while action is pending against him to discharge the common liability and has within one year after the agreement paid the liability and commenced his action for contribution.

(e) The recovery of a judgment for an injury against one tortfeasor shall not of itself discharge the other tortfeasors from liability for the injury unless the judgment is satisfied. The satisfaction of the judgment shall not impair any right of contribution.

(f) The judgment of the court in determining the liability of the several defendants to the claimant for an injury shall be binding as among such defendants in determining their right to contribution.

*Section 4.* When a release or covenant not to sue or not to enforce judgment is given in good faith to one of two or more persons liable in tort for the same injury:

(a) It shall not discharge any of the other tortfeasors from liability for the injury unless its terms so provide; but it shall reduce the claim against the others to the extent of any amount stipulated by the release or the covenant, or in the amount of the consideration paid for it, whichever is the greater; and

(b) It shall discharge the tortfeasor to whom it is given from all liability for contribution to any other tortfeasor.

*SECTION 2.* If any provision of this act or the application thereof to any person is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application and to this end the provisions of this act are severable.

*SECTION 3.* This act shall take effect on January first, nineteen hundred and sixty-three and shall apply only with reference to torts occurring on or after said date.

*Approved July 24, 1962.*

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**Chap. 731.** AN ACT AUTHORIZING THE COMMONWEALTH TO GRANT EASEMENTS OVER, UNDER, ACROSS AND UPON CERTAIN LAND, FOR THE TRANSMISSION OF ELECTRIC POWER, TO WESTERN MASSACHUSETTS 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 not less than two thousand five hundred dollars, may grant to Western Massachusetts Electric Company, an electric company organized and existing under the laws of the commonwealth, easements for the construction, maintenance and operation of towers, poles and wires for the transmission of electricity on, over, under and across certain portions of lands of the commonwealth in the towns of Wilbraham and Dalton, which lands are under the control and custody of said division of fisheries and game. Said easements shall be in such form and at such locations as the said director may approve and deem proper.

*Approved July 24, 1962,*

**Chap. 732.** AN ACT AUTHORIZING THE CITY OF LYNN TO SELL CERTAIN LAND ACQUIRED FOR PARK AND RECREATION PURPOSES.

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

SECTION 1. The city of Lynn, by its proper authorities, may sell and convey all or any part of a certain parcel of land in said city acquired for park and recreation purposes, containing approximately thirty thousand, three hundred and fifty square feet. Said land is shown on a plan entitled "Plan of Land for Sale by City of Lynn", dated May twenty-one, nineteen hundred and sixty-two, signed by Joseph J. Macaione, city engineer, on file in the office of the city engineer of said city.

SECTION 2. This act shall take effect upon its acceptance during the current year by the board of park commissioners of said city and by the city council, with the approval of the mayor, but not otherwise.

*Approved July 24, 1962.*

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**Chap. 733.** AN ACT REQUIRING THE STATE AUDITOR TO AUDIT THE ACCOUNTS OF DISTRICTS AND AUTHORITIES.

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

Chapter 11 of the General Laws is hereby amended by striking out section 12, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: —

*Section 12.* The department of the state auditor shall annually make a careful audit of the accounts of all departments, offices, commissions, institutions and activities of the commonwealth, including those of districts and of authorities created by the general court, and including those of the income tax division of the department of corporations and taxation, and for said purpose the authorized officers and employees of said department of the state auditor shall have access to such accounts at reasonable times and said department may require the production of books, documents and vouchers, except tax returns, relating to any matter within the scope of such audit. The accounts of the last named department shall be subject at any time to such examination as the governor and council or the general court may order. Said department shall comply with any written regulations, consistent with law, relative to its duties made by the governor and council. This section shall not apply to the accounts of state officers which the director of accounts of the department of corporations and taxation is required by law to examine. The department of the state auditor shall keep no books or records except records of audits made by it, and its annual report shall relate only to such audits. The examination of the accounts of districts and authorities required by this section shall be made in addition to any audit required by the law creating such district or authority.

*Approved July 24, 1962.*

**Chap. 734.** AN ACT PROVIDING THAT FIRE APPARATUS FROM CERTAIN STATES BE EXEMPT FROM THE REQUIREMENTS RELATIVE TO REGISTRATION OF MOTOR VEHICLES AND THE DISPLAY OF NUMBER PLATES.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith that fire apparatus from states bordering the commonwealth may enter the commonwealth in times of emergency without being subject to the laws relative to registration and display of plates, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and safety.

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

Section 9B of chapter 90 of the General Laws, inserted by chapter 471 of the acts of 1957, is hereby amended by inserting after the word "duty", in line 10, the following: — nor, shall this chapter apply to such registration and display of number plates on fire apparatus from any one of the states of Maine, New Hampshire, Vermont, Rhode Island, Connecticut and New York providing that the state from which such fire apparatus comes does not require the registration of and the display of number plates on such apparatus. *Approved July 25, 1962.*

**Chap. 735.** AN ACT AUTHORIZING THE CITY OF TAUNTON TO PAY TO THOMAS E. MCCARTHY, A MEMBER OF ITS MUNICIPAL COUNCIL, THE COMPENSATION ATTACHED TO SAID OFFICE.

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

SECTION 1. Notwithstanding the provisions of section ninety-one of chapter thirty-two of the General Laws or any other law to the contrary, the city of Taunton is hereby authorized to pay to Thomas E. McCarthy, who was retired from the police department by said city in March, nineteen hundred and forty-eight, the compensation attached to the office of councillor to which he was elected at the biennial municipal election in the year nineteen hundred and forty-seven.

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

*Approved July 25, 1962.*

**Chap. 736.** AN ACT VALIDATING THE ACTION OF THE CITY OF WALTHAM IN SELLING CERTAIN PARK LAND.

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

SECTION 1. The city of Waltham is hereby authorized to sell and convey to William B. Ruggelo and Nancy J. Ruggelo, husband and wife, as tenants by the entirety, a certain parcel of land in said city held for park purposes and designated as Lot "A" on the plan entitled "Plan of land owned by city of Waltham, Hillcroft road, Waltham, Mass., to be conveyed to William B. Ruggelo and Nancy J. Ruggelo", dated August, 1959, by Arthur M. King, Registered Surveyor, Waltham, Mass., and recorded in the Middlesex County Registry of Deeds, Southern District, Book 9659, page 468 bounded and described as follows: Northerly by land of William H. and Emily L. Graves, Jr.,

59.00 feet, Easterly by other land of the grantees, 113.05 feet, Southerly by Hillcroft Road, 61.00 feet, and Westerly by land of the grantor City of Waltham, 165.17 feet. Containing 5,870 feet, according to said plan.

SECTION 2. The action of the city council of the city of Waltham authorizing the mayor of said city to convey said land to said William B. Ruggelo and Nancy J. Ruggelo, taken on December fourteenth, nineteen hundred and fifty-nine, by city council Order 19627, and the action of the mayor of said city in conveying said land by deed dated May twentieth, nineteen hundred and sixty, recorded in the Middlesex County Registry of Deeds, Southern District, Book 9659, page 468, is hereby ratified, confirmed and made valid to the same extent as if section one of this act were in effect at the time said actions were taken and such deed shall not be invalid by reason of any lack of special authority from the general court to convey such land. The mayor of said city may without further authorization execute such instruments as may be necessary to confirm a good marketable title to said land in said William B. Ruggelo and Nancy J. Ruggelo or their successors in title.

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

*Approved July 25, 1962.*

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**Chap. 737.** AN ACT PROVIDING THAT A CERTAIN LICENSE GRANTED BY THE DEPARTMENT OF PUBLIC WORKS TO BUILD AND MAINTAIN A SEA WALL AND TO FILL SOLID IN THE CHARLES RIVER, IN SO FAR AS SAID LICENSE PERTAINS TO CERTAIN LAND, SHALL BE IRREVOCABLE.

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

The license granted by the department of public works to build and maintain a sea wall and to fill solid in the Charles river, in so far as said license includes and pertains to certain land described in two deeds to Leo M. Pistorino, the first of which was recorded with Middlesex South District Registry of Deeds, Book 9425, Page 404, and the second of which was recorded with Middlesex South District Registry of Deeds, on November 25, 1959 as Document Number 292, said land being a portion of a larger area to which said license pertains, being License Number 1079 recorded with Suffolk Registry of Deeds, Book 5158, Page 62 and with the Middlesex South District Registry of Deeds, Book 5425, Page 101, shall upon compliance with the following conditions, be deemed to be irrevocable:

1. Application therefor, pursuant to the provisions of section fourteen of chapter ninety-one of the General Laws;

2. Recording thereof with accompanying plan within one year after the date thereof in the Registry of Deeds for Suffolk County, pursuant to the provisions of section eighteen of said chapter;

3. Payment to the commonwealth of such compensation, if any, as may properly be assessed by said department for tidewater displacement, pursuant to the provisions of section twenty-one of said chapter;

4. Payment to the commonwealth of such compensation, if any, as may be determined by the governor and council to be properly due to the commonwealth for occupation of Commonwealth Flats, so called, pursuant to the provisions of section twenty-two of said chapter;

5. Performance of any work authorized by any such license in accordance with plans submitted to and approved by said department, pursuant to the provisions of section twenty of said chapter;

6. Completion of said authorized work within five years after the date of any such license, or of any extension or extensions thereof, pursuant to the provisions of section fifteen of said chapter; and

7. The actual building or making in good faith of valuable structures, fillings or enclosures under the authority of any such license and during the terms thereof, or of any extension or extensions thereof, pursuant to the provisions of section fifteen of said chapter.

*Approved July 25, 1962.*

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**Chap. 738.** AN ACT AUTHORIZING THE CITY OF QUINCY TO REIMBURSE CARL W. ANDERSON FOR THE COST OF LEGAL SERVICES INCURRED BY HIM IN DEFENSE OF CERTAIN CRIMINAL CHARGES AGAINST HIM AS A CITY COUNCILLOR OF SAID CITY.

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

The city of Quincy is hereby authorized to appropriate and pay to Carl W. Anderson the sum of seventeen hundred dollars as reimbursement for the cost of legal services incurred by him in defense of criminal charges brought against him for an alleged violation, as a city councillor of said city, of section one hundred and seven of chapter forty-three of the General Laws and of which he was acquitted.

*Approved July 25, 1962.*

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**Chap. 739.** AN ACT PROVIDING FOR SALARY ADJUSTMENTS FOR MEMBERS OF THE BOARD OF REVIEW IN THE DIVISION OF EMPLOYMENT SECURITY.

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

Paragraph (b) of section 9N of chapter 23 of the General Laws is hereby amended by striking out the eighth sentence, as amended by section 21A of chapter 763 of the acts of 1951, and inserting in place thereof the following sentence: — The chairman of the board shall receive a salary of nine thousand five hundred dollars per annum, and each of the other members shall receive a salary of nine thousand dollars per annum.

*Approved July 25, 1962.*

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**Chap. 740.** AN ACT PROVIDING FOR THE USE OF CERTAIN PERIODS OF MILITARY LEAVE OF ABSENCE DURING WORLD WAR II OF JEREMIAH F. GALVIN OF MILTON AS CREDITABLE SERVICE TOWARDS HIS RETIREMENT BENEFITS.

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

Notwithstanding the provisions of any general or special law to the contrary, upon retirement, Jeremiah F. Galvin of Milton shall be allowed as creditable service towards his retirement benefits that period he was on military leave of absence from his employment with the city of Boston during World War II from January thirtieth, nineteen hundred and forty-one to January thirty-one, nineteen hundred and forty-eight, both dates inclusive.

*Approved July 25, 1962.*

**Chap. 741.** AN ACT AUTHORIZING THE CITY OF WESTFIELD TO PAY A SUM OF MONEY TO HAZEL M. CARDINAL AND EDWARD J. CARDINAL.

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

For the purpose of discharging a moral obligation, the city of Westfield may appropriate and pay to Hazel M. Cardinal and Edward J. Cardinal, former residents of said city, the amount of money expended by them for travel expenses incurred as a result of incorrect information given to them by the police department of said city that their son, William Cardinal, had been found dead in said city.

*Approved July 25, 1962.*

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**Chap. 742.** AN ACT AUTHORIZING THE DEPARTMENT OF EDUCATION TO GRANT SALARY INCREASES TO SUPERVISING TEACHERS OF PRACTICE SCHOOLS.

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

The department of education is hereby authorized and directed to increase the annual compensation paid by it to each supervising teacher employed in a practice school, established in connection with the training department of a state college under section three of chapter seventy-three of the General Laws, by the sum of three hundred dollars.

*Approved July 25, 1962.*

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**Chap. 743.** AN ACT REPEALING CERTAIN PROVISIONS OF THE CIVIL DEFENSE ACT ALLOWING EXTENSIONS OF PROVISIONAL APPOINTMENTS AND TEMPORARY TRANSFERS WITHOUT TIME LIMITATIONS AND RE-EMPLOYMENT OF RETIRED PERSONS AND CLARIFYING CERTAIN PROVISIONS OF THE CIVIL SERVICE LAWS AND RULES RELATIVE TO TEMPORARY AND PROVISIONAL APPOINTMENTS AND TEMPORARY TRANSFERS.

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

SECTION 1. Section nine of chapter six hundred and thirty-nine of the acts of nineteen hundred and fifty is hereby repealed.

SECTION 2. The first paragraph of section 15 of chapter 31 of the General Laws, as most recently amended by chapter 598 of the acts of 1960, is hereby further amended by adding at the end the following two sentences: — The director shall not authorize any provisional appointment to fill a position, permanent or temporary, until a statement, in such form as he may prescribe, is filed with him stating in detail the duties of such position. A requisition to make an appointment to fill a vacancy in a permanent position or in a newly created position for which funds have been appropriated or are available on a permanent basis shall state that such vacancy is to be filled on a permanent basis.

SECTION 3. The first paragraph of section 16A of said chapter 31, as appearing in chapter 55 of the acts of 1958, is hereby amended by adding at the end the following sentence: — Requests to make an appointment by transfer of a civil service employee to fill permanent vacancies

or newly created positions for which funds have been appropriated or are available on a permanent basis shall state that such vacancies are to be filled on a permanent basis and not on a temporary basis.

SECTION 4. Notwithstanding the provisions of the first paragraph of section fifteen of chapter thirty-one of the General Laws relative to the period for which a provisional appointment to fill a permanent position may be made, such provisional appointment, subject to other provisions of said section fifteen, may be authorized for a period of two years instead of one year.

SECTION 5. Notwithstanding the provisions of the fourth paragraph of section fifteen of chapter thirty-one of the General Laws, relative to provisional appointments to fill temporary positions, to the contrary, a provisional appointment to fill a temporary position shall be authorized by the director of civil service for not more than six months unless sufficient reason is forwarded to him to justify an extension of such provisional appointment, whereupon such authorization shall not be extended for more than eighteen months or pending the establishment of an eligible list; provided, the director shall forthwith make arrangements to conduct an examination and establish an eligible list for such a position prior to the expiration of eighteen months from the date of such second authorization. Any alteration in the nature of the employment of a person holding such a provisional appointment or any increase in salary thereof shall immediately terminate such an appointment.

No person shall be certified from a civil service list to fill a temporary vacancy for a period of more than one year; but at the expiration of such period upon receipt of a new requisition the director may order a renewal certification for a like period, and similarly renew the same from time to time.

SECTION 6. Notwithstanding the provisions of the second paragraph of section sixteen A of chapter thirty-one of the General Laws relative to the authorization by the director of civil service of temporary transfers for periods not exceeding six months, the director of civil service may, if sufficient reason is forwarded to him to justify an extension, extend the period of such temporary transfer; provided, however, that such extension shall be granted only until the establishment of an eligible list or until the expiration of eighteen months, whichever first occurs. No such extension shall be authorized until a statement detailing the duties of the position is filed with the director of civil service in such form as he may prescribe, whereupon the director shall forthwith make arrangements to conduct an examination and establish an eligible list for such a position prior to the expiration of eighteen months from the date of such second authorization.

SECTION 7. Sections four, five and six of this act shall cease to be effective on June thirtieth, nineteen hundred and sixty-five.

*Approved July 25, 1962.*



**Chap. 744.** AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO CONSTRUCT A BRIDGE WITHOUT A DRAW OVER THE ACUSHNET RIVER BETWEEN THE TOWN OF FAIRHAVEN AND THE CITY OF NEW BEDFORD.

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

The department of public works is hereby authorized and directed to construct a bridge without a draw over the Acushnet river between the town of Fairhaven and the city of New Bedford to replace the Coggeshall street bridge, subject to the laws of the United States.

*Approved July 25, 1962.*

**Chap. 745.** AN ACT RELATIVE TO CREDITABLE SERVICE UNDER THE STATE-BOSTON RETIREMENT SYSTEM FOR JAMES B. McDERMOTT.

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

James B. McDermott, a guard at the Suffolk county jail, and a member of the State-Boston retirement system, shall be entitled to count as creditable service in said system the periods from July seventeenth to October ninth, nineteen hundred and forty-five and from August tenth, nineteen hundred and forty-nine to November seventh, nineteen hundred and fifty-one, during which periods he was hospitalized for a severe illness, which resulted in part from his occupation; provided, that said James B. McDermott shall deposit in the annuity savings fund of said system such amount as the Boston retirement board may determine as being equal to that which he would have paid into said fund had his service not been so interrupted by said illness, with regular interest thereon.

*Approved July 25, 1962.*

**Chap. 746.** AN ACT PROVIDING THAT A MEMBER OF THE BOARD OF SEWER COMMISSIONERS OF THE TOWN OF MILLIS MAY BE APPOINTED SUPERINTENDENT OF SEWERS OF SAID TOWN.

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

SECTION 1. Section 13 of chapter 129 of the Special Acts of 1918 is hereby amended by striking out, in line 3, the words “, who shall not be a member of the board”.

SECTION 2. This act shall take effect upon its acceptance by a majority vote of the town of Millis at an annual town meeting or a special town meeting called for the purpose, but not otherwise.

*Approved July 25, 1962.*

**Chap. 747.** AN ACT FURTHER REGULATING THE ILLICIT CONVEYANCE OF ARTICLES TO AND FROM PENAL INSTITUTIONS.

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

Chapter 268 of the General Laws is hereby amended by striking out section 31, as most recently amended by section 35 of chapter 777 of the acts of 1957, and inserting in place thereof the following section: — *Section 31.* Whoever delivers or procures to be delivered, or has in his

possession with intent to deliver, to an inmate confined in any penal institution, or whoever deposits or conceals in or about the institution, or the dependencies thereof, or upon any land appurtenant thereto, or in any boat or vehicle going into the premises belonging to the institution, any article, with intent that an inmate shall obtain or receive it, and whoever receives from an inmate any article with intent to convey it out of the institution, contrary to the rules and regulations thereof, and without the knowledge and permission of the commissioner of correction or of the superintendent, master, keeper, sheriff or other officer in charge thereof shall be punished by a fine of not more than five hundred dollars or by imprisonment in the state prison for not more than three years or in jail for not more than two and one half years.

*Approved July 25, 1962.*

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**Chap. 748.** AN ACT PROVIDING THAT EMPLOYEES OF THE COMMONWEALTH WHILE ON FULL TRAVEL STATUS SHALL NOT BE PAID OVERTIME.

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

Section 30B of chapter 149 of the General Laws, as amended by section 1 of chapter 762 of the acts of 1960, is hereby further amended by striking out, in line 17, the word "and", and by inserting after the word "Massachusetts", in line 18, the words: —, and any employees while on full travel status.

*Approved July 25, 1962.*

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**Chap. 749.** AN ACT TO ESTABLISH THE BOUNDARY LINE BETWEEN THE TOWNS OF HOPKINTON, MILFORD AND UPTON.

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

SECTION 1. The following described lines shall hereafter be a portion of the boundary lines between the towns of Hopkinton, Milford and Upton: —

(1) Beginning at a rough granite monument marked H U, situated 3 feet east of a wall on the easterly side of East Street designated corner 4 on the present line between Hopkinton and Upton; thence south 88°-38' east 4,172 feet to a witness monument, a rough granite monument situated on the westerly shore of North Pond and formerly designated corner 5; thence in the same direction 475 feet to an unmarked point in North Pond; thence south 4°-31' east 3,351 feet passing west of Pine Island, west of Snake Island and east of Spindle Island to the corner of Hopkinton, Milford and Upton, an unmarked point in North Pond at its intersection with the present line between the towns of Hopkinton and Milford, situated 531 feet N 59°-05' E from a witness mark, a granite monument marked H M U 1907 situated in woodland 160 feet north of the western end of the embankment of the dam.

(2) A portion of the line between Hopkinton and Milford shall hereafter be as follows: Beginning at a granite monument marked H M, situated on the westerly side of South Street in Hopkinton or Purchase Street in Milford; thence south 59°-06' west 4,599 feet to the corner of Hopkinton, Milford and Upton, an unmarked point in North Pond as previously described in subsection 1.

(3) A portion of the line between Milford and Upton shall hereafter be as follows: Beginning at the unmarked point in North Pond, as previously described in subsection (1), being the Hopkinton-Milford-Upton corner; thence south 4°-31' east 538 feet to a point in the middle of the sluiceway through which the water is drawn from said pond, and designated as Milford-Upton corner 1 on the present Milford-Upton town line and marked by a ram-set nail in bituminous concrete top of dam.

Bearings in this section refer to the North American Datum as used in the Town Line Atlas published by the Massachusetts Harbor and Land Commission in 1908.

SECTION 2. This act shall take effect upon its acceptance by the towns of Hopkinton, Milford and Upton at their next annual town meetings, but not otherwise.

*Approved July 25, 1962.*

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**Chap. 750.** AN ACT TRANSFERRING THE DUTIES OF THE BUREAU OF CORPORATE ORGANIZATION AND REGISTRATION IN THE DEPARTMENT OF CORPORATIONS AND TAXATION TO THE CORPORATION DIVISION IN THE DEPARTMENT OF THE STATE SECRETARY.

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

SECTION 1. Chapter 3 of the General Laws is hereby amended by striking out section 7, as most recently amended by section 2A of chapter 549 of the acts of 1943, and inserting in place thereof the following section: — *Section 7.* Any petition to the general court for the establishment or revival, or for the amendment, alteration or extension of the charter or corporate powers or privileges, or for the change of name, of any corporation, except a petition subject to the provisions of section five, which is seasonably filed in the office of the clerk of either branch and is accompanied by a bill embodying in substance the legislation petitioned for, shall, with said accompanying bill, be transmitted as soon as may be by the clerk of the branch in which they were filed to the office of the state secretary. The petition shall specifically set forth the facts showing why the object sought cannot be accomplished under the general laws, shall contain the business or mailing address of the petitioner and, if such petition relates to a corporation organized or to be organized for purposes of business or profit, shall be accompanied by a fee of twenty-five dollars, which shall be paid to the commonwealth. If the petition fails so to set forth the facts required above, or if the petitioner fails to pay a fee in a case where a fee is required, said secretary shall forthwith notify the petitioner by registered mail of such failure and such petitioner shall within ten days from the date of such notification comply with the requirements of this section. If at the expiration of such period the petitioner shall have failed so to comply, said secretary shall return the petition and bill to the clerk of the branch in which they were originally filed, with a statement that the petitioner has failed to comply with this section. If the petition is not so returned, said secretary shall, not later than the thirtieth day following the date of receipt thereof, return the same with the accompanying bill to the clerk of the branch in which they were originally filed, together with a memorandum stating whether or not, in his opinion, the object sought

may be accomplished under the general laws or whether the same requires legislation. He may also insert in said memorandum any other relevant statement which, in his opinion, might be of assistance to the general court in passing on the petition.

SECTION 2. Chapter 67 of the General Laws is hereby amended by striking out section 51, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 51.* The standing committee or other officers shall certify the organization of such church to the state secretary, in such form as he shall prescribe; and upon payment of a fee of five dollars to the secretary shall perform the same duties and with the same legal effect as in the case of corporations organized under chapter one hundred and eighty.

SECTION 3. The third paragraph of section 55 of said chapter 67, as appearing in chapter 592 of the acts of 1953, is hereby further amended by striking out, in line 2, the words “commissioner of corporations and taxation” and inserting in place thereof the words: — state secretary.

SECTION 4. Section 30 of chapter 69 of the General Laws is hereby amended by striking out, in lines 1 and 2 and in line 32, as appearing in section 3 of chapter 549 of the acts of 1943, the words “commissioner of corporations and taxation” and inserting in place thereof, in each instance, the words: — state secretary.

SECTION 5. Chapter 155 of the General Laws is hereby amended by striking out section 1, as amended by section 1 of chapter 297 of the acts of 1935, and inserting in place thereof the following section: — *Section 1.* The provisions of this chapter, unless expressly limited in their application, shall apply to all corporations created by or organized under the laws of the commonwealth, except in so far as they are inconsistent with other provisions of law relative to particular corporations or classes of corporations, and such provisions shall apply to all corporations created by or organized under laws other than those of the commonwealth so far as they are made applicable to them by reference in this or any other chapter. In this chapter, unless the context otherwise requires, “secretary” or “state secretary” means the secretary of the commonwealth.

SECTION 6. Section 2 of said chapter 155, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 1, the word “commissioner” and inserting in place thereof the word: — secretary, — and by adding at the end the following sentence: — The secretary shall on each business day furnish to the commissioner of corporations and taxation a list of all applications for incorporation, changes in corporate structure or powers, and proposals for the merger, dissolution, or revival of corporations filed on the next preceding business day, and shall also furnish to said commissioner, without cost, copies of such other documents relative to corporations as said commissioner may request.

SECTION 7. Section 2A of said chapter 155, inserted by chapter 490 of the acts of 1955, is hereby amended by striking out, in line 5, the words “the department of corporations and taxation and of”; and by striking out, in lines 7, 8 and 9 and in lines 17 and 18, the word “commissioner” and inserting in place thereof, in each instance, the word: — secretary.

SECTION 8. Said chapter 155 is hereby further amended by striking out section 2B, added by chapter 441 of the acts of 1958, and inserting in place thereof the following section: — *Section 2B.* Before approving articles of organization in connection with the proposed incorporation

of a dispensary or clinic, hospital, sanatorium, convalescent or nursing home, infirmary, rest home, or like institution requiring a license from the department of public health or before approving an amendment to such articles of organization of an existing corporation which will give it such power, the state secretary shall refer such articles or amendments thereto to the department of public health, which shall immediately make an investigation as to the applicants for incorporation, the corporation or the petitioners, as the case may be, and the purposes thereof, and of all material facts, including facts tending to show that the probable purpose is to cover any illegal business, or that the applicants, corporation or petitioners are not suitable persons from lack of financial ability or from any other cause, and facts as to the present need for an organization with such purposes at the time and place and with respect to the special circumstances set forth in such articles, amendment or petition. The department of public health shall give the applicant or applicants a public hearing, notice of which shall be published once a week for three successive weeks in some paper published in the county where the corporation has or is to have its principal office or rooms, and if said office or rooms are to be in Boston, in some Boston daily paper, the last publication to be at least three days before the day set for the hearing. After such hearing, the commissioner of public health shall make findings of fact as to such purposes, need and suitability, and in accordance therewith shall approve or disapprove such articles, amendment or petition. Thereupon he shall report such findings and action to the secretary. If the commissioner of public health approves the articles, amendment or petition, the secretary shall accept the findings of fact made and reported to him by the commissioner of public health. If the commissioner of public health disapproves the application, the secretary shall refuse to approve the articles of organization, amendment or petition, as the case may be. If he refuses, the applicant or applicants may appeal to the superior court, which shall hear the case and finally determine whether or not the articles of organization or an amendment thereof shall be approved. For the purposes of such appeal, failure by the department of public health to report to the secretary within three months after the date of reference to it by him of articles, an amendment or petition, as herein provided, shall be deemed to be a report to him with disapproval by the commissioner of public health, and failure of the secretary to approve or disapprove articles, an amendment or petition, within four months after their original submission to him by the applicant or applicants shall be deemed to be a refusal by him to approve them.

SECTION 9. Said chapter 155 is hereby further amended by striking out section 9, as most recently amended by chapter 32 of the acts of 1953, and inserting in place thereof the following section: — *Section 9.* A corporation organized under the general laws may assume any name which, in the judgment of the secretary, indicates that it is a corporation; but it shall not assume the name or trade name of another corporation established under the laws of the commonwealth, or of a corporation, firm, association or person carrying on business in the commonwealth, at the time of incorporation of the corporation so organized or within three years prior thereto, or assume a name so similar thereto as to be likely to be mistaken for it, except with the written consent of the said existing corporation, firm or association or of such person previously

filed with the secretary. The supreme judicial or superior court shall have jurisdiction in equity, upon the application of any person interested or affected, to enjoin such corporation from doing business under a name assumed in violation of any provision of this section, although its certificate or articles of organization may have been approved and a certificate of incorporation may have been issued to it.

If within thirty days of the date when the certificate or articles of organization of any corporation are filed in the office of the state secretary any other corporation or any firm, association or person carrying on business in the commonwealth at the time when such certificate or articles are so filed, or within three years prior thereto, shall protest in writing to the secretary that the name assumed by the corporation the certificate or articles of organization of which have been so filed is the same as the name or trade name of the protesting corporation, firm, association or person or so similar thereto as to be likely to be mistaken for it, the secretary shall, as soon as reasonably may be, hear the party protesting and the corporation which assumed the name, giving written notice of the hearing to each. If after the hearing the secretary shall be of the opinion that the assuming of the name violates any provision of this section he shall record a statement withdrawing his approval of said certificate or articles in so far as it or they relate to the name assumed by the corporation, such withdrawal to take effect sixty days from the date of recording. After the expiration of said period of sixty days the corporation shall have no right to use the name assumed and may be enjoined from doing business under such name by the supreme judicial or superior court upon application of the attorney general or any person interested or affected.

SECTION 10. Said chapter 155 is hereby further amended by striking out section 10, as most recently amended by section 2 of chapter 698 of the acts of 1957, and inserting in place thereof the following section: — *Section 10.* A corporation, except one subject to chapter one hundred and fifty-six or chapters one hundred and sixty to one hundred and sixty-three, inclusive, may at a meeting duly called for the purpose, by vote of two thirds of each class of stock outstanding and entitled to vote, or, in case such corporation has no capital stock, by vote of two thirds of the persons legally qualified to vote in meetings of the corporation, or, if such corporation without capital stock is a mutual insurance corporation, by two thirds of the votes of its policyholders cast at such a meeting, or by a larger vote if its agreement of association or by-laws shall so require, change its name; provided, that no corporation subject to section twenty-six of chapter one hundred and eighty shall change its name until after approval of such change by the secretary. Articles of amendment signed and sworn to by the president, treasurer and a majority of the directors or other officers having the powers of directors, shall, within thirty days after such meeting, be prepared, setting forth such amendment and the due adoption thereof. Such articles shall be submitted to the secretary who shall examine them, and if he finds that they conform to the requirements of law, he shall, subject to section thirty of chapter sixty-nine if applicable to such articles, so certify and endorse his approval thereon. Thereupon the secretary shall direct the officers of the corporation to publish in such form as he may see fit, in a newspaper published in the county where the corporation has its principal office or place of business, notice of such change of name. When the secretary

is satisfied that such notice has been published as required by him, he shall, upon the payment of a fee of twenty-five dollars by a corporation subject to the provisions of either chapter one hundred and sixty-four or chapter one hundred and seventy-five and upon the payment of a fee of five dollars by all other corporations subject to the provisions of this section, grant a certificate of the name which the corporation shall bear, which name shall thereafter be its legal name, and he shall cause the articles of amendment to be filed in his office. In the case of corporations subject to chapter one hundred and seventy-five or one hundred and seventy-six, the approval of the commissioner of insurance shall be required before the state secretary approves the articles of amendment. No articles of amendment changing the name of any corporation shall take effect until they have been filed in the office of the secretary as aforesaid.

SECTION 11. Section 23 of said chapter 155, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 8, the word "commissioner" and inserting in place thereof the word: — secretary.

SECTION 12. Said chapter 155 is hereby further amended by striking out section 50A, as amended by chapter 383 of the acts of 1943, and inserting in place thereof the following section: — *Section 50A.* If a corporation has failed to comply with the provisions of law requiring the filing of reports with the state secretary or tax returns with the commissioner of corporations and taxation for two consecutive years, or if the secretary is satisfied that a corporation has become inactive and that its dissolution would be in the public interest, said secretary or said commissioner may apply to the supreme judicial court for its dissolution, and the court, after notice by mail or otherwise as it may order, may decree such dissolution subject to the provisions of sections fifty-one, fifty-two and fifty-six. The said secretary or said commissioner may include as many corporations in a single application as they deem fit and the court may include in its decree any or all thereof. The secretary or the commissioner shall furnish to each county law library within the commonwealth, upon application therefor, a copy, mimeographed or otherwise prepared as he shall determine, of the list of the corporations dissolved as herein provided.

SECTION 13. Section 51A of said chapter 155 added by chapter 204 of the acts of 1958, is hereby amended by striking out, in lines 6 and 7, the words "commissioner of corporations and taxation" and inserting in place thereof the word: — secretary.

SECTION 14. Said chapter 155 is hereby further amended by striking out section 56, as most recently amended by chapter 31 of the acts of 1953, and inserting in place thereof the following section: — *Section 56.* If the secretary finds that a corporation has been dissolved subject to the provisions of this section by act of the general court or under the provisions of section fifty A and that such corporation ought to be revived for all purposes or for any specified purpose or purposes with or without limitation of time, he may, not later than five years after the effective date of said act or after the date of the court decree dissolving such corporation under authority of said section fifty A, as the case may be, upon application by an interested party, file in his office a certificate, in such form as he may prescribe, reviving such corporation as aforesaid; and provided, further, that if the sole purpose of the revival of such a dissolved corporation is to enable it to convey title to property or to sell and convey property and to distribute the proceeds among those

entitled thereto, and if the revival is for a period not exceeding one year, the secretary may file such certificate of revival at any time after the date of dissolution. The secretary may subject the revival of such corporation to such terms and conditions, including the payment of reasonable fees, as in his judgment the public interest may require. Upon the filing of a certificate reviving a corporation for all purposes, said corporation shall stand revived with the same powers, duties and obligations as if it had not been dissolved, except as otherwise provided in said certificate; and all acts and proceedings of its officers, directors and stockholders or members, acting or purporting to act as such, which would have been legal and valid but for such dissolution, shall, except as aforesaid, stand ratified and confirmed. If such a corporation is revived as aforesaid for a limited time or for any specified purpose or purposes, it shall stand revived for such time or for the accomplishment of such purpose or purposes in accordance with the terms of the secretary's certificate. For cause shown to his satisfaction, the secretary may, by certificate filed as aforesaid, extend the time for which a corporation revived for a limited time shall stand revived.

SECTION 15. Chapter 156 of the General Laws is hereby amended by striking out section 1, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 1.* In this chapter unless a contrary intention appears, "corporation" shall mean a corporation to which, under section two, this chapter applies, and "secretary" or "state secretary" shall mean the secretary of the commonwealth.

SECTION 16. Section 3 of said chapter 156, as so appearing, is hereby amended by striking out, in line 11, in both instances, the word "commissioner" and inserting in place thereof, in each instance, the word: — secretary.

SECTION 17. Section 11 of said chapter 156 is hereby amended by striking out the first sentence, as amended by section 3 of chapter 97 of the acts of 1961, and inserting in place thereof the following sentence: — The articles of organization and the agreement of association shall be submitted to the secretary who shall examine them and who may require such amendment thereof or such additional information as he deems necessary.

SECTION 18. Said chapter 156 is hereby amended by striking out section 12, as most recently amended by section 1 of chapter 327 of the acts of 1959, and inserting in place thereof the following section: — *Section 12.* Upon the approval and filing as above provided of the articles of organization of a corporation organized under general laws, the state secretary shall issue a certificate of incorporation in the following form: —

THE 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), and have complied with the provisions of 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 state secretary 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 (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 as of (the date of filing of the articles of organization), under the name of



(the 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 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 corporation organized under general laws shall begin upon the filing of the articles of organization in the office of the state secretary. The state secretary shall make a record of the fact of said incorporation and shall create an index in alphabetical order. A certified statement of the fact of incorporation by the state secretary shall be conclusive evidence of such incorporation.

SECTION 19. Section 16 of said chapter 156, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 8 and in line 15, the word "commissioner" and inserting in place thereof, in each instance, the word: — secretary.

SECTION 20. Section 17 of said chapter 156, as so appearing, is hereby amended by striking out, in line 3 and in line 8, the word "commissioner" and inserting in place thereof, in each instance, the word: — secretary.

SECTION 21. Said chapter 156 is hereby further amended by striking out section 24, as amended by section 1 of chapter 211 of the acts of 1961, 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 secretary a certificate of such change, signed and sworn to by the clerk. The secretary shall examine such certificate and if he finds that it conforms to the requirements of this chapter, he shall endorse his approval thereon and cause the same to be filed and preserved in book form convenient for 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 22. Said chapter 156 is hereby further amended by striking out section 29, as amended by section 2 of said chapter 211 of the acts of 1961, 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 secretary a certificate of such change, signed and sworn to by the clerk of the corporation. The secretary shall examine such certificate and if he finds that it conforms to the requirements of this chapter, he shall endorse his approval thereon and cause it to be filed and preserved 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 23. Section 43 of said chapter 156, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 6, the word "commissioner" and inserting in place thereof the word: — secretary.

SECTION 24. Section 46A of said chapter 156 is hereby amended by striking out, in lines 6, 10, 28, 66 and 67, as appearing in chapter 524 of the acts of 1948, the word "commissioner" and inserting in place thereof, in each instance, the word: — secretary.

SECTION 25. The third paragraph of section 46B of said chapter 156, as appearing in section 2 of chapter 514 of the acts of 1941, is hereby amended by striking out, in line 15 and in line 17, the word "commissioner" and inserting in place thereof, in each instance, the word: — secretary.

SECTION 26. Section 46D of said chapter 156, as so appearing, is hereby amended by striking out, in lines 37 and 38, in line 56, and in line 58, the word "commissioner" and inserting in place thereof, in each instance, the word: — secretary.

SECTION 27. Section 47 of said chapter 156, as amended by section 1 of chapter 467 of the acts of 1962, is hereby further amended by striking out, in line 5, in lines 21 and 22, and in line 25, the word "commissioner" and inserting in place thereof, in each instance, the word: — secretary.

SECTION 28. Section 48 of said chapter 156, as amended by chapter 202 of the acts of 1961, is hereby further amended by striking out, in line 1, the word "commissioner" and inserting in place thereof the word: — secretary.

SECTION 29. Section 50 of said chapter 156, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 2 and in line 12, the word "commissioner" and inserting in place thereof, in each instance, the word: — secretary.

SECTION 30. Section 52 of said chapter 156, as so appearing, is hereby amended by striking out, in line 6, the word "commissioner" and inserting in place thereof the word: — secretary.

SECTION 31. Section 7 of chapter 157 of the General Laws is hereby amended by striking out, in line 5, as appearing in the Tercentenary Edition, the words "commissioner of corporations and taxation" and inserting in place thereof the words: — state secretary, — and by striking out, in line 8 and in line 9, the word "commissioner" and inserting in place thereof, in each instance, the word: — secretary.

SECTION 32. Section 8 of said chapter 157, as so appearing, is hereby amended by striking out, in lines 10 and 11, the words "commissioner of corporations and taxation" and inserting in place thereof the words: — state secretary.

SECTION 33. Section 1 of chapter 158 of the General Laws, as so appearing, is hereby amended by striking out, in line 16, the word "commissioner" and inserting in place thereof the words: — secretary or state secretary, — and by striking out, in line 17, the words "commissioner of corporations and taxation" and inserting in place thereof the words: — secretary of the commonwealth.

SECTION 34. Said chapter 158 is hereby amended by striking out section 9, as so appearing, and inserting in place thereof the following section: — *Section 9.* The president, treasurer and a majority of the directors shall forthwith make, sign and swear to a certificate setting forth a true copy of the agreement of association with the names of the subscribers thereto, the date of the first meeting and the successive adjournments thereof, if any, and shall submit such certificate and also the records of the corporation to the secretary, who shall examine the same, and who may require such other evidence as he may judge neces-

sary. If it appears that the requirements of the preceding sections, and of sections five and six of chapter one hundred and sixty-four in the case of gas and electric companies, preliminary to the establishment of the corporation have been complied with, the secretary shall so certify and approve the certificate by his endorsement thereon. Such certificate shall thereupon be filed by said officers in the office of the state secretary, who, upon payment of the fee hereinafter provided, shall issue a certificate in the following form: —

THE 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 of (the amount of capital fixed in the agreement of association), and have complied with the provisions of the statutes of this commonwealth in such case made and provided, as appears from the certificate of the president, treasurer and directors of said corporation, duly approved by the state secretary and recorded in this office: Now, therefore, I, (the name of the 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 execution of the certificate).

The state secretary shall sign the same 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 and shall be conclusive evidence of the existence of such corporation. He shall also cause a record of such certificate to be made, and a certified copy of such record may be given in evidence with like effect as the original certificate.

SECTION 35. Section 33 of said chapter 158, as so appearing, is hereby amended by striking out, in line 7, the word "commissioner" and inserting in place thereof the word: — secretary.

SECTION 36. Section 36 of said chapter 158, as so appearing, is hereby amended by striking out, in line 16, the word "commissioner" and inserting in place thereof the word: — secretary.

SECTION 37. Section 37 of said chapter 158, as so appearing, is hereby amended by striking out, in line 10, the word "commissioner" and inserting in place thereof the word: — secretary.

SECTION 38. Section 38 of said chapter 158, as so appearing, is hereby amended by striking out, in line 3, the word "commissioner" and inserting in place thereof the word: — secretary.

SECTION 39. Section 39 of said chapter 158, as so appearing, is hereby amended by striking out, in line 10, the word "commissioner" and inserting in place thereof the word: — secretary.

SECTION 40. Section 41 of said chapter 158, as so appearing, is hereby amended by striking out, in line 3, the word "commissioner" and inserting in place thereof the word: — secretary.

SECTION 41. Section 42 of said chapter 158, as so appearing, is hereby amended by striking out, in line 11, the word "commissioner" and inserting in place thereof the word: — secretary.

SECTION 42. Section 29 of chapter 164 of the General Laws, as so appearing, is hereby amended by striking out, in line 4, the words "commissioner of corporations and taxation" and inserting in place thereof the words: — state secretary.

SECTION 43. Section 12 of chapter 165 of the General Laws, as so appearing, is hereby amended by striking out, in lines 6 and 7, the words "commissioner of corporations and taxation" and inserting in place thereof the words: — state secretary.

SECTION 44. Section 13 of said chapter 165, as so appearing, is hereby amended by striking out, in lines 2 and 3, the words "commissioner of corporations and taxation" and inserting in place thereof the words: — state secretary, — and by striking out, in line 6, the word "commissioner" and inserting in place thereof the word: — secretary.

SECTION 45. Section 14 of said chapter 165, as so appearing, is hereby amended by striking out, in line 5, the words "commissioner of corporations and taxation" and inserting in place thereof the words: — state secretary.

SECTION 46. Section 5 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 line 12, the words "commissioner of corporations and taxation" and inserting in place thereof the words: — state secretary.

SECTION 47. Section 50 of said chapter 170, as so appearing, is hereby amended by striking out the fourth and fifth paragraphs and inserting in place thereof the following two paragraphs: —

If such application is approved by said board as above provided, such association shall cause to be filed with the state secretary the name, residence and post-office address of each of the officers and directors of such association, a copy of its proposed by-laws amended to conform with the requirements of section six, and such other information as said secretary may require.

After approval of such conversion by said board, and receipt by it of satisfactory evidence that all provisions of federal laws and regulations relative to such conversion have been or will be duly complied with, the said board shall cause to be filed with the state secretary a certificate of its approval. After receipt of such certificate by said state secretary, if he finds that the requirements of this section have been satisfactorily complied with, he shall so certify and upon receipt of a fee of five dollars shall issue to said officers and directors in such form as he may prescribe, a certificate of incorporation as a co-operative bank.

SECTION 48. Section 9 of chapter 172 of the General Laws, as appearing in section 1 of chapter 493 of the acts of 1961, is hereby amended by striking out in line 11 and in lines 29 and 30, the words "commissioner of corporations and taxation", and inserting in place thereof, in each instance, the words: — state secretary.

SECTION 49. Section 3 of chapter 179 of the General Laws, as amended by section 1 of chapter 130 of the acts of 1943, is hereby further amended by striking out, in lines 17 and 18, the words "commissioner of corporations and taxation" and inserting in place thereof the words: — state secretary.

SECTION 50. Section 6 of chapter 180 of the General Laws, as most recently amended by section 13 of chapter 602 of the acts of 1952, is hereby further amended by striking out, in lines 6 and 7, in lines 31, 33,

36 and 37, 43 and 44, and 48 and 49, the words "commissioner of corporations and taxation" and inserting in place thereof, in each instance, the words: — state secretary.

SECTION 51. Section 10 of said chapter 180, as appearing in section 4 of chapter 559 of the acts of 1947, is hereby amended by striking out, in line 14, the words "commissioner of corporations and taxation" and inserting in place thereof the words: — state secretary.

SECTION 52. Section 11 of said chapter 180, as appearing in section 5 of chapter 559 of the acts of 1947, is hereby amended by striking out, in lines 5 and 6, the words "commissioner of corporations and taxation" and inserting in place thereof the words: — state secretary, — by striking out, in lines 6 and 7, in line 15, and in line 21, the word "commissioner" and inserting in place thereof, in each instance, the word: — secretary, — by striking out the last sentence, — and by striking out, in line 2 of the seventh sentence, as appearing in section 16 of chapter 698 of the acts of 1957, the word "commissioner" and inserting in place thereof the word: — secretary.

SECTION 53. Section 16 of said chapter 180, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 1, the words "commissioner of corporations and taxation" and inserting in place thereof the words: — state secretary.

SECTION 54. The second sentence of section 17 of said chapter 180, as so appearing, is hereby amended by striking out, in lines 5 and 6, the words "commissioner of corporations and taxation" and inserting in place thereof the words: — state secretary.

SECTION 55. Section 1 of chapter 181 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 3, the words " 'Commissioner', the commissioner of corporations and taxation", and inserting in place thereof the words: — "Secretary", the state secretary.

SECTION 56. Said chapter 181 of the General Laws is hereby further amended by striking out section 3, as most recently amended by section 6 of chapter 611 of the acts of 1955, and inserting in place thereof the following section: — *Section 3.* Every foreign corporation, which does business in this commonwealth or which has a usual place of business in this commonwealth, or owns real property therein without having such a usual place of business, or which is engaged therein, permanently or temporarily, and with or without a usual place of business therein, in the construction, erection, alteration or repair of a building, bridge, railroad, railway or structure of any kind, or in the construction or repair of roads, highways or waterways, or in any other activity requiring the performance of labor, shall, before doing business in this commonwealth, in writing appoint the state secretary and his successor in office to be its true and lawful attorney upon whom all lawful processes in any action or proceeding against it may be served, and in such writing shall agree that any lawful process against it which is served on said attorney shall be of the same legal force and validity as if served on the corporation, and that the authority shall continue in force so long as any liability remains outstanding against the corporation in this commonwealth. The power of attorney and a copy of the vote authorizing its execution, duly certified and authenticated, shall be filed in the office of the said secretary, and copies certified by him shall be sufficient evidence thereof. Service of such process shall be made by leaving a copy of the process in duplicate

with a fee of two dollars in the hands of the secretary, or his deputy, or in the office of the secretary, and such service shall be sufficient service upon the corporation.

SECTION 57. Section 3A of said chapter 181, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 3, in line 7 and in line 9, the word "commissioner" and inserting in place thereof, in each instance, the word: — secretary.

SECTION 58. Said chapter 181 is hereby further amended by striking out section 4, as amended by section 2 of chapter 342 of the acts of 1946, and inserting in place thereof the following section: — *Section 4.* When legal process against any such corporation is served upon the secretary, he shall immediately give notice to the corporation of such service by mail, postage prepaid, directed, in the case of a corporation established in a foreign country, to the resident manager, if any, in the United States; and shall, within two days after such service, forward in the same manner a copy of the process served upon him to such corporation or manager, or to any other person designated by the corporation by a writing filed in the office of the secretary. The fee of two dollars paid by the plaintiff to the secretary at the time of the service shall be taxed in his costs, if he prevails in the suit. The secretary shall keep a record of all such processes, which shall show the day and hour of service.

In the case of service of process on a corporation which has not complied with section three, or which is not allowed under section six to comply with said section three, the notice herein provided for shall be mailed by the secretary to the proper address of the corporation which shall be furnished to him by the plaintiff or his attorney.

SECTION 59. Section 5 of said chapter 181, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 4 and in line 8, the word "commissioner" and inserting in place thereof, in each instance, the word: — secretary.

SECTION 60. Section 6 of said chapter 181, as so appearing, is hereby amended by striking out, in line 1 and in line 16, the first time it appears, in each instance, the word "commissioner" and inserting in place thereof, in each instance, the word: — secretary.

SECTION 61. Section 13 of said chapter 181, as so appearing, is hereby amended by striking out, in line 6, the word "commissioner" and inserting in place thereof the word: — secretary.

SECTION 62. Section 18 of said chapter 181, as so appearing, is hereby amended by striking out, in line 5, the word "commissioner" and inserting in place thereof the word: — secretary.

SECTION 63. Section 19 of said chapter 181, as so appearing, is hereby amended by striking out, in line 2, the word "commissioner" and inserting in place thereof the word: — secretary.

SECTION 64. Section 21 of said chapter 181, as so appearing, is hereby amended by striking out, in line 2 and in line 6, the word "commissioner" and inserting in place thereof, in each instance, the word: — secretary.

SECTION 65. Section 22 of said chapter 181, as so appearing, is hereby amended by striking out, in lines 5 and 6, the word "commissioner" and inserting in place thereof the word: — secretary.

SECTION 66. Said chapter 181 is hereby further amended by striking out section 23, as most recently amended by section 18 of chapter 698 of the acts of 1957, and inserting in place thereof the following section: —

*Section 23.* Every foreign corporation shall pay to the secretary seventy-five dollars for filing a copy of its charter, by-laws and the certificate required by section five, and twenty-five dollars for filing all other certificates and statements, including the annual certificate of condition required by section twelve.

SECTION 67. Section 1 of chapter 182 of the General Laws, as amended by section 1 of chapter 254 of the acts of 1954, is hereby further amended by striking out, in lines 7 and 8, the words “‘Commissioner’, the commissioner of corporations and taxation”, and inserting in place thereof, the words: — “Secretary”, the state secretary.

SECTION 68. Section 2 of said chapter 182, as amended by section 39 of chapter 550 of the acts of 1948, is hereby further amended by striking out, in line 4, in line 6 and in line 12, the word “commissioner” and inserting in place thereof, in each instance, the word: — secretary.

SECTION 69. Section 2A of said chapter 182, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 9, the word “commissioner”, both times it appears, and inserting in place thereof, in each instance, the word: — secretary.

SECTION 70. Section 4 of said chapter 182, as amended by section 2 of chapter 649 of the acts of 1945, is hereby further amended by striking out, in line 6, the word “commissioner” and inserting in place thereof the word: — secretary.

SECTION 71. Section 37 of chapter 223 of the General Laws is hereby amended by striking out the last paragraph, as most recently amended by section 7 of chapter 611 of the acts of 1955, and inserting in place thereof the following paragraph: —

In an action against a domestic corporation other than one mentioned in the preceding paragraph, service shall be made upon the president, treasurer, clerk, cashier, secretary, agent or other officer in charge of its business, or, if no such officer is found within the county, upon any member of the corporation. If an officer authorized to serve legal process makes a return on such process that, after diligent search, he can find no one upon whom he can lawfully make service as aforesaid, the court to which such process is returned may upon application issue an order of notice to such corporation, directing it to appear and answer within a designated period. Such order of notice shall contain an exact copy of the legal process referred to in the preceding sentence. The party making such application shall deliver a copy of such order in duplicate with a fee of two dollars to the state secretary or a deputy, or in the office of said secretary. Said secretary shall forthwith cause said copy to be forwarded by registered mail, return receipt requested, to such corporation at such address as may be designated for the purpose by a writing signed by its president, treasurer or clerk and filed with said secretary or if no such address has been designated, to its principal place of business in the commonwealth as stated in the last certificate of condition filed by it or, if no certificate has been filed by it, as stated in its articles of organization or any articles of amendment thereof. As soon as may be after such mailing by said secretary, he shall transmit a certificate to the court issuing such order, stating that he has complied with the provisions of this section, and shall attach thereto the return receipt or the undelivered copy, as the case may be. The clerk shall note upon the docket the name of the corporation and the address to which such copy was mailed by the secretary, and shall file with the

papers in the case the certificate of the secretary and the return receipt or undelivered copy, as the case may be, and such service shall be a sufficient service upon such corporation. The court in which the action is pending may order such continuances as may be necessary to afford the corporation reasonable opportunity to defend the action.

SECTION 72. Personnel employed in the bureau of corporate organization and registration, department of corporations and taxation, at the time of the effective change by this act, and whose sole and principal duty was in connection with the organization of corporations, or the amendment of corporate structures and their dissolution, are hereby transferred to the corporation division in the office of the state secretary without loss of civil service, seniority, retirement and other rights; provided, however, that any person who has been appointed under the provisions of paragraph four of section three of chapter fourteen of the General Laws to the position of chief of bureau, bureau of corporate organization and registration in the department of corporations and taxation who is so transferred and who has tenure in said position under the provisions of section nine A of chapter thirty of the General Laws shall not be involuntarily removed therefrom except under the provisions of said section; and provided, further, that any person so appointed whose service in such position is terminated for reasons other than his own delinquency shall under the provisions of the last paragraph of said section three of said chapter fourteen be appointed to the position of assistant chief of bureau in the department of corporations and taxation without loss of seniority, retirement and other rights, and with full civil service status. All corporate records now being used by the bureau of corporate organization and registration together with all filing cabinets, typewriters, desks, chairs, stamping machines, and any and all other equipment now used by the said department shall be transferred to the corporation division in the office of the state secretary.

SECTION 73. All corporation papers which were filed with the commissioner of corporations and taxation prior to the effective date of this act, and which had not been processed and completed on said effective date shall be turned over to the state secretary who shall process and complete the same.

SECTION 74. This act shall take effect on January first, nineteen hundred and sixty-three.

*Approved July 25, 1962.*

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**Chap. 751.** AN ACT AUTHORIZING THE CITY OF LYNN TO BORROW MONEY FOR THE ESTABLISHMENT OF OFF-STREET PARKING FACILITIES IN SAID CITY.

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

SECTION 1. The city of Lynn may, for the purposes of chapter six hundred and fifty-five of the acts of nineteen hundred and fifty-six 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 nine hundred and seventy-five thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, City of Lynn, Public Parking Loan, Act of 1962. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this



act shall be outside the statutory limit, but 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. All funds required by the Lynn Off-Street Parking Commission for the purposes of this act shall be appropriated to it by the city of Lynn, and shall be maintained by said commission as a separate account. Any funds appropriated to said commission and not required by it in any fiscal year for the purposes of this act shall be returned to the city of Lynn at the end of such fiscal year.

SECTION 2. This act shall take effect upon its acceptance during the current year by the city of Lynn. *Approved July 25, 1962.*

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**Chap. 752.** AN ACT AUTHORIZING THE TRANSFER OF CERTAIN PROPERTY OF THE REVERE MEMORIAL HOSPITAL FOR THE BENEFIT OF THE INHABITANTS OF THE CITY OF REVERE.

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

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

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

SECTION 3. Said corporation shall be deemed agent of the city of Revere and its board of governors as constituted at the time of the passage of this act by the general court and as subsequently constituted shall be deemed public officers for the proper execution of the trust provided for in section one. Nothing in this act shall be deemed to be a pledge of the faith and credit or taxing power of the city for the purpose of paying the debts of said corporation and the city is not authorized to extend further financial aid to said corporation. The city, by vote of its city council and said corporation, by vote of its board of governors, are authorized to contract for the repayment of the aid extended hereunder

without interest by credits against charges for hospitalization of indigent residents or otherwise.

SECTION 4. For the purpose of constructing an addition to the Revere Memorial Hospital, to contain maternity, surgical, medical, administrative and other units, and originally equipping the same, the city of Revere may borrow from time to time within a period of ten years from the passage of this act such sums as may be necessary, not exceeding, in the aggregate, two hundred thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words "Revere Memorial Hospital Loan, Act of 1962". Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be outside the statutory limit, and shall, except as herein provided, be subject to the provisions of chapter forty-four of the General Laws, excluding the limitation contained in the first paragraph of section seven thereof.

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

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

*Approved July 25, 1962.*

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**Chap. 753.** AN ACT PROVIDING THAT THE COMMONWEALTH OF MASSACHUSETTS MAY ENTER INTO A COMPACT WITH ANY OF THE NEW ENGLAND STATES TO PROVIDE FOR THE CONTROL, DEVELOPMENT AND EXECUTION OF PROGRAMS OF CO-OPERATION FOR THE CONFINEMENT, TREATMENT AND REHABILITATION OF OFFENDERS.

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

SECTION 1. This act may be cited as the New England interstate corrections compact.

SECTION 2. The New England interstate corrections compact is hereby enacted into law and entered into by this state with any other of the hereinafter-mentioned states legally joining therein in the form substantially as follows:

## NEW ENGLAND INTERSTATE CORRECTIONS COMPACT.

### Article I.

#### *Purpose and Policy.*

The party states, desiring by common action to fully utilize and improve their institutional facilities and provide adequate programs for the confinement, treatment and rehabilitation of various types of of-

fenders, declare that it is the policy of each of the party states to provide such facilities and programs on a basis of co-operation with one another, thereby serving the best interests of such offenders and of society and effecting economies in capital expenditures and operational costs. The purpose of this compact is to provide for the mutual development and execution of such programs of co-operation for the confinement, treatment and rehabilitation of offenders with the most economical use of human and material resources.

## Article II.

### *Definitions.*

As used in this compact, unless the context clearly requires otherwise:

(a) "State" means a state of the United States, located in New England, to wit, Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island.

(b) "Sending state" means a state party to this compact in which conviction or court commitment was had.

(c) "Receiving state" means a state party to this compact to which an inmate is sent for confinement other than a state in which conviction or court commitment was had.

(d) "Inmate" means a male or female offender who is committed, under sentence to or confined in a penal or correctional institution except county houses of correction and jails.

(e) "Institution" means any penal or correctional facility (including but not limited to a facility for the mentally ill or mentally defective) in which inmates as defined in (d) above may lawfully be confined.

## Article III.

### *Contracts.*

(a) Each party state may make one or more contracts with any one or more of the other party states for the confinement of inmates on behalf of a sending state in institutions situated within receiving states. Any such contract shall provide for:

1. Its duration.

2. Payments to be made to the receiving state by the sending state for inmate maintenance, extraordinary medical and dental expenses, and any participation in or receipt by inmates of rehabilitative or correctional services, facilities, programs or treatment not reasonably included as part of normal maintenance.

3. Participation in programs of inmate employment, if any; the disposition or crediting of any payments received by inmates on account thereof; and the crediting of proceeds from or disposal of any products resulting therefrom.

4. Delivery and retaking of inmates.

5. Such other matters as may be necessary and appropriate to fix the obligations, responsibilities and rights of the sending and receiving states.

(b) The terms and provisions of this compact shall be a part of any contract entered into by the authority of or pursuant thereto, and nothing in any such contract shall be inconsistent therewith.

Article IV.

*Procedures and Rights.*

(a) Whenever the duly constituted authorities in a state party to this compact, and which has entered into a contract pursuant to Article III, shall decide that confinement in, or transfer of an inmate to, an institution within the territory of another party state is necessary or desirable in order to provide adequate quarters and care of an appropriate program of rehabilitation or treatment, said officials may direct that the confinement be within an institution within the territory of said other party state, the receiving state to act in that regard solely as agent for the sending state.

(b) The appropriate officials of any state party to this compact shall have access, at all reasonable times, to any institution in which it has a contractual right to confine inmates for the purpose of inspecting the facilities thereof and visiting such of its inmates as may be confined in the institution.

(c) Inmates confined in an institution pursuant to the terms of this compact shall at all times be subject to the jurisdiction of the sending state and may at any time be removed therefrom for transfer to a prison or other institution within the sending state, for transfer to another institution in which the sending state may have a contractual or other right to confine inmates, for release on probation or parole, for discharge, or for any other purpose permitted by the laws of the sending state; provided, that the sending state shall continue to be obligated to such payments as may be required pursuant to the terms of any contract entered into under the terms of Article III.

(d) Each receiving state shall provide regular reports to each sending state on the inmates of that sending state in institutions pursuant to this compact including a conduct record of each inmate and certify said record to the official designated by the sending state, in order that each inmate may have official review of his or her record in determining and altering the disposition of said inmate in accordance with the law which may obtain in the sending state and in order that the same may be a source of information for the sending state.

(e) All inmates who may be confined in an institution pursuant to the provisions of this compact shall be treated in a reasonable and humane manner and shall be treated equally with such similar inmates of the receiving state as may be confined in the same institution. The fact of confinement in a receiving state shall not deprive any inmate so confined of any legal rights which said inmate would have had if confined in an appropriate institution of the sending state.

(f) Any hearing or hearings to which an inmate confined pursuant to this compact may be entitled by the laws of the sending state may be had before the appropriate authorities of the sending state, or of the receiving state if authorized by the sending state. The receiving state shall provide adequate facilities for such hearings as may be conducted by the appropriate officials of a sending state. In the event such hearing or hearings are had before officials of the receiving state, the governing law shall be that of the sending state and a record of the hearing or hearings as prescribed by the sending state shall be made. Said record together with any recommendations of the hearing officials shall be transmitted forthwith to the official or officials before whom the hearing

would have been had if it had taken place in the sending state. In any and all proceedings had pursuant to the provisions of this subdivision, the officials of the receiving state shall act solely as agents of the sending state and no final determination shall be made in any matter except by the appropriate officials of the sending state.

(g) Any inmate confined pursuant to this compact shall be released within the territory of the sending state unless the inmate, and the sending and receiving states, shall agree upon release in some other place. The sending state shall bear the cost of such return to its territory.

(h) Any inmate confined pursuant to the terms of this compact shall have any and all rights to participate in and derive any benefits or incur or be relieved of any obligations or have such obligations modified or his status changed on account of any action or proceeding in which he could have participated if confined in any appropriate institution of the sending state located within such state.

(i) The parent, guardian, trustee or other person or persons entitled under the laws of the sending state to act for, advise or otherwise function with respect to any inmate shall not be deprived of or restricted in his exercise of any power in respect of any inmate confined pursuant to the terms of this compact.

#### Article -V.

##### *Acts not Reviewable in Receiving State: Extradition.*

(a) Any decision of the sending state in respect of any matter over which it retains jurisdiction pursuant to this compact shall be conclusive upon and not reviewable within the receiving state, but if at the time the sending state seeks to remove an inmate from an institution in the receiving state there is pending against the inmate within such state any criminal charge or if the inmate is formally accused of having committed within such state a criminal offense, the inmate shall not be returned without the consent of the receiving state until discharged from prosecution or other form of proceeding, imprisonment or detention for such offense. The duly accredited officers of the sending state shall be permitted to transport inmates pursuant to this compact through any and all states party to this compact without interference.

(b) An inmate who escapes from an institution in which he is confined pursuant to this compact shall be deemed a fugitive from the sending state and from the state in which the institution is situated. In the case of an escape to a jurisdiction other than the sending or receiving state, the responsibility for institution of extradition or rendition proceedings shall be that of the sending state, but nothing contained herein shall be construed to prevent or affect the activities of officers and agencies of any jurisdiction directed toward the apprehension and return of an escapee.

#### Article VI.

##### *Federal Aid.*

Any state party to this compact may accept federal aid for use in connection with any institution or program, the use of which is or may be affected by this compact or any contract pursuant hereto and any inmate in a receiving state pursuant to this compact may participate in any such federally aided program or activity for which the sending and receiving states have made contractual provision; provided, that if such

program or activity is not part of the customary correctional regimen the express consent of the appropriate official of the sending state shall be required therefor.

Article VII.

*Entry into Force.*

This compact shall enter into force and become effective and binding upon the states so acting when it has been enacted into law by any four states from among the states of New England. Thereafter, this compact shall enter into force and become effective and binding as to any other of said states upon similar action by such state.

Article VIII.

*Withdrawal and Termination.*

This compact shall continue in force and remain binding upon a party state until it shall have enacted a statute repealing the same and providing for the sending of formal written notice of withdrawal from the compact to the appropriate officials of all other party states. An actual withdrawal shall not take effect until one year after the notices provided in said statute have been sent. Such withdrawal shall not relieve the withdrawing state from its obligations assumed hereunder prior to the effective date of withdrawal. Before the effective date of withdrawal, a withdrawing state shall remove to its territory, at its own expense, such inmates as it may have confined pursuant to the provisions of this compact.

Article IX.

*Other Arrangements Unaffected.*

Nothing contained in this compact shall be construed to abrogate or impair any agreement or other arrangement which a party state may have with a non-party state for the confinement, rehabilitation or treatment of inmates nor to repeal any other laws of a party state authorizing the making of co-operative institutional arrangements.

Article X.

*Construction and Severability.*

The provisions of this compact shall be liberally construed and shall be severable. If any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any participating state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating therein, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters.

SECTION 3. The commissioner of correction, subject to the approval of the governor and council, is hereby authorized and directed to do all things necessary or incidental to the carrying out of the compact in every particular.

*Approved July 25, 1962.*

**Chap. 754.** AN ACT FURTHER REGULATING BIDDING PROCEDURES AND THE AWARDING OF CERTAIN CONTRACTS BY THE DEPARTMENT OF PUBLIC WORKS.

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

Chapter 29 of the General Laws is hereby amended by inserting after section 8A the following section: —

*Section 8B.* The commissioner of public works shall require that any person proposing to bid on any work, excepting the construction, reconstruction, repair or alteration of buildings to be awarded by the department of public works, or by a municipality under the provisions of section thirty-four of chapter ninety submit a statement under the penalties of perjury setting forth his qualifications to perform such work. Such statement shall be in such detail and form and shall be submitted at such times as the commissioner may prescribe under rules promulgated by the department, subject to the requirements of chapter thirty A. Such rules may require such information as may be necessary to implement this section and may establish a basis for the classification and maximum capacity rating of bidders which shall determine the class and aggregate amount of work such bidders are qualified to perform. The statement shall set forth, among other matters that may be prescribed by the rules, the proposed bidder's financial resources, his experience, the number and kinds of equipment which he has for use on such work, and the number, size and completion dates of other construction jobs, whether in this state or another state, which he has under contract. The information contained within such statement, together with other relevant available information and the proposed bidder's past performance on work of a similar nature may be considered by the department in determining whether or not the proposed bidder is qualified to perform any specific work for which proposals to bid are invited.

Based on information received and available and on past performance of the prospective bidder on work of a similar nature, the commissioner, acting through a prequalification committee consisting of engineering personnel of the department to be appointed by him, shall determine the class and aggregate amount of work that a prospective bidder is qualified to perform, and shall limit a proposed bidder to such class and aggregate amount of work as he may be qualified to perform. The department shall limit the bid proposals to be furnished to a prospective bidder to such bidders as are determined by the commissioner to have the classification and capacity rating to perform the work required.

Any such statement filed with the commissioner by a prospective bidder shall be confidential, and shall be used only by the department of public works in determining the qualifications of such prospective bidder to perform work for said department, or for a municipality under the provisions of said section thirty-four. No information contained in such statement shall be imparted to any other person without the written consent of said bidder.

If any prospective bidder fails to file the statement required by this section, or if, in the judgment of the commissioner, the prospective bidder is not qualified to carry out the work required under a contract which is proposed to be awarded, the commissioner shall refuse to furnish such prospective bidder with bid proposals for such work and shall reject any bid by such prospective bidder for such work.

Only persons filing the statement required herein shall be authorized as prime contractors and then only as to the class and aggregate amount of work which their qualifications warrant.

Any bidder qualified as authorized herein shall be promptly notified by the commissioner of such action.

Any prospective bidder who is aggrieved by any decision or determination of the prequalification committee or the commissioner which affects his right to bid may file a new application for qualification at any time, or, within fifteen days after receiving notice of such decision the applicant may request in writing a hearing before an appeal board to reconsider his application or qualifications. The appeal board shall consist of the commissioner, the associate commissioners, the chief engineer and the deputy chief engineer of public works, or their designees.

Any bidder or prospective bidder who so requests shall be granted a hearing by the board at which he may submit any and all additional information or evidence bearing upon his finances, experience or other qualifications which may be relevant thereto. Such hearing shall be held without delay and the board shall promptly render its decision after taking into consideration all relevant information or evidence submitted relating to the bidder's qualifications. The appeal board may modify, amend or reverse any previous decision of the prequalification committee or the commissioner with respect to the qualification of the applicant or may sustain such previous decision. Such hearing shall be deemed to be an adjudicatory proceeding and any bidder or prospective bidder who is aggrieved by the decision of the appeal board shall have a right to judicial review under the applicable provisions of said chapter thirty A.

The commissioner shall not consider any bid filed with him by any person for any contract to be awarded by the department of public works, or by a municipality under the provisions of section thirty-four of chapter ninety, who has not been qualified as required by the rules promulgated by said department and any such bid of an unqualified bidder may be rejected without being opened. No contract shall be awarded to any bidder not qualified to bid thereon at the time fixed for receiving bids.

Any person, firm or corporation who knowingly and wilfully makes, or causes to be made, any false or fraudulent statement with respect to his financial condition or other assets in any application for qualification filed with the department as required herein shall upon final conviction be disqualified from submitting bids on contracts advertised by the department for a period of one year following the date of said conviction.

This section shall not apply to any prospective bidder the aggregate amount of whose work with the department of public works, including the amount of his proposal, is less than fifty thousand dollars.

*Approved July 25, 1962.*

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**Chap. 755.** AN ACT INCREASING THE AMOUNT OF THE DEATH BENEFIT PAYABLE UNDER THE STATE-BOSTON RETIREMENT SYSTEM TO THE WIDOW OF JOHN J. GALLAGHER WHO DIED OF INJURIES SUSTAINED IN LINE OF DUTY AS A POLICE OFFICER OF THE CITY OF BOSTON.

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

**SECTION 1.** For the purpose of promoting the public good, the accidental death benefit allowance payable under section nine of chapter



thirty-two of the General Laws to the widow of John J. Gallagher, who died on May twenty-fifth in the current year as a result of injuries sustained when shot on said date while in the performance of his duty as a police officer of the city of Boston shall, subject to the provisions and limitations of said section nine, consist of a yearly amount of pension equal to the annual rate of regular compensation payable to said police officer at the time of his death.

SECTION 2. This act shall take effect upon its acceptance by the city of Boston.

*Approved July 25, 1962.*

**Chap. 756.** AN ACT TO ELIMINATE THE CORPORATE EXCESS AND TO MODIFY THE PROPERTY MEASURE OF THE CORPORATION EXCISE.

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

SECTION 1. Section 30 of chapter 63 of the General Laws is hereby amended by striking out paragraphs 3 and 4.

SECTION 2. Said section 30 of said chapter 63 is hereby further amended by adding after paragraph 6 the following six paragraphs: —

7. The value of a corporation's tangible property taxable under clause (1) of subsection (a) of section thirty-two or thirty-nine shall be the adjusted basis, as defined under the applicable provisions of the Federal Internal Revenue Code, as amended and in effect on January first, nineteen hundred and sixty-two, of such of its tangible property situated in the commonwealth on the last day of the taxable year as is not subject to local taxation nor taxable under section sixty-seven, except as herein-after provided. Where the value, as hereinbefore defined, of a corporation's machinery and equipment having a useful life of eight years or more and situated in the commonwealth on the last day of the taxable year as is not subject to local taxation exceeds the sum of the value, as hereinbefore defined, of such of its machinery and equipment so situated on the last day of the taxable year ending on or immediately after December thirty-first, nineteen hundred and sixty-two, plus the amounts that had previously qualified for exemption from taxation for five preceding taxable years, the excess shall be exempt from taxation under clause (1) of subsection (a) of section thirty-two or thirty-nine for five consecutive taxable years to the extent of the excess, if any, in each of said five consecutive years; provided, however, that the value, as hereinbefore defined, of such of its machinery and equipment includable under clause (1) of subsection (a) of section thirty-two or thirty-nine shall not be less than five thousand dollars or the value, as hereinbefore defined, of such of its machinery and equipment so situated on the last day of the taxable year, whichever is lower. If the commissioner finds that a corporation has transferred its tangible property taxable under clause (1) of subsection (a) of section thirty-two or thirty-nine for the purpose of reducing its excise under this chapter, he may determine the amount of its tangible property taxable under said sections on the basis of the average of such tangible property held during the taxable year.

8. The net worth of a domestic business corporation taxable under clause (1) of subsection (a) of section thirty-two shall be such portion of the book value of its total assets on the last day of the taxable year, less the sum of (1) its liabilities on said date, (2) the book value of its tangible property situated in the commonwealth on said date and sub-

ject to local taxation, less the interest of any mortgagee therein, and (3) the book value on said date of its investment in subsidiary corporations organized in the commonwealth which represent eighty per cent or more of the voting stock of said corporations, as the remainder of its net income attributable to business carried on within the commonwealth, as determined under the provisions of section thirty-eight, bears to the total remainder of its net income allocable under said section. In determining the book value of any asset, the commissioner may disallow any reserve, in whole or in part, established with respect thereto which, in his judgment, is not reasonable and proper.

9. The net worth of a foreign corporation taxable under clause (1) of subsection (a) of section thirty-nine shall be such portion of the book value of its total assets less its liabilities on the last day of the taxable year as the book value of its tangible assets situated within the commonwealth on said date and not subject to local taxation plus the amount of its intangible assets on said date allocable to this commonwealth, as hereinafter determined, bear to the book value of its total assets on said date. The intangible assets allocable to this commonwealth shall be such portion of the book value of its total intangible assets on the last day of the taxable year, less the book value on said date of its investment in and advances to subsidiary corporations not doing business in the commonwealth, as the remainder of its net income attributable to business carried on within the commonwealth, as determined under the provisions of section thirty-eight or forty-one, bears to the total remainder of its net income allocable under said sections. In determining the book value of any asset, the commissioner may disallow any reserve, in whole or in part, with respect thereto which, in his judgment, is not reasonable and proper.

10. "Tangible property corporation", a corporation whose tangible property situated in the commonwealth on the last day of the taxable year and not subject to local taxation is ten per cent or more of such portion of its total assets on the last day of the taxable year less those assets as are situated in the commonwealth on the last day of the taxable year and are subject to local taxation, and, for a foreign corporation, less its investment on said date in foreign corporations not registered to do business nor doing business in the commonwealth, as the remainder of its net income attributable to business carried on within the commonwealth, as determined under the provisions of section thirty-eight or forty-one, bears to the total remainder of its net income allocable under said sections, or a corporation which, in the judgment of the commissioner, should be so classified. For the purpose of this paragraph, the assets of the corporation shall be valued at their book value.

11. "Intangible property corporation", a corporation whose tangible property situated in the commonwealth on the last day of the taxable year and not subject to local taxation is less than ten per cent of such portion of its total assets on the last day of the taxable year less those assets as are situated in the commonwealth on the last day of the taxable year and are subject to local taxation, and, for a foreign corporation, less its investment on said date in foreign corporations not registered to do business nor doing business in the commonwealth, as the remainder of its net income attributable to business carried on within the commonwealth, as determined under the provisions of section thirty-eight or forty-one bears to the total remainder of its net income allocable under said sections, or a corporation which, in the judgment of the commis-

sioner, should be so classified. For the purpose of this paragraph, the assets of the corporation shall be valued at their book value.

12. In any case in which the effective date or applicability of any provision of this chapter is expressed in terms of taxable years beginning or ending with reference to a specified date which is the first or last day of a month, with respect to a corporation which has elected to make a return to the federal government on the basis of an annual period which varies from fifty-two to fifty-three weeks, its taxable year shall be treated as beginning with the first day of the calendar month beginning nearest to the first day of such taxable year, or as ending with the last day of the calendar month ending nearest to the last day of such taxable year.

SECTION 3. Said chapter 63 is hereby further amended by inserting after section 30 the following section: — *Section 30A.* If the total taxes paid in any twelve-month period ending June thirtieth under sections thirty to fifty-one, inclusive, and under any act in addition thereto, exceed the total of such taxes paid in the twelve-month period ended June thirtieth, nineteen hundred and sixty-two plus three million dollars for each succeeding twelve-month period thereafter, the commission shall, on or before December first next following, ascertain the amount of such excess and shall lower the rate applicable to the property taxable under clause (1) of subsection (a) of sections thirty-two and thirty-nine, for taxable years ending on and after December thirty-first next following, by an amount equal to eighty-one per cent of such excess divided by one thousandth of the aggregate of such property taxable under clause (1) of subsection (a) of said sections during the twelve-month period ending the preceding June thirtieth; provided, however, that such rate shall not be lower than five dollars per thousand. "Total taxes paid" as used in this paragraph shall include interest and penalties but shall have deducted therefrom taxes paid under said sections as have been refunded under this chapter or section twenty-seven of chapter fifty-eight during the period in question, together with any interest or costs paid on account of such refunds.

SECTION 4. Section thirty-one of said chapter sixty-three, as appearing in the Tercenary Edition, is hereby repealed.

SECTION 5. Said chapter 63 is hereby further amended by striking out section 32, as most recently amended by section 4 of chapter 548 of the acts of 1960, and inserting in place thereof the following section: — *Section 32.* Except as provided in section thirty-eight B, every domestic business corporation shall pay, on account of each taxable year, the excise provided in subsection (a), (b), or (c) of this section, whichever is greater. Liability for such excise shall be incurred by corporate existence at any time within such taxable year. In the case of a corporation whose taxable year is a period of less than twelve calendar months, the portion of the amount determined under clause (1) of subsection (a) shall be multiplied by a fraction whose numerator is the number of months included in the taxable year and whose denominator is twelve.

(a) An amount equal to the sum of —

(1) Six dollars and twenty-two cents per thousand, or such lower rate as may be determined by the commission under section thirty A, upon the value of —

(i) its tangible property as determined to be taxable under paragraph 7 of section thirty if a tangible property corporation; or

- (ii) its net worth as determined to be taxable under paragraph 8 of section thirty if an intangible property corporation; and
- (2) Two and one half per cent of its net income determined to be taxable in accordance with the provisions of this chapter. If two or more domestic corporations participated in the filing of a consolidated return of income to the federal government, the portion of the excise computed under this clause may, at their option, be assessed upon their combined net income, in which case the excise shall be assessed to all said corporations and collected from any one or more of them.
- (b) An amount equal to one twentieth of one per cent of its gross receipts assignable to this commonwealth as defined in paragraph 6 of section thirty-eight and to the extent allowable by the constitution and laws of the United States. A corporation deriving eighty per cent or more of its total gross receipts from buying, selling, dealing in or holding intangible personal property shall not be subject to this subsection.
- (c) Eighty-one dollars and thirty cents.

SECTION 6. Section 33 of said chapter 63, as amended by section 1 of chapter 303 of the acts of 1933, is hereby further amended by striking out the second paragraph.

SECTION 7. Section 38B of said chapter 63 is hereby amended by striking out the last two paragraphs, as appearing in section 8 of chapter 550 of the acts of 1956.

SECTION 8. Said chapter 63 is hereby further amended by striking out section 39, as most recently amended by section 7 of chapter 548 of the acts of 1960, and inserting in place thereof the following section: —  
*Section 39.* Except as otherwise provided herein, every foreign corporation shall pay, on account of each taxable year, with respect to carrying on or doing business in the commonwealth, the excise provided in subsection (a), (b), or (c) of this section, whichever is greater. Liability for such excise shall be incurred by corporate activity within the commonwealth at any time within the taxable year. In the case of a corporation whose taxable year is a period of less than twelve calendar months, the portion of the amount determined under clause (1) of subsection (a) shall be multiplied by a fraction whose numerator is the number of months included in the taxable year and whose denominator is twelve.

- (a) An amount equal to the sum of —
  - (1) Six dollars and twenty-two cents per thousand, or such lower rate as may be determined by the commission under section thirty A, upon the value of —
    - (i) its tangible property as determined to be taxable under paragraph 7 of section thirty if a tangible property corporation, or
    - (ii) its net worth as determined to be taxable under paragraph 9 of section thirty if an intangible property corporation; and
  - (2) Two and one half per cent of its net income determined to be taxable in accordance with the provisions of this chapter. If two or more foreign corporations participated in the filing of a consolidated return of income to the federal government,

the portion of the excise computed under this clause may, at their option, be assessed upon their combined net income, in which case the excise shall be assessed to all said corporations and collected from any one or more of them.

- (b) An amount equal to one twentieth of one per cent of its gross receipts assignable to this commonwealth as defined in paragraph 6 of section thirty-eight and to the extent allowable by the constitution and laws of the United States. A corporation deriving eighty per cent or more of its total gross receipts from buying, selling, dealing in or holding intangible personal property shall not be subject to this subsection.

- (c) Eighty-one dollars and thirty cents.

SECTION 9. Section 39A of said chapter 63 is hereby amended by striking out the second paragraph, as appearing in section 2 of chapter 303 of the acts of 1933.

SECTION 10. Section 44 of said chapter 63, as appearing in section 1 of chapter 557 of the acts of 1962, is hereby amended by striking out in the third sentence, each time they occur, the words "subsection (d)" and inserting in place thereof, in each instance, the words: — subsection (c), — and by striking out in the fifth sentence, each time they occur, the words "subsections (b), (c) and (d)" and inserting in place thereof, in each instance, the words: — subsections (b) and (c)

SECTION 11. The provisions of this act are severable, and if any of its provisions shall be held to be unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

SECTION 12. Section three of this act shall take effect on July first, nineteen hundred and sixty-four. The remainder of this act shall take effect with respect to taxable years ending on and after December thirty-first, nineteen hundred and sixty-two. *Approved July 25, 1962.*

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**Chap. 757.** AN ACT ESTABLISHING THE EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

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

SECTION 1. Section 17 of chapter 6 of the General Laws, as most recently amended by section 1 of chapter 487 of the acts of 1962, is hereby further amended by striking out, in line 2, as appearing in section 1 of chapter 623 of the acts of 1958, the words "the commission on administration and finance" and inserting in place thereof the words: — the executive office for administration and finance.

SECTION 2. Chapter 7 of the General Laws is hereby amended by striking out its title, as appearing in the Tercentenary Edition, and inserting in place thereof the following title: — EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

SECTION 3. Section 1 of said chapter 7, as appearing in the Tercentenary Edition, is hereby amended by striking out the paragraph defining "Commission" and inserting in place thereof the following paragraph: — "Commissioner", the commissioner of administration.

SECTION 4. Said chapter 7 is hereby amended by striking out sections 2, 3, 3A, 4, 5, 5A, 5B and 6 and inserting in place thereof the nine following sections: —

*Section 2.* There is hereby established the executive office for administration and finance, which shall serve directly under the governor and council within the meaning of Article LXVI of the Constitution of the Commonwealth.

*Section 3.* The executive office for administration and finance shall serve as the principal agency of the executive department of the government of the commonwealth for the following purposes:

(1) Developing, co-ordinating, administering and controlling the financial policies and programs of the commonwealth;

(2) Supervising the organization and conduct of the business affairs of the departments, commissions, offices, boards, divisions, institutions and other agencies within the executive department of the government of the commonwealth;

(3) Developing new policies and programs which will improve the organization, structure, functions, economy, efficiency, procedures, services and administrative practices of all such departments, commissions, offices, boards, divisions, institutions and other agencies.

*Section 4.* The governor shall appoint a commissioner of administration, who shall be a person of ability and experience. He shall serve at the pleasure of the governor, shall receive such salary not exceeding fourteen thousand dollars per year as the governor may determine, and shall devote his entire time to the duties of his office. Except in the cases of the comptroller's division and the purchasing agent's division, each as established under section four A, the commissioner shall be responsible for the exercise of all powers and the performance of all duties assigned by law to the executive office for administration and finance or to any division, bureau or other administrative unit or agency under the said office. He shall be the executive and administrative head of the said office; and every division, bureau, section and other administrative unit and agency within the said office, other than the comptroller's division and the purchasing agent's division, shall be under his direction, control and supervision. He shall have access to all books, papers, documents, records and equipment in the custody of the comptroller's division and the purchasing agent's division; and the comptroller and purchasing agent shall furnish him with all information requested by him for the purpose of discharging the duties of the office of commissioner of administration. He shall act as the executive officer of the governor in all matters pertaining to the financial, administrative, planning and policy co-ordinating functions and affairs of the departments, commissions, offices, boards, divisions, institutions and other agencies within the executive department of the government of the commonwealth. He shall inquire into the business affairs of the commonwealth and the laws governing them; shall supervise program planning and the co-ordination of the activities and programs of the commonwealth in its dealings with the federal government; shall review and report to the governor and the general court on all proposed legislation affecting the organization, structure, efficiency and administrative functions, services, procedures and practices of the departments, commissions, offices, boards, divisions, institutions and other agencies, or any of them, under the executive department of the government of the commonwealth; shall conduct studies of the operations of the said agencies with a view to effecting improvements in administrative organization, procedures, and practices and to promoting economy,

efficiency, and avoiding of useless labor and expenses in the said agencies; shall from time to time recommend to the governor and the general court such changes as he shall deem desirable in the laws relating to the organization, structure, efficiency or administrative functions, services, procedures and practices of any such agency or agencies; and shall have such other powers and duties as shall be assigned to him by statute and may from time to time be assigned to him by the governor in accordance with law. In making any examination or investigation authorized under this chapter, the commission may require the production of books, papers, contracts and documents relating to any matter within the scope of such examination or investigation.

*Section 4A.* The executive office for administration and finance shall include a comptroller's division, in charge of a comptroller, who shall have the rank of a deputy commissioner and shall be appointed by the governor with approval of the council for a term of three years; a purchasing agent's division, in charge of a purchasing agent, who shall have the rank of deputy commissioner and shall be appointed by the governor with the approval of the council for a term of three years; a fiscal affairs division, headed by a deputy commissioner for fiscal affairs; and a central services division, headed by a deputy commissioner for central services. Each of the said deputy commissioners shall be appointed by the commissioner, with the approval of the governor and council, shall be a person of ability and experience, shall serve at the pleasure of the commissioner, shall devote his entire time to the duties of his office, and shall perform such functions as the commissioner shall from time to time assign to him.

Excepting the comptroller's division and the purchasing agent's division, the commissioner may from time to time establish within the executive office for administration and finance such bureaus, sections and other administrative units not otherwise established by law as may be necessary for efficient, economical administration of the work of the executive office for administration and finance; and when necessary for such purpose, he may abolish any such bureau, section or unit or he may merge any two or more of them. He shall prepare and keep current a general statement of the organization of the said office and of the assignment of functions to its various administrative units, officials and employees. Said statement shall be known as the "description of organization" of said office and shall be kept on file in said office. A copy shall be kept on file in the office of the governor.

*Section 4B.* There shall be within the fiscal affairs division a budget bureau, headed by a budget director; a bureau of personnel, headed by a director of personnel and standardization; a management bureau, headed by a director of management; a bureau of hospital costs and finances headed by a director of hospital costs and finances; and such other administrative units as may be established in or assigned to the said division from time to time by the commissioner. The said budget director, director of personnel and standardization, director of management, and director of hospital costs and finances shall each be appointed by the commissioner, with the approval of the governor and council, and may be removed, for cause, in like manner; shall be a person of ability and experience, and shall devote his entire time to the duties of his office; and none of the said offices shall be classified under chapter thirty-one.

*Section 4C.* There shall be within the central services division a bureau of building construction, headed by a director of building construction; a bureau of state buildings headed by a state superintendent of buildings; and such other administrative units as may be established in or assigned to the said division from time to time by the commissioner. The director of building construction, and state superintendent of buildings shall each be appointed by the commissioner, with the approval of the governor and council, and may be removed, for cause, in like manner, shall be a person of ability and experience, and shall devote his entire time to the duties of his office; and, excepting as otherwise provided in section five A, none of the said offices shall be classified under chapter thirty-one. The state purchasing agent shall give bond to the state treasurer in a sum to be fixed by the governor and council for the faithful performance of his duties and for the rendering of a proper account of all money entrusted to him for the use of the commonwealth.

*Section 4D.* Excepting the comptroller's division and the purchasing agent's division, the commissioner shall appoint all employees of the executive office for administration and finance. Unless otherwise provided by law, all such appointments shall be made in accordance with chapter thirty-one; except, however, that in staffing at any time the said office, the commissioner may, without regard to chapter thirty-one but subject to the approval of the governor and council, appoint such experts and other assistants in the said office as he shall deem necessary; provided, that the number of persons holding such appointments at any time shall not exceed nine and that no person while holding any such appointment shall be subject to section nine A of chapter thirty. The comptroller shall in like manner appoint all employees in the comptroller's division; but no more than three persons in the said division shall at any time hold appointments not subject to chapter thirty-one and made by him with the approval of the governor and council and provided that no person while holding such appointment shall be subject to said section nine A. The purchasing agent shall in like manner appoint all employees in the purchasing agent's division; but no more than two persons in the said division shall at any time hold appointments not subject to chapter thirty-one and made by him with the approval of the governor and council and provided that no person while holding such appointment shall be subject to said section nine A.

Subject to appropriation, the commissioner, the comptroller and the purchasing agent, respectively, may appoint and remove such additional assistants, technical consultants, and other persons, and may engage such technical and other assistance, as the work of the said office, the comptroller's division and the purchasing agent's division therein, may require. The commissioner, the comptroller and the purchasing agent, respectively, may expend such sums of money for expenses, including travelling expenses of officers and employees serving in the said office, the comptroller's division and the purchasing agent's division therein, as may be appropriated therefor.

Every person appointed to any supervisory position in the said office, whether or not such position shall be classified under chapter thirty-one, shall be a person with experience and skill in the field of the functions of such position. So far as practicable in the judgment of the commissioner, appointments to supervisory positions not so classified shall be made by promoting employees of the commonwealth serving in posi-



tions so classified; and in every such instance, and in every instance of an employee so promoted from a position in which at the time of promotion he shall have tenure by reason of section nine A of chapter thirty of the General Laws, upon termination of his service in such unclassified supervisory position, the employee shall, if he shall so request, be restored to the classified position from which he shall have been promoted, or to a position equivalent thereto in salary grade in the same state agency, without impairment of his civil service status or his tenure by reason of said section nine A or loss of the seniority, retirement and other rights to which uninterrupted service in the classified position would have entitled him; provided, however, that if his service in such unclassified supervisory position shall have been terminated for cause, his right to be so restored shall be determined by the civil service commission in accordance with the standards applied by the said commission in administering chapter thirty-one.

*Section 5.* The commissioner may, with the consent of the governor, appoint a first deputy commissioner of administration who shall be a person of ability and experience, shall serve at the pleasure of the commissioner, and shall devote his entire time to the duties of his office. He shall exercise such authority and discharge such duties of the commissioner as the commissioner may from time to time delegate to him; and in the absence or incapacity of the commissioner or in the event of a vacancy in the position of the commissioner, the said first deputy commissioner shall act as the commissioner until the absence or incapacity shall have terminated or the vacancy shall have been filled.

*Section 6.* The director of building construction shall be the chief engineer of the bureau of building construction. No person shall be appointed director or deputy director of said bureau unless at the time thereof he shall be registered by the commonwealth as an architect or professional engineer pursuant to the provisions of chapter one hundred and twelve and shall have proven ability and extended experience in the design and construction of buildings. The positions of director of building construction and deputy director of building construction shall be subject to the provisions of chapter thirty-one.

SECTION 5. Sections six C, twelve and thirty-two of said chapter seven of the General Laws are hereby repealed.

SECTION 6. Section 7 of said chapter 7 is hereby amended by striking out the first paragraph, as most recently amended by section 5 of chapter 610 of the acts of 1948.

SECTION 7. Said chapter 7 is hereby further amended by striking out section 31, as appearing in chapter 275 of the acts of 1950, and inserting in place thereof the following section: — *Section 31.* The commissioner shall decide questions not involving legislation, which arise on matters relating to accounting standards and practices other than those relating to the accounting system in use under sections sixteen and seventeen. He shall from time to time authorize such additions to or deductions from the statement for the annual report representing state-owned property as he finds advisable, and no such additions or deductions shall be made without a written certification to that effect by the commissioner.

SECTION 8. The first paragraph of section 31A of said chapter 7, as appearing in chapter 546 of the acts of 1954, is hereby amended by striking out, in lines 1, 2, 3 and 4, the words "There shall be within the commission a suggestion awards board, to consist of each member of

the commission or a person designated by such member as his representative" and inserting in place thereof the words: — There shall be within the executive office for administration and finance a suggestion awards board, to consist of the commissioner of administration, the comptroller, and the budget director, each of whom may from time to time designate a person to act in his stead, — so as to read as follows: — There shall be within the executive office for administration and finance a suggestion awards board, to consist of the commissioner of administration, the comptroller, and the budget director, each of whom may from time to time designate a person to act in his stead, for the purpose of receiving and judging suggestions made by officers or employees of the commonwealth as to methods of improving existing governmental procedures; installing new procedures for the betterment of the state service; increasing the efficiency of the several state departments, boards, commissions, or institutions operating under any state department, division, board or commission; reducing the cost of state government; or improving the service rendered to the public by any department, division, board, commission or institution.

SECTION 9. Section 6B of said chapter 7, inserted by section 1 of chapter 440 of the acts of 1951, is hereby amended by striking out, in lines 1, 3, 7, 9 and 10, the word "commission" and inserting in place thereof in each instance the word: — commissioner.

SECTION 10. Section 6D of said chapter 7 is hereby amended by striking out, in line 1, as appearing in section 1 of chapter 636 of the acts of 1953, the word "division" and inserting in place thereof the word: — bureau.

SECTION 11. Section 7A of said chapter 7, inserted by chapter 698 of the acts of 1950, is hereby amended by striking out, in lines 2 and 3, the words " , with the approval of the commission on administration and finance,".

SECTION 12. Section 8 of said chapter 7, as appearing in the Tercenary Edition, is hereby amended by striking out, in line 3, the word "commission" and inserting in place thereof the word: — commissioner, — and by striking out, in line 5, the words "budget commissioner" and inserting in place thereof the words: — budget director.

SECTION 13. Section 9 of said chapter 7 is hereby amended by striking out, in line 3, as appearing in the Tercenary Edition, the word "commission" and inserting in place thereof the word: — commissioner.

SECTION 14. Section 10 of said chapter 7 is hereby amended by striking out, in line 1, as appearing in the Tercenary Edition, the word "commission" and inserting in place thereof the word: — commissioner.

SECTION 15. Section 11 of said chapter 7 is hereby amended by striking out, in line 9, as appearing in the Tercenary Edition, the word "commission" and inserting in place thereof the word: — commissioner, — and by striking out, in lines 4, 10, 14, 23 and 30, as so appearing, the words "any commissioner" and inserting in place thereof the words: — the commissioner.

SECTION 16. Section 19 of said chapter 7 is hereby amended by striking out, in lines 2 and 3, as appearing in the Tercenary Edition, the words "commission on administration and finance" and inserting in place thereof the words: — commissioner of administration.

SECTION 17. Section 21 of said chapter 7 is hereby amended by

striking out, in line 1, the words "budget commissioner's" and inserting in place thereof the words: — budget director's.

SECTION 18. Section 22 of said chapter 7 is hereby amended by striking out, in lines 1 and 2, as appearing in the Tercentenary Edition, the words "The commissioners of the commission, sitting as a board," and inserting in place thereof the words: — The commissioner of administration.

SECTION 19. Section 22 of said chapter 7 is hereby amended by striking out, in line 13, as appearing in the Tercentenary Edition, the word "board" and inserting in place thereof the word: — commissioner.

SECTION 20. Clause (18) of section 22 of said chapter 7, as most recently amended by chapter 96 of the acts of 1959, is hereby further amended by striking out, in lines 12, 25 and 40, as appearing in chapter 727 of the acts of 1955, the words "said commission" and inserting in place thereof in each instance the words: — the commissioner of administration, — and by striking out, in lines 11, 21 and 23, as so appearing, the words "said commissioner" and inserting in place thereof in each instance the words: — the commissioner of labor and industries.

SECTION 21. Section 25A of said chapter 7, as most recently amended by chapter 201 of the acts of 1953, is hereby further amended by striking out, in line 14, the word "commission" and inserting in place thereof the word: — commissioner.

SECTION 22. Section 28 of said chapter 7 is hereby amended by striking out, in lines 7, 8, 41, 42, 50 and 52, as appearing in section 2 of chapter 680 of the acts of 1954, the words "commission on administration and finance" and inserting in place thereof in each instance the words: — commissioner of administration and the governor.

SECTION 23. Section 30 of said chapter 7 is hereby amended by striking out, in lines 1, 11, 12, 14, 15 and 25, as appearing in the Tercentenary Edition, the word "division" and inserting in place thereof in each instance the word: — bureau.

SECTION 24. The second paragraph of section 30A of said chapter 7, as appearing in section 5 of chapter 612 of the acts of 1953, is hereby amended by striking out, in lines 1 and 2, the words "The commission, however, may, by affirmative vote of not less than three of its members" and inserting in place thereof the words: — The commissioner may, — and by striking out, in lines 16 and 18, the word "commission" and inserting in place thereof in each instance the word: — commissioner.

SECTION 25. Section 30B of said chapter 7, as appearing in section 5 of chapter 612 of the acts of 1953, is hereby amended by striking out, in lines 1, 6, 7, 9, 21 and 24, the word "commission" and inserting in place thereof the word: — commissioner, — and by striking out, in line 10, the word "its" and inserting in place thereof the word: — his.

SECTION 26. The third paragraph of section 30D of said chapter 7, as appearing in section 5 of chapter 612 of the acts of 1953, is hereby amended by striking out, in lines 4 and 8, the word "commission" and inserting in place thereof in each instance the word: — commissioner.

SECTION 27. Section 30E of said chapter 7, as appearing in section 5 of chapter 612 of the acts of 1953, is hereby amended by striking out, in lines 13 and 14, the word "commission" and inserting in place thereof the words: — commissioner under this section, — by striking out, in lines 16 and 29 and each time it appears in line 32, the word "commission" and inserting in place thereof in each instance the word: — com-

missioner, — and by adding, at the end of the first paragraph, the following sentence: — The commissioner may make, alter, amend or repeal such rules and regulations as he may deem necessary for the purposes of this section.

SECTION 28. Section 30F of said chapter 7, as appearing in section 5 of chapter 612 of the acts of 1953, is hereby amended by striking out, in lines 7, 8, 11, 12, 16 and 20, the word "commission" and inserting in place thereof in each instance the word: — commissioner.

SECTION 29. Section 30H of said chapter 7, as most recently amended by chapter 548 of the acts of 1955, is hereby further amended by striking out, in line 11, as appearing in section 5 of chapter 612 of the acts of 1953, the word "commission" and inserting in place thereof the word: — commissioner, — by striking out, in lines 19, 22 and 23, as appearing in said chapter 612, the words "budget commissioner" and inserting in place thereof the words: — budget director, — and by striking out, in line 15, as appearing in said chapter 612, the letter "A", — so as to read as follows: — *Section 30H.* Each agency of the commonwealth which shall desire any project shall prepare and submit to the director of building construction, at such time and in such form as he may require, its request for the project. Each such request shall include a statement of the estimated annual operating and maintenance cost of the facilities to be constructed, and shall indicate whether such facilities are to replace existing structures or to provide additional space. The director shall study all requests so submitted, and may develop projects of his own. He shall cause to be made and filed with him preliminary plans and descriptive specifications sufficient for a careful estimate by a competent expert; and for such purpose such sums as may be appropriated or otherwise made available therefor may, with his approval, be expended and he may, with the approval of the commissioner, employ temporarily such architects, engineers, contractors and consultants as may be necessary. Such preparation and filing of such preliminary plans and specifications shall satisfy the requirements of section seven of chapter twenty-nine, for the preparation and filing of preliminary studies and general specifications.

Annually, on or before the fifteenth day of September, the said director shall submit to the budget director a report containing a list of all projects so requested and his recommended long-range program for construction thereof. Such report shall show, in such form as the budget director may prescribe, the estimated cost of each such project.

SECTION 30. Section 30I of said chapter 7 is hereby amended by striking out, in line 6, as appearing in section 5 of chapter 612 of the acts of 1953, the word "commission" and inserting in place thereof the word: — commissioner.

SECTION 31. Section 30J of said chapter 7 is hereby amended by striking out, in lines 2 and 8, as appearing in section 5 of chapter 612 of the acts of 1953, the word "commission" and inserting in place thereof in each instance the word: — commissioner.

SECTION 32. Section 33 of said chapter 7, as appearing in section 1 of chapter 292 of the acts of 1945, is hereby amended by striking out, in lines 1 and 2, the word "commission" and inserting in place thereof the word: — commissioner, — by striking out, in lines 4 and 7, the word "its" and inserting in place thereof in each instance the word: — his, — and by striking out, in line 7, the word "it" and inserting in place thereof

the word: — he, — so as to read as follows: — *Section 33.* The commissioner shall, annually on or before the second Wednesday in January, submit to the general court a printed abstract of his annual report, exhibiting a full and accurate statement of the financial condition and transactions of the commonwealth for the preceding fiscal year; and as soon as may be after said second Wednesday in January he shall deposit his annual report with the state secretary.

SECTION 33. Section 35 of said chapter 7, as appearing in the Tercenary Edition, is hereby amended by striking out, in lines 11 and 13, the word “commission” and inserting in place thereof in each instance the word: — commissioner, — and by striking out, in line 12, the word “its” and inserting in place thereof the word: — his.

SECTION 34. Chapter 8 of the General Laws is hereby amended by striking out section 1, as appearing in section 1 of chapter 249 of the acts of 1938, and inserting in place thereof the following section: — *Section 1.* There shall be an officer to be known as the state superintendent of buildings, in this chapter called the superintendent, who shall serve as the head of the bureau of state buildings in the central services division of the executive office for administration and finance established by chapter seven.

SECTION 35. Section two of said chapter eight is hereby repealed.

SECTION 36. Section 10 of said chapter 8, as most recently amended by section 2 of chapter 590 of the acts of 1962, is hereby further amended by striking out, in line 1, as appearing in section 1 of chapter 440 of the acts of 1943, the word “He” and inserting in place thereof the words: — The superintendent, — and by striking out, in line 3, as so appearing, the words “commission on administration and finance” and inserting in place thereof the words: — commissioner of administration, — so as to read as follows: — *Section 10.* The superintendent shall, under the supervision of the governor and council and with the approval of the commissioner of administration, assign the rooms in the state house and rooms elsewhere used by the commonwealth, and may determine the occupancy thereof in such manner as the public service may require; provided, that the executive and administrative departments of the commonwealth shall be provided with suitable quarters which shall, so far as is expedient, be in the state house, in any building in the immediate vicinity thereof or in any building in the government center, so called, which building is owned by the commonwealth; and provided further, that this section shall not apply to rooms assigned to or used by either branch of the general court or any committees or officers thereof, except with the written consent of the presiding officer of the branch using such rooms, or to rooms assigned to or used by joint committees of the general court, except with the written consent of the presiding officers of both branches of the general court, nor shall it apply to the rooms used by the Grand Army of the Republic of the department of Massachusetts under section seventeen, except with the consent of the commander thereof. He shall during the sessions of the general court, upon application of the sergeant-at-arms, assign such rooms as may be required for the use of committees and other purposes.

SECTION 37. The first sentence of the first paragraph of section 10A of said chapter 8, as appearing in chapter 706 of the acts of 1945, is hereby amended by striking out, in line 5, the words “commission on administration and finance” and inserting in place thereof the words: —

commissioner of administration, — so as to read as follows: — The commonwealth, acting through the executive or administrative head of a state department, commission or board and with the approval of the superintendent and of the governor and council and of the commissioner of administration, may lease for the use of such department, commission or board, for a term not exceeding five years, premises outside of the state house or other building owned by the commonwealth, if provision for rent of such premises for so much of the term of the lease as falls within the then current fiscal year has been made by appropriation.

SECTION 38. The first sentence of section 20 of chapter 9 of the General Laws, as appearing in chapter 426 of the acts of 1943, is hereby amended by striking out, in lines 5 and 6 of said sentence, the words “a member of the commission on administration and finance to be designated by its chairman” and inserting in place thereof the words: — the commissioner of administration, — so as to read as follows: — There shall be in the department of the state secretary, but not subject to his supervision or control except as herein provided, a board, consisting of the attorney general, the state secretary, the reporter of decisions of the supreme judicial court, and the commissioner of administration, which board shall from time to time advertise for proposals for the execution of the printing and binding, and provide for the sale to the public at such price as said board may fix, of the reports of the decisions of the supreme judicial court, styled “Massachusetts Reports”, and of reprints of volumes of “Massachusetts Reports” previously published.

SECTION 39. Section 1 of chapter 29 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 8, the words “commission on” and inserting in place thereof the words: — executive office for, — so as to read as follows: — *Section 1.* The word “departments”, as used in this chapter, shall, unless the context otherwise requires, mean all the departments of the commonwealth, except the departments of banking and insurance and of civil service and registration but including in lieu thereof the divisions of banks and loan agencies, of insurance, of savings bank life insurance and of civil service and the several boards serving in the division of registration of the department of civil service and registration, and also including the metropolitan district commission and the executive office for administration and finance.

SECTION 40. Section 3 of said chapter 29, as appearing in section 3 of chapter 242 of the acts of 1945, is hereby amended by striking out, in lines 5 and 6 and in line 23, the word “commissioner” and inserting in place thereof in each instance the word: — director.

SECTION 41. Section 4 of said chapter 29, as appearing in section 4 of said chapter 242 of the acts of 1945, is hereby amended by striking out, in line 9, the word “commissioner” and inserting in place thereof the word: — director, — so as to read as follows: — *Section 4.* Officers and heads of departments who, in their annual reports or otherwise, recommend or petition for the expenditure of money by the commonwealth from any source of revenue, including expenditures to be met by assessments or the issue of notes or bonds, for any purpose not covered by the estimates required to be submitted under section three shall, annually, on or before September fifteenth, submit detailed estimates thereof to the budget director, together with any other information required by him.

SECTION 42. Subdivision (1) of section 5 of said chapter 29, as appearing in section 2 of chapter 637 of the acts of 1945, is hereby amended by striking out, in line 3, the word "commissioner" and inserting in place thereof the word:— director, — so as to read as follows:—

(1) The comptroller shall annually, on or before August fifteenth, submit to the budget director statements setting forth the following facts and figures for all state purposes:—

SECTION 43. The last sentence of section 5A of said chapter 29, as appearing in section 6 of said chapter 242 of the acts of 1945, is hereby amended by striking out, in line 2 of said sentence, the word "commissioner" and inserting in place thereof the word:— director, — so as to read as follows:— The budget director may from time to time fix or change the form of the forecasts, the classification of the items contained therein or the period of years to be covered thereby.

SECTION 44. The first sentence of section 6 of said chapter 29, as appearing in section 7 of chapter 242 of the acts of 1945, is hereby amended by striking out, in line 1, the word "commissioner" and inserting in place thereof the word:— director, — so as to read as follows:— The budget director shall study and review all estimates and requests for appropriations and other authorizations for expenditures of state funds filed with him as provided by sections three and four, and shall make such investigations as will enable him to prepare a budget for the governor, setting forth such recommendations as the governor shall determine upon.

SECTION 45. Section 8A of said chapter 29 is hereby amended by striking out, in line 17, as appearing in section 1 of chapter 547 of the acts of 1941, the words "commission on administration and finance" and inserting in place thereof the words:— commissioner of administration, — and by striking out, in lines 19 and 24, as so appearing, the word "commission" and inserting in place thereof in each instance the word:— commissioner.

SECTION 46. Section 9B of said chapter 29, as appearing in section 1 of chapter 564 of the acts of 1941, is hereby amended by striking out, in lines 11 and 12, the words "commission on administration and finance" and inserting in place thereof the words:— commissioner of administration, — and by striking out, in line 17, the word "commissioner" and inserting in place thereof the word:— director.

SECTION 47. Section 13 of said chapter 29, as appearing in chapter 492 of the acts of 1961, is hereby amended by striking out, in line 6, the word "commissioner" and inserting in place thereof the word:— director.

SECTION 48. The last sentence of section 27 of said chapter 29, as appearing in chapter 45 of the acts of 1950, is hereby amended by striking out, in line 5, the word "commissioner" and inserting in place thereof the word:— director, — so as to read as follows:— Said committee, as soon as may be after the general appropriation bill or any other appropriation bill has the force of law conformably to the constitution, shall file with the comptroller and with the budget director, a certified copy of the schedules aforesaid which relate thereto.

SECTION 49. Section 29 of said chapter 29, as appearing in chapter 46 of the acts of 1950, is hereby amended by striking out, in lines 9, 10 and 20, the word "commissioner" and inserting in place thereof in each instance the word:— director.

SECTION 50. The last sentence of the opening paragraph of subdivision (a) of section 31A of said chapter 29, as appearing in chapter 520 of the acts of 1946, is hereby amended by striking out, in lines 1 and 2, the word "division" and inserting in place thereof the word: — bureau, — so as to read as follows: — The bureau of personnel and standardization may, upon request of the appointing officer of the deceased employee, authorize the payment of such compensation upon the establishment of a valid claim therefor, in the following order of precedence: —

SECTION 51. Section 50 of said chapter 29, as appearing in section 14 of chapter 242 of the acts of 1945, is hereby amended by striking out, in line 2, the word "commissioner" and inserting in place thereof the word: — director, — so as to read as follows: — *Section 50.* The state treasurer shall annually in December certify to the budget director the amount necessary to be included in the state tax for the fiscal year beginning on July first following, to provide for serial payments of any bonds or scrip of the commonwealth, and each such amount shall be included in the state tax for the year for which it is so certified.

SECTION 52. Section 1 of chapter 30 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 9, the words "commission on administration and finance" and inserting in place thereof the words: — commissioner of administration.

SECTION 53. Section 7 of said chapter 30, as appearing in chapter 376 of the acts of 1947, is hereby amended by striking out, in lines 3, 4, 5 and 6, the words "including each commissioner of the commission on administration and finance and the officer in charge of the division of personnel and standardization of said commission" and inserting in place thereof the words: — including the commissioner of administration, the comptroller, the purchasing agent, the budget director, and the director of personnel and standardization.

SECTION 54. Section 24 of said chapter 30 is hereby amended by striking out, in lines 8 and 9, as appearing in section 8 of chapter 643 of the acts of 1955, the words "commission on administration and finance" and inserting in place thereof the words: — commissioner of administration.

SECTION 55. Section 24B of said chapter 30 is hereby amended by striking out, in lines 5 and 8, as appearing in section 1 of chapter 753 of the acts of 1957, the word "division" and inserting in place thereof in each instance the word: — bureau.

SECTION 56. Section 27 of said chapter 30 is hereby amended by striking out, in lines 3 and 4, as appearing in the Tercentenary Edition, the words "commission on administration and finance" and inserting in place thereof the words: — commissioner of administration.

SECTION 57. Section 30A of said chapter 30 is hereby amended by striking out, in lines 1 and 2, as appearing in section 5 of chapter 580 of the acts of 1945, the words "chairman of the commission on administration and finance" and inserting in place thereof the words: — commissioner of administration.

SECTION 58. Section 33 of said chapter 30, as appearing in chapter 67 of the acts of 1948, is hereby amended by striking out, in line 6, the words "budget commissioner" and inserting in place thereof the words: — budget director.

SECTION 59. Section 38 of said chapter 30 is hereby amended by striking out, in line 2, as appearing in the Tercentenary Edition, the



word "division" and inserting in place thereof the word: — bureau, — by striking out, in line 1, as appearing in the paragraph added by section 6 of chapter 680 of the acts of 1954, the word "division" and inserting in place thereof the word: — bureau, — and by striking out, in lines 5 and 6, as appearing in the paragraph so added, the words "commission on administration and finance" and inserting in place thereof the words: — commissioner of administration.

SECTION 60. Section 42 of said chapter 30, as appearing in section 2 of chapter 427 of the acts of 1962, is hereby amended by striking out, in line 3, the words "chairman of the commission on administration and finance" and inserting in place thereof the words: — commissioner of administration.

SECTION 61. Paragraph (2) of section 45 of said chapter 30, as appearing in section 9 of chapter 680 of the acts of 1954, is hereby amended by striking out, in line 12, the words "commission on administration and finance" and inserting in place thereof the words: — commissioner of administration.

SECTION 62. Clause (c) of paragraph (5) of section 45 of said chapter 30, as appearing in section 3 of chapter 729 of the acts of 1956, is hereby amended by striking out, in lines 4 and 5, the word "commissioner" and inserting in place thereof the word: — director.

SECTION 63. Paragraph (6) of section 45 of said chapter 30, as most recently amended by section 2 of chapter 643 of the acts of 1955, is hereby further amended by striking out, in lines 1 and 2, as appearing in section 9 of chapter 680 of the acts of 1954, the words "commission on administration and finance" and inserting in place thereof the words: — commissioner of administration, — and by striking out, in line 7 as so appearing, the word "division" and inserting in place thereof the word "bureau", — so as to read as follows: —

(6) Subject to the approval of the commissioner of administration, the director of personnel and standardization shall make, and from time to time may amend, rules governing the establishment and administration of the said classification and pay plans, and credits due officers or employees, subject to this section, for previous services. Such rules, and amendments thereto, shall be open to public inspection in the files of the bureau of personnel and standardization and copies thereof shall be made available to officers and employees of the commonwealth upon request.

SECTION 64. Paragraph (7A) of section 45 of said chapter 30, as appearing in chapter 474 of the acts of 1959, is hereby amended by striking out, in lines 1 and 2, the words "commission on administration and finance" and inserting in place thereof the words: — commissioner of administration.

SECTION 65. Paragraph (2) of section 46 of said chapter 30, as appearing in section 2 of chapter 473 of the acts of 1959, is hereby amended by striking out, in lines 6 and 7, the word "division" and inserting in place thereof the word: — bureau.

SECTION 66. Paragraph (4) of section 46 of said chapter 30, as most recently amended by section 8 of chapter 729 of the acts of 1956, is hereby further amended by striking out, in line 4 and in the last line, as appearing in section 1 of chapter 643 of the acts of 1955, the word "division" and inserting in place thereof in each instance the word: — bureau.

SECTION 67. Paragraph (5) of section 46 of said chapter 30, as appear-

ing in section 9 of chapter 729 of the acts of 1956, is hereby amended by striking out, in line 2, the words "commission on administration and finance" and inserting in place thereof the words: — commissioner of administration.

SECTION 68. Section 49 of said chapter 30, as most recently amended by section 16 of chapter 680 of the acts of 1954, is hereby further amended by striking out, in lines 3 and 4, as appearing in the Tercenary Edition, the word "division" and inserting in place thereof in each instance the word: — bureau, — and by striking out the words "commission on administration and finance", inserted by said section 16 of said chapter 680, and inserting in place thereof the words: — commissioner of administration, — so as to read as follows: — *Section 49.* Any employee of the commonwealth objecting to any provision of the classification affecting his office or position may appeal in writing to the said bureau and shall be entitled to a hearing upon such appeal. The said bureau shall report thereon with such recommendations as it may deem expedient to the commissioner of administration.

SECTION 69. Section 53 of said chapter 30, as most recently amended by chapter 457 of the acts of 1960, is hereby further amended by striking out, in lines 2 and 3, as appearing in section 1 of chapter 615 of the acts of 1958, the words "commission on administration and finance" and inserting in place thereof the words: — commissioner of administration.

SECTION 70. Section 57 of said chapter 30, as appearing in section 1 of chapter 615 of the acts of 1958, is hereby amended by striking out, in line 10, the word "commissioner" and inserting in place thereof the word: — director.

SECTION 71. Wherever, in any general or special law, there are used the words which appear within quotation marks at the beginning of any paragraph set forth below in this section, or words having the same connotation, said words shall, unless the context otherwise requires, have the meaning ascribed to them by the paragraph of this section in which they appear.

"Budget commissioner" shall mean the budget director created by this act.

"Chairman of the commission on administration and finance" shall mean the commissioner of administration under chapter seven of the General Laws.

"Commission on administration and finance" shall mean the commissioner of administration under chapter seven of the General Laws.

"Division of building construction" shall mean the bureau of building construction created by this act.

"Division of hospital costs and finances" shall mean the bureau of hospital costs and finances created by this act.

"Division of personnel and standardization" shall mean the bureau of personnel and standardization created by this act.

SECTION 72. Notwithstanding the provisions of section three of this act, the incumbents of the offices of comptroller, state purchasing agent and state superintendent of buildings immediately prior to the effective date of this act shall continue to serve as comptroller, state purchasing agent and state superintendent of buildings, respectively, until expiration of the term for which he shall have been appointed; and the incumbent of the office of budget commissioner shall, until expiration of the term for which he shall have been appointed, serve as the budget director

established by this act; and such incumbent of the office of director of hospital costs, shall continue to hold his office in accordance with his appointment under chapter thirty-one.

SECTION 73. All officers, deputies and employees of any board, office, agency, division, bureau, section or other administrative unit within, under or attached to the commission on administration and finance and the office of the state superintendent of buildings who immediately prior to the effective date of this act shall hold positions classified under chapter thirty-one of the General Laws, or shall have tenure in their positions by reason of section nine A of chapter thirty of the General Laws, are hereby transferred to the services of the divisions, bureaus, sections and other administrative units within the executive office for administration and finance which are established by this act or shall be established in accordance with this act, every such transfer to be without impairment of the civil service status, seniority, retirement and other rights of the employee, without interruption of his service within the meaning of the said chapter thirty-one or section nine A of chapter thirty, and without reduction in his compensation and salary grade, notwithstanding any change in his title or duties made as a result of such transfer. All officers, deputies and employees of any such board, office, agency, division, bureau, section or other administrative unit who immediately prior to the said date shall, without such tenure, hold positions not so classified, are hereby transferred to the service of the said executive office for administration and finance without impairment of seniority, retirement, and other rights, without interruption of service within the meaning of the said section nine A of chapter thirty, and without reduction in compensation and salary grade.

SECTION 74. The commission on administration and finance is hereby abolished. All books, papers, records, documents and equipment in the custody of or maintained for the use of the said commission or any board, office, agency, division, bureau, section or other administrative unit subject to the custody of the executive office for administration and finance; and the comptroller's division established by this act shall have custody of all such books, papers, documents, records and equipment of the comptroller's bureau and the purchasing agent's division established by this act shall have the custody of all such books, papers, documents, records and equipment of the purchasing agent's division.

All petitions, hearings and other proceedings duly pending before, and all prosecutions and legal and other proceedings duly begun by, any of the said administrative units subject to the reorganization provisions, or before or by any member or officer thereof, shall continue unabated and remain in full force and effect notwithstanding passage of this act, and may be completed before or by any member or officer thereof, shall continue unabated and remain in full force and effect notwithstanding passage of this act, and may be completed before or by the executive office for administration and finance or an administrative unit or officer thereof acting under authority of law. All questions of an administrative character arising under this section shall be determined by the commissioner of administration, with the consent of the governor.

All orders, rules and regulations duly made by any of the said administrative units subject to the said reorganization provisions, or by any member or officer thereof, shall remain in full force and effect until superseded, revised, rescinded or cancelled in accordance with law.

All duly existing contracts, leases and obligations of any of the said administrative units subject to the said reorganization provisions shall be performed by the executive office for administration and finance or an administrative unit or officer thereof acting under authority of law. This act shall not affect any renewal provisions or option to renew contained in any such lease in existence on the effective date of this act.

SECTION 75. This act shall take effect on January third, nineteen hundred and sixty-three.

*Approved July 25, 1962.*

**Chap. 758.** AN ACT RELATIVE TO THE ARRANGEMENT OF THE NAMES OF CERTAIN CANDIDATES FOR NOMINATION ON STATE PRIMARY BALLOTS.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to make provision forthwith relative to the position of names of certain candidates on state primary ballots, 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 34 of chapter 53 of the General Laws is hereby amended by striking out the second paragraph, as most recently amended by chapter 216 of the acts of 1960, and inserting in place thereof the following paragraph: —

Names of candidates for nomination for all other offices to be voted for at a state primary of which they are the elected incumbents or the incumbents chosen by the senate and house of representatives, or appointed by the governor, or appointed by the justices of the supreme judicial or superior court, or appointed by the county commissioners, or appointed by the county commissioners and the clerk of the courts for a county, shall be placed first in alphabetical order and names of other candidates shall follow in like order.

*Approved July 26, 1962.*

**Chap. 759.** AN ACT PROVIDING FINANCIAL AID TO CERTAIN NEEDY DEPENDENTS OF CERTAIN PERSONS IN THE SERVICE OF THE ARMED FORCES OF THE UNITED STATES.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide immediate financial assistance to the dependents of certain persons in the armed forces of the United States, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. Any city or town acting by its veterans' agent, may provide an allowance for the needy dependents resident therein of any person in the active service of the armed forces of the United States during the period of such service and for sixty days following his release or discharge from such service or other termination thereof; provided, that said person, at the time of his entry into said service, or his recall thereto, or his continuance therein at the expiration of a prior enlistment to the credit of the commonwealth, was a resident of the commonwealth, and had been a resident thereof for not less than one year; and provided,

further, that in no case shall more than seventy-five dollars be allowed to all dependent relatives of any one such person in any one month.

The dependents of such person who are eligible to receive such aid, shall be the wife, children under eighteen years of age, or any child dependent by reason of physical or mental incapacity, or a brother or sister under eighteen years of age, or a dependent parent, or anyone who stood in the relationship of a parent to such person, for five years next preceding the commencement of his service.

SECTION 2. Applicants for allowance hereunder shall, as a basis for the first payment thereof, state in writing the name, age and residence of the person for whom the same is sought, the relationship of such person to the serviceman, the branch of the service in which he is serving, the date and place of his enlistment, induction or recall, if known, the amount of United States pay, allotment and federal family allowance, if any, the average weekly amount contributed by the serviceman during the year previous to service, and the reason for the application, and shall furnish such official certificates or records, and such other information, as may be required.

SECTION 3. The commissioner of veterans' services shall, from time to time, furnish each city and town with a sufficient number of blank forms for the use of applicants; shall decide all questions in dispute between applicants and the municipal authorities; shall investigate all payments of allowance; shall have power to determine all incidental questions arising in connection therewith; and shall have the custody of the original papers relating to each application.

SECTION 4. The amounts expended by any city or town for dependency allowances, the names of recipients thereof, the amounts paid to or for each applicant, the reason for granting such allowance, the names of the servicemen on account of whose services the allowances were granted and the relationship of each dependent to the serviceman on account of whose service the allowances were granted, and such other details as the commissioner may require, shall, within the first ten days of the month following the month in which such expenditures were made, be certified to said commissioner on blank forms provided by him, in a manner approved by him, and under the penalties of perjury, by the veterans' agent and treasurer of such city or town. The commissioner shall examine such certificates, shall allow and endorse thereon such amounts as he finds have been paid and reported in accordance with the provisions of this act, and shall transmit the certificates to the state comptroller. The commissioner may decide upon the necessity of the amount paid in each case, and may allow any part thereof which he deems proper and lawful. Subject to such decision and allowance, one half of the amount of allowance paid to applicants residing in the cities and towns making such payments, but none of the expenses attending the payment of such allowances shall be paid by the commonwealth to the several cities and towns on or before November tenth in the year after such expenditures.

SECTION 5. Whoever knowingly makes a false statement, oral or written, relating to a material fact in supporting a claim to an allowance, under any provision of this act, shall be punished by a fine of not more than one hundred dollars, or by imprisonment for not more than one year. Whoever, being entitled to any of the benefits of this act, fraudulently claims or receives pay for a period of time following the

termination of his right to receive the same, shall be punished by a fine of not more than one hundred dollars, or by imprisonment for not more than one year, or by both such fine and imprisonment.

SECTION 6. Cities and towns are hereby authorized to raise by taxation such sums as may be necessary to meet expenses incurred under this act and to borrow money therefor. Loans issued under authority of this act shall be outside the debt limit and shall be paid in not more than one year from their dates 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 7. This act shall cease to be effective on December thirty-first, nineteen hundred and sixty-four. *Approved July 26, 1962.*

**Chap. 760.** AN ACT PROVIDING THAT THE MASSACHUSETTS TURNPIKE AUTHORITY, THE MASSACHUSETTS PORT AUTHORITY, THE MASSACHUSETTS PARKING AUTHORITY AND THE WOODS HOLE, MARTHA'S VINEYARD AND NANTUCKET STEAMSHIP AUTHORITY AND THEIR EMPLOYEES SHALL BE SUBJECT TO CERTAIN PROVISIONS OF THE STATE LABOR RELATIONS LAW.

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

SECTION 1. Notwithstanding any provision of law to the contrary, the Massachusetts Turnpike Authority, established by chapter three hundred and fifty-four of the acts of nineteen hundred and fifty-two, the Massachusetts Port Authority, established by chapter four hundred and sixty-five of the acts of nineteen hundred and fifty-six, the Massachusetts Parking Authority, established by chapter six hundred and six of the acts of nineteen hundred and fifty-eight and the Woods Hole, Martha's Vineyard and Nantucket Steamship Authority, created by chapter seven hundred and one of the acts of nineteen hundred and sixty shall have authority to bargain collectively with labor organizations representing employees of said authorities 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 said authorities shall submit all grievances and disputes to arbitration, pursuant to the arbitration provisions in agreements existing at the time of the passage of this act or subsequently entered into with said authorities, or in the absence of such provisions with the state board of conciliation and arbitration, or other board or body having similar powers and duties, whose decisions shall be final and binding.

Notwithstanding any provision of law to the contrary, the provisions of sections four, four A, four B, five, six, six A, six B, six C, seven and eight of chapter one hundred and fifty A of the General Laws, so far as apt, shall apply to said authorities and their employees.

Nothing in this act shall be construed as conferring upon the employees of any of said authorities the right to strike.

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

*Approved July 26, 1962.*

**Chap. 761.** AN ACT INCREASING THE SALARY OF THE CLERK OF THE FIRST DISTRICT COURT OF BARNSTABLE.

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

SECTION 1. Paragraph (1) of section 79 of chapter 218 of the General Laws is hereby amended in *Class III* by striking out lines 1 and 2 and inserting in place thereof the following line: —

The first district court of Bristol,  
and in *Class IV* by striking out line 1 and inserting in place thereof the following two lines: —

The first district court of Barnstable,  
district court of central Berkshire,.

SECTION 2. This act shall take effect on January first, nineteen hundred and sixty-three.

*Approved July 26, 1962.*

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**Chap. 762.** AN ACT PROVIDING FOR THE FILLING AND IMPROVEMENT OF SOUTH BAY, ROXBURY CANAL AND DORCHESTER BROOK AND CERTAIN TERRITORIES ADJACENT THERETO.

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

SECTION 1. The state department of public works, hereinafter called the department, is hereby authorized and directed to improve South bay, Roxbury canal, Dorchester brook and that part of Fort Point channel southwesterly of Dover street and land adjacent thereto by providing for the discharge of storm water, surface drainage and sewage overflow therein by means of the construction of a conduit system with suitable connections to existing overflows in Roxbury canal, Dorchester brook, South bay and Fort Point channel from Massachusetts avenue northerly to Dover street.

For the aforesaid purposes, the department shall acquire in the name of the commonwealth, by purchase or otherwise, on such terms and conditions and in such manner as it may deem proper, or by exercise of the power of eminent domain in accordance with the provisions of chapter seventy-nine of the General Laws in so far as such provisions may be applicable, such public or private lands or parts thereof or rights therein, and such public or private ways, as it may deem necessary for carrying out of the intent of this act; provided, that no damages shall be paid to the city of Boston for any lands or parts thereof or rights therein so taken.

The cost of the construction of said conduit system, and of acquisition of such lands or rights therein as may be necessary, including land damages incidental to the carrying out of the provisions of this section, and including also engineering expenses, contingencies and interest during construction, shall not exceed five million dollars and shall be paid by the commonwealth.

SECTION 2. 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 sufficient to provide means for payment of the cost of the undertaking herein authorized to be carried out by the common-

wealth, including land and other damages. All such bonds shall be on the serial payment plan for such maximum term of 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 payable 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.

SECTION 3. Upon completion of said conduit system with its connections, the commonwealth, acting through the department, shall convey to the city of Boston without consideration all right, title and interest of the commonwealth in and to said conduit system and its connections, which shall thereafter be operated and maintained by the public works department of said city. Upon such completion, the commonwealth, acting as aforesaid, shall also convey to said city without consideration all right, title and interest of the commonwealth in and to South bay, Roxbury canal, Dorchester brook, and that part of Fort Point channel southwesterly of Dover street; and said city shall thereupon proceed to improve the same by filling.

SECTION 4. Said city, acting by its commissioner of real property, may sell, lease or otherwise dispose of, any land so filled or any portion thereof or any interest therein, provided that any sale shall be at public auction; and provided further that, until the commonwealth is reimbursed in full for all sums paid by it pursuant to section one and for all interest and financing charges incurred under section two, said city shall pay to the commonwealth one half of all proceeds received by said city from every such sale, lease or other disposition.

SECTION 5. Any proceeds received by the commonwealth from the city of Boston under the provisions of section four shall be used for the amortization of the bonds issued under section two, and the payment of interest on said bonds.

*Approved July 26, 1962.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, July 26, 1962.

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 762 of the Acts of 1962 entitled "An Act-Providing For The Filling And Improvement Of South Bay, Roxbury Canal And Dorchester Brook And Certain Territories Adjacent Thereto" and the enactment of which received my approval on July 26, 1962, 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 the immediate reclamation of the described area and its best use.

Respectfully submitted,

JOHN A. VOLPE,  
*Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, BOSTON, July 26, 1962.

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, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter seven hundred and sixty-two of the acts of nineteen hundred and sixty-two.

KEVIN H. WHITE,  
*Secretary of the Commonwealth.*

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**Chap. 763.** AN ACT INCREASING THE AMOUNT OF BONDS WHICH MAY BE ISSUED BY THE UNIVERSITY OF MASSACHUSETTS BUILDING AUTHORITY.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide urgently needed dormitory facilities for students at the University of Massachusetts, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. Section 7 of chapter 773 of the acts of 1960 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — 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 twenty million dollars.

SECTION 2. The second paragraph of section 10 of said chapter 773 is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — 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 twenty million dollars in the aggregate for all projects constructed by the Authority, exclusive of any such notes and bonds issued for refunding purposes.

*Approved July 26, 1962.*

**Chap. 764.** AN ACT DEFINING THE DUTIES OF THE EMERGENCY FINANCE BOARD IN CONNECTION WITH CERTAIN AGREEMENTS BY CITIES AND TOWNS WITH HOUSING AND REDEVELOPMENT AUTHORITIES RELATING TO LAND TAKEN, ACQUIRED OR CLEARED BY SAID AUTHORITIES FOR LAND ASSEMBLY AND REDEVELOPMENT OR URBAN RENEWAL PURPOSES.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to clarify the powers and duties of the emergency finance board in connection with early land acquisition by housing and redevelopment authorities, 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 last paragraph of section 26P of chapter 121 of the General Laws is hereby amended by striking out the words “; and provided, further, that no land shall be taken or acquired under the provisions of this paragraph and no contract shall be entered into with the federal government without first obtaining the approval of the emergency finance board established under section one of chapter forty-nine of the acts of nineteen hundred and thirty-three”, added by chapter 115 of the acts of 1962.

SECTION 2. The last paragraph of section 26Q of said chapter 121, added by section 2 of chapter 188 of the acts of 1961, is hereby amended by inserting after the word “purposes”, in line 9, the words: — ; provided, however, that no city or town shall, without first obtaining a finding of financial feasibility from the emergency finance board, established under section one of chapter forty-nine of the acts of nineteen hundred and thirty-three, enter into any agreement under this paragraph which would cause the losses agreed to be borne by such city or town under all agreements under this paragraph in effect at any one time, according to the estimates of costs upon which such agreement or agreements are originally based, to exceed four per cent of the average of the assessor's valuation of its taxable property for the three preceding years, reduced and otherwise determined as provided in section ten of chapter forty-four.

*Approved July 26, 1962.*

**Chap. 765.** AN ACT PROVIDING THAT THE COMMISSIONERS OF PUBLIC WORKS OF THE TOWN OF HUDSON SHALL ASSUME THE MAINTENANCE OF THE PUBLIC PARKS IN SAID TOWN.

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

SECTION 1. The commissioners of public works of the town of Hudson shall assume the maintenance of all public parks in said town; provided, however, that all other powers relative to such parks shall continue to be exercised by the board of park commissioners of said town.

SECTION 2. The employees of the park department of said town who were employed for the maintenance of such parks prior to the effective date of this act are hereby transferred to the public works department of said town without loss of seniority or other rights.

SECTION 3. Chapter one hundred and one of the acts of nineteen hundred and sixty-two is hereby repealed.

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

*Approved July 26, 1962.*

**Chap. 766.** 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 further 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 ten 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 committees on ways and means of the senate and house of representatives.

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 ten million dollars. Such bonds shall be designated on their face, Second Metropolitan Sewerage Loan, Act of 1962, 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 three 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 treas-

urer, 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 three. 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 July 26, 1962.*

**Chap. 767.** AN ACT PROVIDING THAT THE GOVERNOR MAY TEMPORARILY FILL VACANCIES IN PUBLIC OFFICE AND REMOVE PERSONS THEREFROM WITHOUT THE ADVICE AND CONSENT OF THE COUNCIL IF ENEMY ATTACK PREVENTS THE ASSEMBLY OF A QUORUM OF THE COUNCIL.

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

Chapter 639 of the acts of 1950 is hereby amended by inserting after section 20 the following three sections: —

*Section 20A.* The commissioner or head of each executive or administrative department of the commonwealth, including the state secretary, the attorney general, the treasurer and receiver-general, and the auditor, and the director or head of each division in each such department, shall designate, by name or position, five persons in his respective department or division who shall exercise, successively, his duties in the event of his absence or disability. Each such designation shall be subject to approval by the governor and council and shall be in effect until revoked by the officer who made such designation. Persons designated under this section to perform the duties of a department or division head in his absence or disability shall perform such duties only in succession to persons so authorized under any other provision of general or special law.

*Section 20B.* Any vacancy in any office which, by reason of the provisions of any statute, is to be filled by the governor, with the advice and consent of the council, may, in the event of a vacancy therein resulting from enemy attack and in the event that enemy attack or the effects thereof prevents a quorum of the council from assembling, be filled by the governor without the advice and consent of the council. Any appointment made under the authority of this section shall be temporary, pending appointment in the usual manner, with the advice and consent of the council, when circumstances shall permit.

*Section 20C.* Any officer who, by reason of the provisions of any statute, may be removed by the governor, with the advice and consent of the council, may, in the event that enemy attack or the effects thereof prevents a quorum of the council from assembling, be removed by the governor without such advice and consent, provided that the removal is for grounds that would be grounds for removal with the advice and consent of the council. Any removal made under the authority of this section shall be temporary, pending removal in the usual manner, with the advice and consent of the council, when circumstances shall permit. Pending such removal with the advice and consent of the council, the governor may fill any vacancy resulting from a removal effected under the authority of this section, by appointment thereto without the advice and consent of the council.

*Approved July 26, 1962.*

**Chap. 768.** AN ACT PROVIDING THAT THE METROPOLITAN DISTRICT COMMISSION ACQUIRE CERTAIN LAND IN THE DORCHESTER DISTRICT OF THE CITY OF BOSTON AND CONSTRUCT THEREON AN ICE SKATING RINK.

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

The metropolitan district commission is hereby authorized and directed to acquire certain land of the city of Boston known as Garvey Playground, located in the Dorchester district of said city and construct thereon an artificial ice skating rink. For said purpose said commission may expend such sums as may be appropriated therefor.

*Approved July 26, 1962.*

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**Chap. 769.** AN ACT ESTABLISHING THE RATES TO BE CHARGED BY COUNTY HOSPITALS FOR PATIENT CARE.

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

SECTION 1. Section 82 of chapter 111 of the General Laws, as appearing in section 2 of chapter 608 of the acts of 1961, is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence: — 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 the per diem rate in such a chronic disease hospital shall not be less than twelve dollars nor more than sixteen dollars, and the per diem rate in such a home for the aging shall not be more than four dollars and twenty-five cents.

SECTION 2. Section 88 of said chapter 111, as most recently amended by section 8 of said chapter 608 of the acts of 1961, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence: — 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 the per diem rate in such a chronic disease hospital shall not be less than twelve dollars nor more than sixteen dollars, and the per diem rate in such a home for the aging shall not be more than four dollars and twenty-five cents.

*Approved July 26, 1962.*

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**Chap. 770.** AN ACT PROVIDING FOR THE ESTABLISHMENT AND MARKING OF A HERITAGE TRAIL.

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

The department of commerce is hereby authorized and directed to establish a Heritage Trail which may include roads under the control of the commonwealth or any of its political subdivisions.

The department of public works shall cause the trail so established to be marked with a symbol which shall be uniform in size and design with the symbol used for such purpose by the other New England states

provided, however, that said marker does not conflict with the federal regulations for the national system of interstate and defense highways and highways of the federal aid primary and secondary route systems.

*Approved July 26, 1962.*

**Chap. 771.** AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO ACQUIRE LAND IN THE CHARLESTOWN, JAMAICA PLAIN AND ROXBURY DISTRICTS OF THE CITY OF BOSTON AND TO CONSTRUCT AND MAINTAIN ICE SKATING RINKS THEREON.

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

The metropolitan district commission is hereby authorized and directed to take by eminent domain under the provisions of chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, as part of the system of metropolitan parks under the control of said commission, land in the Charlestown, Jamaica Plain and Roxbury districts of the city of Boston, and to construct thereon and thereafter maintain ice skating rinks. For said purposes said commission may expend such sums as may be appropriated therefor.

*Approved July 26, 1962.*

**Chap. 772.** AN ACT PROVIDING FOR THE CONSTRUCTION BY THE METROPOLITAN DISTRICT COMMISSION OF A SWIMMING POOL AND A WADING POOL AT DILBOY FIELD IN THE CITY OF SOMERVILLE.

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

Item 8260-82 of section 2 of chapter 604 of the acts of 1959 is hereby amended by striking out the words "For the construction of a pedestrian overpass on Alewife Brook Parkway at Dilboy Field in the city of Somerville" and inserting in place thereof the words: — For the construction of a swimming pool and a wading pool, including the cost of equipment at Dilboy Field in the city of Somerville; provided that the commission may expend in addition to the amount herein appropriated the sum of two hundred thousand dollars available under chapter seven hundred and four of the acts of the current year.

*Approved July 26, 1962.*

**Chap. 773.** AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID BILLS.

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

SECTION 1. The city of Springfield is hereby authorized to appropriate money for the payment of, and after such appropriation, the treasurer of said city is hereby authorized to pay, such of the unpaid bills incurred by said city and totalling nineteen thousand six hundred forty-six dollars and thirty-seven cents, as set forth in the list on file in the office of the director of accounts in the department of corpora-

tions and taxation, as are legally unenforceable against said city, by reason of their being incurred in excess of available appropriations; provided, that the money so appropriated to pay such bills shall be raised by taxation or made available from unappropriated surplus funds of the city. Said treasurer is authorized to pay such of said unpaid bills as are certified for payment by, and were contracted for, the following: — Independence Day committee, \$124.25; public buildings, \$58.78; planning board, \$15.98; police department, \$639.01; civil defense, \$96.80; building department, \$67.56; city collector, \$4.35; board of public works, \$18.19; personnel department, \$3119.98; fire department, \$405; park department, \$542.39; water department, \$1144.67; and veterans' services department, \$13,409.41.

SECTION 2. No bill shall be approved by the auditor of said city for payment or paid by the treasurer thereof under authority of this act unless and until certificates have been signed and filed with said city auditor, stating under the penalties of perjury that the goods, materials or services for which said bills have been submitted were ordered by an official or an employee of said city, and that such goods and materials were delivered to and actually received by said city or that such services were rendered to said city, or both.

SECTION 3. Any person who knowingly files a certificate required by section two, which is false and who thereby receives payment for goods, materials or services which were not received by or rendered to said city, shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars.

SECTION 4. This act shall take effect upon its acceptance during the current year by the city of Springfield. *Approved July 26, 1962.*

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**Chap. 774.** AN ACT PROVIDING FOR THE FORMATION OF OPTOMETRIC SERVICE CORPORATIONS.

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

The General Laws are hereby amended by inserting after chapter 176E the following chapter: —

CHAPTER 176F.

OPTOMETRIC SERVICE CORPORATIONS.

*Section 1.* In this chapter the following words shall have the following meanings:

"Commissioner", the commissioner of insurance.

"Covered dependent", a dependent for whose optometric care provision is made in a subscription certificate issued by an optometric service corporation to a subscriber.

"Dependent", the spouse, child or foster child of a subscriber, or an adult relative dependent upon the subscriber for his support.

"Optometric service", the optometric services ordinarily provided by registered optometrists in accordance with accepted practice in the community where the services are rendered.

"Optometric service corporation", a corporation organized as provided by the provisions of this chapter for the purpose of establishing and operating a non-profit optometric service plan.

“Non-profit optometric service plan”, a plan operated by an optometric service corporation under the provisions of this chapter, whereby the cost of optometric service furnished to subscribers and covered dependents is paid by the corporation to participating optometrists and to such other optometrists as are provided for herein.

“Participating optometrist”, a registered optometrist who agrees in writing with an optometric service corporation to perform optometric service for subscribers and covered dependents and to abide by the by-laws, rules and regulations of such corporation.

“Registered optometrist”, an optometrist registered to practice optometry in the commonwealth as provided in section sixty-eight of chapter one hundred and twelve.

“Subscriber”, a person who has subscribed to a non-profit optometric service plan and to whom a subscription certificate has been issued in accordance with the provisions of section six.

*Section 2.* For the purpose of establishing, maintaining and operating a non-profit optometric service plan, seven or more persons may form an optometric service corporation. Such a corporation shall be formed in the manner prescribed in and subject to section nine of chapter one hundred and fifty-five and sections six and eight to twelve, inclusive, of chapter one hundred and fifty-six, except as follows: —

The agreement of association of a corporation having no capital stock may omit the statement of the amount of the capital stock and the par value and number of its shares. The fee to be paid to the state secretary upon the filing of the articles of organization shall be ten dollars.

The articles of organization specified in section ten of said chapter one hundred and fifty-six, with the records and by-laws of the corporation shall be submitted to the commissioner instead of to the commissioner of corporations and taxation, and he shall have the powers and perform the duties relative thereto specified in section eleven of said chapter one hundred and fifty-six.

The certificate issued by the state secretary under section twelve of said chapter one hundred and fifty-six shall be modified to conform to the requirements of this section.

The commissioner shall not approve the articles of organization of such a corporation until he is satisfied by such examination as he may make and such evidence as he may require, that the incorporators are of good repute and intend in good faith to operate the corporation and that an adequate initial reserve fund has been established to protect the subscribers. He shall execute a certificate of his findings, which shall be attached to the articles of organization prior to the filing thereof with the state secretary.

*Section 3.* The by-laws of an optometric service corporation may contain any lawful provisions approved by the commissioner and shall provide that a majority of the directors shall at all times be persons approved in writing by an optometric society incorporated in the commonwealth not less than five years and having not less than four hundred registered optometrists as members, and that not less than one third of the directors shall be persons who are or who agree to become subscribers to the non-profit optometric service plan. The by-laws of such a corporation may define the qualifications of those persons eligible to become subscribers as provided in section five. Any such corporation may adopt



such rules and regulations as may be consistent with the provisions of this chapter. Any optometric service corporation may contract with any agency of the United States of America, of the commonwealth or of any city or town within the commonwealth for the purpose of providing optometric service.

*Section 4.* Any optometric service corporation may enter into contracts with its subscribers and with participating optometrists for the rendering of optometric service to the subscribers. A contract with a subscriber may provide for the optometric care of any dependents of the subscriber named therein. The extent of optometric services to be provided and the form of agreement with participating optometrists shall at all times be subject to the written approval of the commissioner. The fees to be paid to participating optometrists for their services to the subscribers or to insured dependents and the rates charged by such corporation to the subscribers shall at all times be subject to a public hearing as provided by section two of chapter thirty A. Such fees shall be lower than the fees charged by participating optometrists to their non-subscriber patients. The form of subscription certificate, the rates charged by such corporation to the subscribers and the fees at which participating optometrists are compensated for their services to the subscribers or to covered dependents, shall at all times be subject to the written approval of the commissioner. Acquisition costs in connection with the solicitation of subscribers and costs of administration shall at all times be limited to such amounts as the commissioner shall approve.

*Section 5.* Any person residing in the commonwealth shall have the right to become a subscriber of an optometric service corporation if his qualifications meet those specified in the by-laws of such corporation, provided that such a corporation may, in its discretion, refuse to issue a subscription certificate to, or upon due notice cancel the subscription certificate of, any person who has made any fraudulent claim or representation to the corporation or to a participating optometrist, or has been guilty of uncooperative or unethical dealings with the corporation, or has failed to pay premiums and assessments seasonably and promptly or for any other cause which may be approved by the commissioner.

*Section 6.* A subscription certificate shall be issued to each subscriber of an optometric service corporation. Any agreement between an optometric service corporation and a group of ten or more persons or with the employer, employers or other representatives of such group whereby the optometric service corporation undertakes to furnish benefits for optometric service to said persons and their covered dependents, if any, shall be considered a group optometric service agreement. Under a group or non-group optometric service agreement, the form of the subscription certificate, the extent of optometric services contained therein, and the premiums charged by such corporation to the subscriber shall be filed with and receive the prior approval of the commissioner. No such agreement shall be approved if he finds that the extent of optometric services offered therein are unreasonable in relation to (a) the premium charged for such services, and (b) to the economic practicality of providing for such prepaid services, or if the premium charges are excessive, inadequate or unfairly discriminatory. No subscription certificate shall be issued unless the commissioner shall have approved in writing the form of certificate nor unless it contains in substance the following provisions: —

(a) A statement of the optometric service to be paid for by the corporation, and if any optometric service is excepted, a statement of such exception.

(b) A statement of the duration of the agreement and of the terms and conditions upon which it may be extended, renewed, revised, canceled or otherwise terminated.

(c) A statement of the period of grace which will be allowed for making any payment due from the subscriber under the contract, which in any event shall not be less than ten days.

*Section 7.* Every registered optometrist shall have the right, on complying with such rules and regulations as the corporation may make, to enter into a written agreement with an optometric service corporation, doing business in the city or town where the said optometrist resides or has his usual place of practice, to perform optometric service. This chapter shall not change the normal relations between optometrist and patient, except as to the manner of payment and amount of fees which are to be paid by the optometric service corporation to participating optometrists on behalf of the subscriber. No officer, agent or employee of an optometric service corporation shall influence or attempt to influence a subscriber or a covered dependent in his choice of a participating optometrist. A subscriber or a covered dependent, subject to the by-laws, rules and regulations of an optometric service corporation and the terms and provisions of his subscription certificate, shall be entitled to the benefits of this chapter upon receiving optometric service from any participating optometrist or, in the discretion of the corporation, upon receiving optometric service from any non-participating optometrist in an emergency or when outside the commonwealth. A corporation may terminate its agreement with any participating optometrist at any time (a) for failure to comply with the reasonable rules and regulations of such corporation, including without limitation such rules and regulations as may be adopted governing the keeping of accounts, records and statistics, the making of reports and proof of services rendered, or (b) for presenting any fraudulent, unreasonable, or improper claim for payment or compensation.

*Section 8.* Every optometric service corporation shall annually, on or before the first day of March, file in the office of the commissioner, a statement, verified by at least two of the principal officers of said corporation, showing its condition as of the thirty-first day of December next preceding. Such statement shall be in such form and shall contain such matters as the commissioner shall prescribe. A corporation neglecting to file its annual statement within the time herein specified shall forfeit one hundred dollars for each day during which such neglect continues, and upon notice by the commissioner to that effect, its authority to do business shall cease while such default continues.

*Section 9.* The commissioner, or any deputy examiner or any other person designated by the commissioner, shall, at least once in three years, and whenever the commissioner deems it prudent, visit any optometric service corporation and examine into its affairs. The commissioner shall have free access to all of the books, records and papers of the corporation, and may summon and examine under oath its officers, agents, employees and other persons in relation to its affairs and condition. The commissioner shall require every such corporation to keep its books, records, accounts and vouchers in such manner that he or his

authorized representatives may readily verify its annual statements and determine whether the corporation has complied with the law.

*Section 10.* The funds of an optometric 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 it may deposit the whole or any portion of its funds in any savings bank or savings account in a trust company organized under the laws of the commonwealth or a national banking association. It shall have the right to acquire and own real estate to be occupied by itself in the transaction of its business. The commissioner may require any such corporation after the first full calendar year of doing business to accumulate and maintain a special contingent surplus, over and above its reserves and liabilities, in such amount as the commissioner may deem proper.

*Section 11.* Unless each such payment is first authorized by a vote of its board of directors, no optometric service corporation shall pay any salary, compensation or emolument to any officer, trustee or director thereof, or any salary, compensation or emolument to any person amounting in any year to more than five thousand dollars. No such corporation shall make any agreement with any of its officers, trustees or employees whereby it agrees that for any services rendered or to be rendered to it, they shall receive any salary, compensation or emolument for a period of more than three years from the date of such agreement.

*Section 12.* Any dispute or controversy arising between an optometric service corporation and any participating optometrist, or any subscriber, or any person whose subscription certificate has been canceled or to whom such corporation has refused to issue such certificate may within thirty days after such dispute or controversy arises be submitted by any person aggrieved to a board serving in the division of insurance and consisting of the commissioner or a person designated by him, the chairman of the board of registration in optometry or any person designated by him, and the attorney general or a person designated by him, for its decision with respect thereto. Such an appeal to said board shall be conducted as an adjudicatory proceeding in accordance with the provisions of section eleven of chapter thirty A. All decisions and orders of the board or of the commissioner made under any provision of this chapter may be revised as justice and equity may require upon a petition in equity filed, within ten days after the promulgation of such decision or order in the superior court within and for the county of Suffolk by any party aggrieved by such decision or order. Such proceedings in equity for judicial review shall be conducted in accordance with section fourteen of chapter thirty A.

*Section 13.* If the commissioner is satisfied, as to any optometric service corporation, that (1) it has failed to comply with the provisions of its charter, or (2) it is being operated for profit, or (3) it is fraudulently conducted, or (4) its condition is such as to render its further transaction of business hazardous to the public or to its subscribers, or (5) its officers and agents have refused to submit to an examination under section nine, or (6) it has exceeded its powers, or (7) it has violated any provision of law, or (8) it has compromised, or is attempting to compromise, with its creditors on the ground that it is financially unable to pay its claims in full, or (9) it is insolvent, he may apply to the supreme judicial court for an injunction restraining it from further proceeding with its

business. The court may forthwith issue a temporary injunction restraining the transaction of any business, and it may after a full hearing, make the injunction permanent, and appoint one or more receivers to take possession of the books, papers, moneys and other assets of the corporation, settle its affairs, and distribute its funds to those entitled thereto, subject to such rules and orders as the court may prescribe.

*Section 14.* Every optometric service corporation is hereby declared to be a charitable corporation. No such corporation shall be liable for injuries resulting from negligence or malpractice on the part of any participating optometrist, nor shall it be liable for the cost of optometric services to which the subscriber or covered dependent may be entitled under the provisions of any workmen's compensation law. Every such corporation shall be exempt from all provisions of the insurance laws of the commonwealth, except as otherwise provided in this chapter. The property of every such corporation shall be exempt from all state and local taxes.

*Approved July 26, 1962.*

**Chap. 775.** AN ACT REQUIRING ONE YEAR'S RESIDENCE IN THE COMMONWEALTH AS A CONDITION FOR THE ISSUANCE OF A REAL ESTATE BROKER'S LICENSE.

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

**SECTION 1.** Section 87PP of chapter 112 of the General Laws, inserted by section 2 of chapter 726 of the acts of 1957, is hereby amended by striking out the paragraph defining "Non-resident" and inserting in place thereof the following paragraph: —

"Non-resident" shall include and be deemed to apply to an individual whose principal place of abode is without the commonwealth and to a corporation, society, association or partnership, organized, formed or existing under the laws of another state and which does not maintain a usual place of business within the commonwealth.

**SECTION 2.** Section 87SS of said chapter 112, as so inserted, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: — No license to engage as a broker or salesman shall be issued to any applicant unless he has complied with all the pertinent provisions of sections eighty-seven SS to eighty-seven DDD, inclusive, and if the applicant is an individual, unless he shall have satisfactorily passed a written examination conducted by the board, and, in the case of an application for a broker's license by an individual resident of the commonwealth, unless he shall have had his principal place of abode within the commonwealth for one year next prior to the issuance of such license; provided, however, that any applicant who is an attorney at law of the commonwealth shall not be required to take such examination or to have had such principal place of abode for such period.

**SECTION 3.** 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 its remaining provisions or any other provision of sections eighty-seven PP to eighty-seven DDD inclusive of said chapter one hundred and twelve.

*Approved July 26, 1962.*

**Chap. 776.** AN ACT PROVIDING FOR CERTAIN REIMBURSEMENTS TO EMPLOYEES OF THE COMMONWEALTH, COUNTIES, CITIES OR TOWNS FOR EXPENSES INCURRED BY THEM IN SUCCESSFULLY DEFENDING THEMSELVES AGAINST DISCHARGE, REMOVAL OR VARIOUS OTHER CHARGES.

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

Section 43 of chapter 31 of the General Laws is hereby amended by striking out paragraph (h), as amended by section 4 of chapter 569 of the acts of 1959, and inserting in place thereof the following paragraph:—

(h) Any person holding office or employment under permanent appointment in the official or labor services of the commonwealth, or any county, city, town or district thereof who has incurred expense in defending himself against an unwarranted discharge, removal, suspension, laying off, transfer, lowering in rank or compensation, or abolition of his position, shall, if he engages an attorney for such defense, be reimbursed for such expense; provided, however, that the amount of such reimbursement shall in no event exceed an aggregate sum of nine hundred dollars. Such reimbursement, in each instance, shall be limited to a sum not to exceed two hundred dollars in: —

- (1) a hearing by the appointing authority;
- (2) a hearing by the civil service commission;
- (3) a judicial review by the municipal court of the city of Boston or by the district court within the judicial district where such person resides, as provided in section forty-five.

In addition thereto, reimbursement in each instance shall be limited to a sum not to exceed one hundred dollars for: —

- (1) summons of witnesses;
- (2) cost of stenographic transcript;
- (3) any other necessary expense incurred in such defense.

Any such person shall, upon written application made to his appointing authority within thirty days from final disposition of his case be reimbursed from the same source from which his salary is paid. Such reimbursement shall be paid within thirty days from the receipt of such written application by the appointing authority. No reimbursement shall be made except upon receipt of satisfactory proof that such expenses were actually incurred for the purposes set forth in this section.

*Approved July 26, 1962.*

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**Chap. 777.** AN ACT AUTHORIZING AND DIRECTING CONVEYANCE OF CERTAIN LANDS TO THE UNITED STATES OF AMERICA.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the commonwealth to convey to the United States of America certain lands to effectuate the establishment of the Cape Cod National Seashore, 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. The commissioner of public works, acting in the name and on behalf of the commonwealth, is hereby authorized and directed to convey without consideration to the United States of America, all

the right, title and interest of the commonwealth in and to so much of the Province Lands in the town of Provincetown, except that part thereof which is described in chapter seven hundred and one of the acts of nineteen hundred and sixty-two, and in and to so much of any other lands under the jurisdiction or control of the department of public works in the town of Truro, including in each instance buildings thereon and lands covered by water, as is situated within the boundaries of the Cape Cod National Seashore, as described in section one of Public Law 87-126.

SECTION 2. The commissioner of natural resources acting in the name and on behalf of the commonwealth is hereby authorized and directed to convey without consideration to the United States of America all the right, title and interest of the commonwealth in and to so much of the Pilgrim Spring State Park and in and to so much of any other land under the jurisdiction or control of the department of natural resources in the town of Truro, including in each instance buildings thereon and lands covered by water, as is situated within the boundaries of the Cape Cod National Seashore as described in section one of Public Law 87-126.

SECTION 3. The deed of conveyance under section one shall provide

(1) That a portion of the lands so conveyed is subject to a lease between the commonwealth and the town of Provincetown, dated January second, nineteen hundred and sixty-one, for public airport and access purposes;

(2) That such additional area as shall be agreed upon between the Secretary of the Interior or his designee and the town of Provincetown acting through its airport commission shall be made available by lease or otherwise to said town for public airport and access purposes;

(3) That such area as may be agreed upon between the Secretary of the Interior or his designee and the said town acting through its duly authorized representative shall be made available to said town for dumping purposes;

(4) That in case of disagreement under sub-paragraphs (2) or (3) of this section the matter shall be submitted to arbitration, each party to select one arbitrator and said arbitrators so chosen to select a third arbitrator, and that the decision of such arbitrators shall be binding on both parties.

SECTION 4. The deeds of conveyance under sections one and two shall provide

(1) That the jurisdiction of the United States of America over and within the lands so conveyed shall be proprietary only; that the commonwealth shall continue to exercise all of the jurisdiction, power and authority possessed by it on or before the effective date of this act over and within the land so conveyed, including the right to serve criminal or civil process, and the right to tax persons and corporations, their franchises and property; and that persons residing on such lands shall have the right to vote at all primaries and elections within the town and county in which said lands are located.

(2) That the Secretary of the Interior may permit hunting and fishing, including shellfishing, on lands and waters under his jurisdiction within the Cape Cod National Seashore in such areas and under such regulations as he may prescribe during open seasons prescribed by applicable local, state and federal law; that said Secretary shall consult with officials of the commonwealth and any political subdivision thereof

who have jurisdiction of hunting and fishing, including shellfishing, prior to the issuance of any such regulations; that said Secretary is authorized to enter into co-operative arrangements with such officials regarding such hunting and fishing, including shellfishing, as he may deem desirable, except that he shall leave all aspects of the propagation and taking of shellfish to the towns referred to in section one of Public Law 87-126; and that the fishing rights of the public shall be the same in the coastal waters within the Cape Cod National Seashore as prior to such conveyances.

(3) That the commonwealth, through the state reclamation board and the Cape Cod Mosquito Control Project or its successor, shall continue to provide for the control of mosquitoes and green head flies in the lands so conveyed, and shall have the right to construct and maintain such ditches, culverts, dams and any other installations on the lands so conveyed as may be necessary for the proper control of mosquitoes and green head flies.

(4) That if at any time the United States of America fails to use the lands so conveyed for the purposes described in said Public Law 87-126, the title to such lands shall revert to and revest in the commonwealth.

*Approved July 26, 1962.*

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**Chap. 778.** AN ACT CREATING THE GREATER BOSTON STADIUM AUTHORITY AND AUTHORIZING SAID AUTHORITY TO CONSTRUCT, OPERATE AND MAINTAIN A MULTI-PURPOSE STADIUM AND APPURTENANT FACILITIES IN OR IN THE VICINITY OF GREATER BOSTON.

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

SECTION 1. The Authority created by section two of this act is hereby authorized to locate, construct, maintain and operate in the city of Boston a multi-purpose covered stadium and appurtenant facilities, hereinafter sometimes referred to as the Stadium, with a minimum seating capacity of sixty thousand.

SECTION 2. There is hereby created a public body politic and corporate to be known as the Greater Boston Stadium Authority, hereinafter in this act called the Authority, which is hereby constituted a public instrumentality of the commonwealth.

The Authority shall consist of three members who shall be appointed by the governor, with the advice and consent of the council. The members shall be appointed for terms expiring one, two and three years, respectively, from August first, nineteen hundred and sixty-two. Upon the expiration of the term of any member, his successor shall be appointed by the governor, with like advice and consent, for a term of three years. Any vacancy shall be filled by the governor, with like advice and consent, for the unexpired term. Any member may be removed by the governor, with the advice and consent of the council, for misfeasance, malfeasance or wilful neglect of duty, but only after reasonable notice and a public hearing unless the same are in writing expressly waived.

The governor shall from time to time designate one of the members as chairman and another as vice-chairman; and the Authority shall elect a secretary-treasurer who need not be a member of the Authority. Two

members of the Authority shall constitute a quorum; and a vote of two members shall be necessary for any action taken by the Authority. No vacancy in the membership of the Authority shall impair the right of a quorum to exercise all the rights and perform all the duties of the Authority.

The members of the Authority shall serve without compensation, but shall be reimbursed for expenses necessarily incurred in the performance of their duties. Every member of the Authority shall execute a surety bond in the penal sum of twenty thousand dollars, and the secretary-treasurer shall execute a surety bond in the penal sum of fifty thousand dollars, each 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 this commonwealth as surety, and to be approved by the attorney general and filed in the office of the state secretary.

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 and designate the custodian thereof;

(c) To sue and be sued, and to plead and be impleaded, in its own name;

(d) To acquire, hold, mortgage, lease, lease to others, and dispose of real and personal property in the exercise of its powers and the performance of its duties under this act; provided any lease for a period of more than five years shall be subject to the approval of the governor and council.

(e) To prepare a master plan for the Stadium which includes a modern multi-purpose stadium, driveways, roads, and approaches, and such parking, sports, exposition, and food vending buildings and facilities, mechanical equipment, furnishings, and any other appurtenant facilities related to, necessary for, or complementary to the Stadium and the purposes thereof in or in the vicinity of Greater Boston with specifications and estimates of costs and the cost of acquiring land, to provide or approve plans and specifications for the construction of any structure in substantial compliance with said master plan, and to construct, maintain, repair and operate said Stadium;

(f) To locate, construct, maintain and operate said Stadium for use by school and civic athletics and physical education, for such educational, recreative, religious, social, civic, philanthropic and similar purposes as the Authority may deem to be for the interest of the people, and for use for commercial purposes except those purposes authorized by chapter one hundred and twenty-eight A of the General Laws;

(g) To provide through its employees, or by the grant of one or more concessions, or in part through its employees and in part by the grant of one or more concessions, for the furnishing of services and things for the accommodation of persons admitted to or using said Stadium or any part thereof;

(h) To establish rules and regulations, and fix policies, for the use of said Stadium and provide for policing of Authority land and facilities;

(i) To fix from time to time and charge and collect rentals, rates, charges and fees from any person, partnership, association, corporation or municipality for admission to, or the use or occupancy of, said Sta-



dium or any part thereof, and for the grant of concessions therein and for things furnished, or services rendered, by the Authority;

(j) To make and enter into all contracts, leases, and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act, to employ consulting engineers, construction, financing, and accounting experts and attorneys, to negotiate with any person, partnership or corporation for the leasing of said Stadium or part thereof, to investigate the financial responsibility of any prospective lessee of any part of the Stadium, to employ and at pleasure remove a general manager and such other employees and agents as may be necessary in its judgment, and to fix their compensation, and to do all acts and things necessary or convenient to carry out the powers expressly granted in this act. The employees of the Authority shall not be subject to existing or future statutory provisions relative to civil service. The Authority shall fix such fees under clause (i) as in its judgment are best adapted to insure sufficient income together with other funds available, if any, to meet the expenses of the Authority including (a) the cost of maintaining, repairing and operating the Stadium, (b) the principal of and the interest on its revenue bonds as the same shall become due and payable and (c) reserves for such purposes;

(k) To issue revenue bonds of the Authority, payable solely from revenues and other monies as hereinafter provided for the purpose of paying all or any part of the cost of the project as defined in section four and to 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; and

(l) To receive and accept from any federal or other governmental agencies grants, loans or advances for or in aid of the planning and construction of the project, and to receive and accept contributions and gifts from any source of either money, property, labor or other things of value, to be held, used and applied only for the purposes for which such grants, loans, advances, contributions and gifts may be made.

SECTION 3A. The Authority shall, in awarding contracts for construction or reconstruction of the Stadium, or any part thereof, be subject to the provisions of sections twenty-six to twenty-seven D, inclusive, and sections forty-four A to forty-four L, inclusive, of chapter one hundred and forty-nine of the General Laws and sections thirty-nine F, thirty-nine J and thirty-nine K of chapter thirty of the General Laws.

SECTION 4. The term "cost of the project" shall include the cost of construction or acquisition of the Stadium according to the master plan, the cost of acquiring all land, property, rights of way, rights, easements and interest acquired by the Authority for such project, cost of engineering, financing, and legal expenses, plans, specifications, surveys, estimates of costs and revenues, other expenses necessary or incidental to determining the practicability of establishing the project, interest on the bonds of the Authority during the construction period and for such period thereafter as may be determined by the Authority, administrative expenses, and such other expenses as may be necessary or incidental to the construction of the Stadium.

SECTION 5. Expenses, liabilities and obligations incurred in carrying out 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 such political subdivision, but shall be payable solely from funds provided under authority of this act; and no expense, liability or obligation shall be incurred by the Authority under this act beyond the extent to which moneys shall have been provided under the provisions of this act. Any member, agent or employee of the Authority who contracts with the Authority or is interested, either directly or indirectly, in any contract with the Authority shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both. A member of the Authority with interests in sports promotions is exempted from the previous provision providing he does not vote on contracts in which he has an interest.

SECTION 6. The Authority and all its real and personal property shall be exempt from taxation and from betterments and special assessments; and the Authority shall not be required to pay any tax, excise or assessment to or for the commonwealth or any of its political subdivisions; nor shall the Authority be required to pay any fee or charge for any permit or license issued to it by the commonwealth, by any department, board or officer thereof, or by any political subdivision of the commonwealth, or by any department, board or officer of such political subdivision.

SECTION 7. Project rentals rates, fees and charges imposed by the Authority shall not be subject to supervision or regulation by any department, division, commission, board, bureau or agency of the commonwealth or any political subdivision thereof. The rentals and all other revenues derived from the Stadium, except such part thereof as may be necessary to pay such cost of maintenance, repair and operation and to provide such reserves therefor as may be provided for in the resolution authorizing the issuance of bonds or in the trust agreement, shall be set aside at such regular intervals as may be provided for in such resolution or trust agreement, in a sinking fund which is hereby pledged to and charged with the payment of: (1) the interest upon such bonds as such interest shall fall due and reserves therefor, (2) the principal of the bonds as the same shall fall due and reserves therefor, (3) the necessary charges of paying agents for paying principal and interest, and (4) the redemption price or the purchase price of bonds retired by call or purchase as therein provided. Subject to the provisions of the resolution authorizing the issuance of revenue bonds or of the trust agreement, such sinking fund shall be a fund for all such bonds of each issue or series without distinction or priority of one over another. The moneys in the sinking fund, less such reserves as may be provided in such resolution or trust agreement, if not used within a reasonable time for the purchase of bonds for cancellation as above provided, shall be applied to the redemption of bonds at the redemption price then applicable.

SECTION 8. 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 state auditor; and the cost thereof shall be treated as part of the cost of operating said Stadium. Such audits shall be deemed to be public records within the meaning of chapter sixty-six of the General Laws.

SECTION 9. The Authority is hereby authorized to provide by resolution, at one time or from time to time, for the issuance of revenue bonds of the Authority for the purpose of paying all or any part of the cost of the project in an amount not exceeding fifty 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 rate or rates not exceeding six per centum per annum, shall mature at such time or times not exceeding forty years from their date or dates, as may be determined by the Authority, and may be made redeemable before maturity, at the option of the Authority, as 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 or without 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 revenue bonds issued under the provisions of this act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the Uniform Commercial Code. The bonds may be issued in coupon or in registered form, or both, as the Authority may determine, and provision may be made for the registration of any coupon bonds as to principal alone and also as to both principal and interest, and for the reconversion into coupon bonds of any bonds registered as to both principal and interest.

The proceeds of revenue bonds shall be used solely for the payment of the cost of the project, and shall be disbursed in such manner and under such restrictions, if any, as the Authority 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 or issues and shall be entitled to payment from the same fund or funds 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 or the establishment of reserves to pay the interest thereon or principal thereof. 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. Revenue bonds may be issued under the provision of this act without obtaining the consent of any department, division, commission, board, bureau or agency of the commonwealth, and without any other proceedings or the happening of any other conditions or things than those proceedings, conditions or things which are specifically required by this act.

The Authority is hereby authorized to provide by resolution for the issuance of revenue refunding bonds of the Authority for the purpose of refunding any revenue bonds then outstanding and 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, and, if deemed advisable by the Authority, for the additional purpose of constructing or reconstructing any extensions or improvements of the project. The issue or issues of such bonds, the maturities and other details thereof, the rights of the holders thereof, and the duties 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.

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 10. Revenue bonds issued under the provisions of this act shall not be deemed to 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 such political subdivision, but such bonds shall be payable solely from the funds herein provided therefor. All such revenue bonds shall contain on the face thereof a statement to the effect that neither the Authority nor the commonwealth nor any political subdivision thereof shall be obliged to pay the same or the interest thereon except from revenues and other moneys herein provided and that neither the faith and credit nor the taxing power of the commonwealth or any political subdivision thereof is pledged to the payment of the principal of or the interest on such bonds.

SECTION 11. The exercise of the powers granted by this act will be in all respects for the benefits of the people of the commonwealth, for the improvement of their health and well being, and as the operation of the Stadium will constitute the performance of an essential governmental function, the revenue bonds and revenue refunding bonds issued under the provisions of this act, their transfer and the income therefrom, including any profit made on the sale thereof, shall at all times be free from taxation by the commonwealth or any subdivision thereof.

SECTION 12. In the discretion of the Authority such revenue bonds or revenue refunding bonds may be secured by a trust agreement by and between the Authority and a corporate trustee, which may be any trust company or bank having the powers of a trust company within the commonwealth. Such trust agreement may pledge or assign the revenues to be received, but shall not convey or mortgage the project or any part thereof. 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 construction, improvement, maintenance, operation, repair and insurance of the project and the custody, safeguarding and application of all moneys. It shall be lawful for any bank or trust company incorporated under the laws of the commonwealth to act as depository of the proceeds of bonds or of revenues and to furnish such indemnifying bonds or to pledge such securities as may be required by the Authority. Such trust agreement may set forth the rights and remedies of the bondholders and of the

trustee, and may restrict the individual right of action by bondholders as is customary in trust agreements or trust indentures securing bonds and debentures of corporations. 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.

SECTION 13. All moneys received pursuant to the Authority of this act, whether as proceeds from the sale of revenue bonds or as revenues, shall be deemed to be trust funds, to be held and applied solely as provided in this act. The Authority, shall, in the resolution authorizing the issuance of revenue bonds or in the trust agreement, provide for the payment of the proceeds of the sale of such bonds and all revenues to be received to any officer who, or to any agency, bank or trust company which, shall act as trustee of such funds and shall hold and apply the same to the purposes hereof, subject to such regulations as this act and such resolution of trust agreement may provide.

SECTION 14. Revenue bonds and revenue refunding bonds issued under the provisions of this act are hereby made securities in which all public officers and public bodies of the commonwealth and its political subdivisions, all insurance companies, trust companies in their commercial departments and within the limits set by section fifty-four of chapter one hundred and seventy-two of the General Laws, banking associations, investment companies, executors, trustees and other fiduciaries, and all other persons whatsoever who are now or may hereafter be authorized to invest in bonds or other obligations of a similar nature may properly and legally invest funds, including capital in their control or belonging to them, and such bonds are hereby made obligations which may properly and legally be made eligible for the investment of savings deposits and the income thereof in the manner provided by section fifty of chapter one hundred and sixty-eight of the General Laws. Such revenue bonds are hereby made securities which may properly and legally be deposited with and received by any state or municipal officer of 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 15. Any holder of revenue bonds or revenue refunding bonds issued under the provisions of this act or of any of the coupons appertaining thereto, and the trustee under the trust agreement, if any, except to the extent the rights herein given may be restricted by such resolution or trust agreement, may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights under the laws of the commonwealth or granted hereunder or under such resolution or trust agreements, and may enforce and compel the performance of all duties required by this act or by such resolution or trust agreement to be performed by the Authority or by an officer thereof, including the fixing, charging and collecting of rents, rates, fees and charges for the use of the Stadium.

SECTION 16. To provide for the preliminary expenses of the Authority in carrying out the provisions of this act, the sum of one hundred thousand dollars is hereby appropriated from the General Fund of the commonwealth, which sum shall be paid to the Authority, and any sum so paid shall be reimbursed by the Authority to the commonwealth out

of the proceeds of any revenue bonds which may be issued under the provisions of this act or the income of the Authority. Such reimbursements shall be made as soon as the Authority receives payment for its bonds.

SECTION 17. Section 12 of chapter 63 of the General Laws is hereby amended by inserting after paragraph (x), inserted by section 23 of chapter 557 of the acts of 1961, the following paragraph: — (y) Bonds, notes or other evidences of indebtedness issued by the Greater Boston Stadium Authority.

SECTION 18. When all Stadium revenue bonds or Stadium revenue refunding 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, the Stadium, if then in good condition and repair to the satisfaction of the department of public safety, shall be turned over to the commonwealth, and thereupon the Authority shall be dissolved and all funds of the Authority not required for the payment of the bonds shall be paid into the treasury of the commonwealth and all machinery, equipment and other property belonging to the Authority shall be vested in and delivered to the commonwealth.

SECTION 19. The provisions of this act are severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

SECTION 20. All other general or special laws, or parts thereof, inconsistent herewith are hereby declared to be inapplicable to the provisions of this act.

*Approved July 26, 1962.*

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**Chap. 779.** AN ACT REGULATING THE ACTIVITIES OF STATE, COUNTY AND MUNICIPAL EMPLOYEES AND ESTABLISHING A CODE OF ETHICS FOR SAID EMPLOYEES.

*Be it enacted, etc., as follows:*

SECTION 1. The General Laws are hereby amended by striking out chapter 268A, inserted by chapter 610 of the acts of 1961, and inserting in place thereof the following chapter: —

CHAPTER 268A.

CONDUCT OF PUBLIC OFFICIALS AND EMPLOYEES.

*Section 1.* In this chapter the following words, unless a different meaning is required by the context or is specifically prescribed, shall have the following meanings: —

(a) "Compensation", any money, thing of value or economic benefit conferred on or received by any person in return for services rendered or to be rendered by himself or another.

(b) "Competitive bidding", all bidding, where the same may be prescribed by applicable sections of the General Laws or otherwise, given and tendered to a state, county or municipal agency in response to an

open solicitation of bids from the general public by public announcement or public advertising, where the contract is awarded to the lowest responsible bidder.

(c) "County agency", any department or office of county government and any division, board, bureau, commission, institution, tribunal or other instrumentality thereof or thereunder.

(d) "County employee", a person performing services for or holding an office, position, employment, or membership in a county agency, whether by election, appointment, contract of hire or engagement, whether serving with or without compensation, on a full, regular, part-time, intermittent, or consultant basis, excluding members of the judiciary, but not excluding any other officers or employees of the judicial department.

(e) "Immediate family", the employee and his spouse, and their parents, children, brothers and sisters.

(f) "Municipal agency", any department or office of a city or town government and any council, division, board, bureau, commission, institution, tribunal or other instrumentality thereof or thereunder.

(g) "Municipal employee", a person performing services for or holding an office, position, employment or membership in a municipal agency, whether by election, appointment, contract of hire or engagement, whether serving with or without compensation, on a full, regular, part-time, intermittent, or consultant basis, but excluding elected members of a town meeting.

(h) "Official act", any decision or action in a particular matter or in the enactment of legislation.

(i) "Official responsibility", the direct administrative or operating authority, whether intermediate or final, and either exercisable alone or with others, and whether personal or through subordinates, to approve, disapprove or otherwise direct agency action.

(j) "Participate", participate in agency action or in a particular matter personally and substantially as a state, county or municipal employee, through approval, disapproval, decision, recommendation, the rendering of advice, investigation or otherwise.

(k) "Particular matter", any judicial or other proceeding, application, submission, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, decision, determination, finding, but excluding enactment of general legislation by the general court.

(l) "Person who has been selected", any person who has been nominated or appointed to be a state, county or municipal employee or has been officially informed that he will be so nominated or appointed.

(m) "Special county employee", a county employee who is performing services or holding an office, position, employment or membership for which no compensation is provided; or who is not an elected official and (1) occupies a position which, by its classification in the county agency involved or by the terms of the contract or conditions of employment, permits personal or private employment during normal working hours, or (2) in fact does not earn compensation as a county employee for an aggregate of more than eight hundred hours during the preceding three hundred and sixty-five days. For this purpose compensation by the day shall be considered as equivalent to compensation for seven

hours per day. A special county employee shall be in such status on days for which he is not compensated as well as on days on which he earns compensation.

(n) "Special municipal employee", a municipal employee whose position or employment has been expressly classified by the city council, or board of aldermen where there is no city council, of the city or the board of selectmen of the town as that of a special employee under the terms and provisions of this chapter. Such classification shall be made by employing standards reasonably related to the stated purpose and terms and provisions of this chapter. All employees of any city or town in the commonwealth wherein no such classification has been made shall be deemed to be "municipal employees" as the term is herein defined, and shall be subject to all of the provisions of this chapter with respect thereto without exception.

(o) "Special state employee", a state employee:

(1) Who is performing services or holding an office, position, employment or membership for which no compensation is provided, or

(2) Who is not an elected official and

(a) occupies a position which, by its classification in the state agency involved or by the terms of the contract or conditions of employment, permits personal or private employment during normal working hours, or

(b) in fact does not earn compensation as a state employee for an aggregate of more than eight hundred hours during the preceding three hundred and sixty-five days. For this purpose compensation by the day shall be considered as equivalent to compensation for seven hours per day. A special state employee shall be in such status on days for which he is not compensated as well as on days on which he earns compensation.

(p) "State agency", any department of state government including the executive, legislative or judicial, and all councils thereof and thereunder, and any division, board, bureau, commission, institution, tribunal or other instrumentality within such department, and any independent state authority, district, commission, instrumentality or agency, but not an agency of a county, city or town.

(q) "State employee", a person performing services for or holding an office, position, employment, or membership in a state agency, whether by election, appointment, contract of hire or engagement, whether serving with or without compensation, on a full, regular, part-time, intermittent or consultant basis, including members of the general court and executive council, but excluding members of the judiciary, but not excluding any other officers and employees of the judicial department.

*Section 2.* (a) Whoever, directly or indirectly, corruptly gives, offers or promises anything of value to any state, county or municipal employee, or to any person who has been selected to be such an employee, or to any member of the judiciary, or who offers or promises any such employee or any member of the judiciary, or any person who has been selected to be such an employee or member of the judiciary, to give anything of value to any other person or entity, with intent

(1) to influence any official act or any act within the official responsibility of such employee or member of the judiciary or person who has been selected to be such employee or member of the judiciary, or



(2) to influence such an employee or member of the judiciary or person who has been selected to be such an employee or member of the judiciary, to commit or aid in committing, or collude in, or allow, any fraud, or make opportunity for the commission of any fraud on the commonwealth or a state, county or municipal agency, or

(3) to induce such an employee or member of the judiciary or person who has been selected to be such an employee or member of the judiciary to do or omit to do any act in violation of his lawful duty; or

(b) Whoever, being a state, county or municipal employee or a member of the judiciary or a person selected to be such an employee or member of the judiciary, directly or indirectly, corruptly asks, demands, exacts, solicits, seeks, accepts, receives or agrees to receive anything of value for himself or for any other person or entity, in return for

(1) being influenced in his performance of any official act or any act within his official responsibility, or

(2) being influenced to commit or aid in committing, or to collude in, or allow any fraud, or make opportunity for the commission of any fraud, on the commonwealth or on a state, county or municipal agency, or

(3) being induced to do or omit to do any acts in violation of his official duty; or

(c) Whoever, directly or indirectly, corruptly gives, offers or promises anything of value to any person, or offers or promises such person to give anything of value to any other person or entity, with intent to influence the testimony under oath or affirmation of such first-mentioned person or any other person as a witness upon a trial, or other proceeding, before any court, any committee of either house or both houses of the general court, or any agency, commission or officer authorized by the laws of the commonwealth to hear evidence or take testimony, or with intent to influence such witness to absent himself therefrom; or

(d) Whoever, directly or indirectly, corruptly asks, demands, exacts, solicits, seeks, accepts, receives or agrees to receive anything of value for himself or for any other person or entity in return for influence upon the testimony under oath or affirmation of himself or any other person as a witness upon any such trial, hearing or other proceeding or in return for the absence of himself or any other person therefrom; shall be punished by a fine of not more than five thousand dollars or by imprisonment for not more than three years, or both; and in the event of final conviction shall be incapable of holding any office of honor, trust or profit under the commonwealth or under any state, county or municipal agency.

Clauses (c) and (d) shall not be construed to prohibit the payment or receipt of witness fees provided by law or the payment by the party upon whose behalf a witness is called and receipt by a witness of the reasonable cost of travel and subsistence incurred and the reasonable value of time lost in attendance at any such trial, hearing or proceeding, or, in the case of expert witnesses, involving a technical or professional opinion, a reasonable fee for time spent in the preparation of such opinion, in appearing or testifying.

*Section 3.* (a) Whoever otherwise than as provided by law for the proper discharge of official duty, directly or indirectly, gives, offers or promises anything of substantial value to any present or former state, county or municipal employee or to any member of the judiciary, or to

any person selected to be such an employee or member of the judiciary, for or because of any official act performed or to be performed by such an employee or member of the judiciary or person selected to be such an employee or member of the judiciary; or

(b) Whoever, being a present or former state, county or municipal employee or member of the judiciary, or person selected to be such an employee or member of the judiciary, otherwise than as provided by law for the proper discharge of official duty, directly or indirectly, asks, demands, exacts, solicits, seeks, accepts, receives or agrees to receive anything of substantial value for himself for or because of any official act or act within his official responsibility performed or to be performed by him; or

(c) Whoever, directly or indirectly, gives, offers or promises anything of substantial value to any person, for or because of testimony under oath or affirmation given or to be given by such person or any other person as a witness upon a trial, hearing or other proceeding, before any court, any committee of either house or both houses of the general court, or any agency, commission or officer authorized by the laws of the commonwealth to hear evidence or take testimony or for or because of his absence therefrom; or

(d) Whoever, directly or indirectly, asks, demands, exacts, solicits, seeks, accepts, receives or agrees to receive anything of substantial value for himself for or because of the testimony under oath or affirmation given or to be given by him or any other person as a witness upon any such trial, hearing or other proceeding, or for or because of his absence therefrom; shall be punished by a fine of not more than three thousand dollars or by imprisonment for not more than two years, or both.

Clauses (c) and (d) shall not be construed to prohibit the payment or receipt of witness fees provided by law or the payment by the party upon whose behalf a witness is called and receipt by a witness of the reasonable cost of travel and subsistence incurred and the reasonable value of time lost in attendance at any such trial, hearing or proceeding, or, in the case of expert witnesses, involving a technical or professional opinion, a reasonable fee for time spent in the preparation of such opinion, in appearing or testifying.

*Section 4.* (a) No state employee shall otherwise than as provided by law for the proper discharge of official duties, directly or indirectly receive or request compensation from anyone other than the commonwealth or a state agency, in relation to any particular matter in which the commonwealth or a state agency is a party or has a direct and substantial interest.

(b) No person shall knowingly, otherwise than as provided by law for the proper discharge of official duties, directly or indirectly give, promise or offer such compensation.

(c) No state employee shall, otherwise than in the proper discharge of his official duties, act as agent or attorney for anyone other than the commonwealth or a state agency for prosecuting any claim against the commonwealth or a state agency, or as agent or attorney for anyone in connection with any particular matter in which the commonwealth or a state agency is a party or has a direct and substantial interest.

Whoever violates any provision of this section shall be punished by a fine of not more than three thousand dollars or by imprisonment for not more than two years, or both.

A member of the general court shall be subject to paragraphs (a) and (c) only in relation to a particular matter in which the commonwealth or a state agency has a direct and substantial financial interest other than collection of taxes, criminal fines or penalties, and fees or charges for permits or licenses, and corporation fees.

A special state employee shall be subject to paragraphs (a) and (c) only in relation to a particular matter (a) in which he has at any time participated as a state employee, or (b) which is or within one year has been a subject of his official responsibility, or (c) which is pending in the state agency in which he is serving. Clause (c) of the preceding sentence shall not apply in the case of a special state employee who serves on no more than sixty days during any period of three hundred and sixty-five consecutive days.

This section shall not prevent a state employee from taking uncompensated action, not inconsistent with the faithful performance of his duties, to aid or assist any person who is the subject of disciplinary or other personnel administration proceedings with respect to those proceedings.

This section shall not prevent a state employee, including a special employee, from acting, with or without compensation, as agent or attorney for or otherwise aiding or assisting members of his immediate family or any person for whom he is serving as guardian, executor, administrator, trustee or other personal fiduciary except in those matters in which he has participated or which are the subject of his official responsibility; provided, that the state official responsible for appointment to his position approves.

This section shall not prevent a present or former special state employee from aiding or assisting another person for compensation in the performance of work under a contract with or for the benefit of the commonwealth; provided, that the head of the special state employee's department or agency has certified in writing that the interest of the commonwealth requires such aid or assistance and the certification has been filed with the state secretary.

This section shall not prevent a state employee from giving testimony under oath or making statements required to be made under penalty for perjury or contempt.

*Section 5.* (a) A former state employee who knowingly acts as agent or attorney for, or receives compensation directly or indirectly from anyone other than the commonwealth or a state agency, in connection with any particular matter in which the commonwealth or a state agency is a party or has a direct and substantial interest and in which he participated as a state employee while so employed, or

(b) a former state employee who, within one year after his last employment has ceased, appears personally before any court or agency of the commonwealth as agent or attorney for anyone other than the commonwealth in connection with any particular matter in which the commonwealth or a state agency is a party or has a direct and substantial interest and which was under his official responsibility as a state employee at any time within a period of two years prior to the termination of his employment, or

(c) a partner of a former state employee who knowingly engages, during a period of one year following the termination of the latter's employment by the commonwealth, in any activity in which the former state employee is himself prohibited from engaging in by clause (a), or

(d) a partner of a state employee who knowingly acts as agent or attorney for anyone other than the commonwealth in connection with any particular matter in which the commonwealth or a state agency is a party or has a direct and substantial interest and in which the state employee participates or has participated as a state employee or which is the subject of his official responsibility, shall be punished by a fine of not more than three thousand dollars or by imprisonment for not more than two years, or both.

If a partner of a member of the general court or of a special state employee or of a former state employee is also a member of another partnership in which the member of the general court or special or former employee has no interest, the activities of the latter partnership in which the member of the general court or special or former employee takes no part shall not thereby be subject to clause (c) or (d).

This section shall not prevent a present or former special state employee from aiding or assisting another person for compensation in the performance of work under a contract with or for the benefit of the commonwealth; provided, that the head of the special state employee's department or agency has certified in writing that the interest of the commonwealth requires such aid or assistance and the certification has been filed with the state secretary.

Notwithstanding any provision of this section, a former elected official, including a former member of the general court, may act as private legislative counsel or private legislative agent at any time following the termination of his term of office.

*Section 6.* (a) Except as permitted by this section, any state employee who participates as such employee in a particular matter in which to his knowledge he, his immediate family or partner, a business organization in which he is serving as officer, director, trustee, partner or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest, shall be punished by a fine of not more than three thousand dollars or by imprisonment for not more than two years, or both.

It shall not be a violation of this section (1) if the employee first advises the state official responsible for appointment to his position of the nature and circumstances of the particular matter and makes full disclosure of such financial interest, and receives in advance a written determination made by that official that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the commonwealth may expect from the employee, or (2) if, by general rule or regulation approved by the attorney general, the financial interest has been exempted from the requirements of clause (1) hereof as being too remote or too inconsequential to affect the integrity of state employees' services.

*Section 7.* A state employee who has a financial interest, directly or indirectly, in a contract made by a state agency, in which the commonwealth or a state agency is an interested party, of which interest he has knowledge or has reason to know, shall be punished by a fine of not more than three thousand dollars or by imprisonment for not more than two years, or both.

This section shall not apply if such financial interest consists of the ownership of less than one per cent of the stock of a corporation.

This section shall not apply (a) to a state employee who in good faith and within thirty days after he learns of an actual or prospective viola-

tion of this section makes full disclosure of his financial interest to the contracting agency and terminates or disposes of the interest, or (b) to a state employee other than a member of the general court who does not participate in or have official responsibility for any of the activities of the contracting agency, if the contract is made through competitive bidding and his direct and indirect interests and those of his immediate family in the corporation or other commercial entity with which the contract is made do not in the aggregate amount to ten per cent of the total proprietary interests therein, or (c) to the interest of a member of the general court in a contract made by an agency other than the general court or either branch thereof, if his direct and indirect interests and those of his immediate family in the corporation or other commercial entity with which the contract is made do not in the aggregate amount to ten per cent of the total proprietary interests therein, and the contract is made through competitive bidding and he files with the state secretary a statement making full disclosure of his interest and the interests of his immediate family, or (d) to a special state employee who does not participate in or have official responsibility for any of the activities of the contracting agency and who files with the state secretary a statement making full disclosure of his interest and the interests of his immediate family in the contract, or (e) to a special state employee who files with the state secretary a statement making full disclosure of his interest and the interests of his immediate family in the contract, if the governor with the advice and consent of the executive council exempts him.

*Section 8.* No state, county or municipal employee and no person acting or purporting to act on behalf of such employee, or any state, county or municipal agency, shall with respect to any public building or construction contract which is about to be or which has been competitively bid, require the bidder to make application to or furnish financial data to, or to obtain, or procure, any of the surety bonds or insurance specified in connection with such contract or specified by any law from any particular insurance or surety company, agent, or broker. This section shall not prevent the exercise by such employee on behalf of a state, county, or municipal agency of its right to approve the form, sufficiency, or manner of execution of the surety bonds and insurance furnished by the insurance or surety company selected by the bidder to underwrite said insurance and bonds. Any provisions in any invitation for bids, or in any of the contract documents, in conflict with this section are hereby declared to be contrary to the public policy of this commonwealth. Whoever 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 two years, or both.

*Section 9.* In addition to any other remedies provided by law, any violation of sections two to eight, inclusive, which has substantially influenced the action taken by any state agency in any particular matter, shall be grounds for avoiding, rescinding or cancelling the action on such terms as the interests of the commonwealth and innocent third persons require.

The attorney general may bring a civil action against any person who has acted to his economic advantage in violation of said sections two to eight, inclusive, and may recover on behalf of the commonwealth damages in the amount of the economic advantage or five hundred dollars

whichever is greater. If there has been no final criminal judgment of conviction or acquittal of the same violation, the attorney general may in the discretion of the court so recover additional damages in an amount not exceeding twice the amount of the economic advantage or five hundred dollars, and a judgment for such damages shall bar any criminal prosecution for the same violation.

*Section 10.* Any state employee shall be entitled to the opinion of the attorney general upon any question arising under this chapter relating to the duties, responsibilities and interests of such employee. All requests for such opinions shall be filed in writing directly with the attorney general. Such requests shall be submitted revealing detailed existing facts which raise a question as to whether the state is a party or has a direct and substantial interest or as to any other matter included in this chapter. If it is determined by the attorney general that the commonwealth or state agency has no substantial interest in a particular matter, including matters in which the state is a party, the attorney general shall render such an opinion. Failure of the attorney general to render an opinion within thirty days after the receipt of such request shall be construed as though an opinion favorable to such employee had been rendered. Such request shall be confidential and only the final opinion of the attorney general shall be a matter of public record.

*Section 11. (a)* No state or county employee shall, otherwise than as provided by law for the proper discharge of official duties, directly or indirectly receive or request compensation from anyone other than the commonwealth, a state agency or a county or a county agency in relation to any particular matter in which a county agency is a party or has a direct and substantial interest.

*(b)* No person shall knowingly, otherwise than as provided by law for the proper discharge of official duties, directly or indirectly give, promise or offer such compensation.

*(c)* No state or county employee shall, otherwise than as provided by law for the proper discharge of official duties, act as agent or attorney for anyone other than the commonwealth or a state agency or a county or a county agency in prosecuting any claim against a county or county agency, or as agent or attorney for anyone in connection with any particular matter in which a county or county agency is a party or has a direct and substantial interest.

Whoever violates any provision of this section shall be punished by a fine of not more than three thousand dollars or by imprisonment for not more than two years, or both.

A county employee shall be subject to paragraphs (a) and (c) only in relation to the county of which he is an employee. A state employee or a special county employee shall be subject to said paragraphs (a) and (c) only in relation to a particular matter (a) in which he has at any time participated as a state or county employee, or (b) which is or within one year has been a subject of his official responsibility, or (c) which is pending in the state or county agency in which he is serving. Clause (c) of the preceding sentence shall not apply in the case of a special state or county employee who serves on no more than sixty days during any period of three hundred and sixty-five consecutive days.

This section shall not prevent a state or county employee from taking uncompensated action, not inconsistent with the faithful performance of his duties, to aid or assist any person who is the subject of discipli-

nary or other personnel administration proceedings with respect to those proceedings.

Section four of this section shall not prevent a state or county employee, including a special employee, from acting, with or without compensation, as agent or attorney for or otherwise aiding or assisting members of his immediate family or any person for whom he is serving as guardian, executor, administrator, trustee or other personal fiduciary except in those matters in which he has participated or which are the subject of his official responsibility; provided, that the state or county official responsible for appointment to his position approves.

This section shall not prevent a present or former special state or county employee from aiding or assisting another person for compensation in the performance of work under a contract with or for the benefit of the county; provided, that the head of the special state or county employee's department or agency has certified in writing that the interest of the commonwealth or county requires such aid or assistance and the certification has been filed with the state secretary. The certification shall be open to public inspection.

This section shall not prevent a state or county employee from giving testimony under oath or making statements required to be made under penalty for perjury or contempt.

*Section 12.* (a) A former state or county employee who knowingly acts as agent or attorney for or receives compensation directly or indirectly from anyone other than the commonwealth or a state agency or a county or a county agency in connection with any particular matter in which the county or a county agency of the same county is a party or has a direct and substantial interest and in which he participated as a state or county employee while so employed, or (b) a former state or county employee who, within one year after his last employment has ceased, appears personally before any court or agency of the commonwealth or county as agent or attorney for anyone other than the commonwealth or county in connection with any particular matter in which the county or a county agency of the same county is a party or has a direct and substantial interest and which was under his official responsibility as a state or county employee at any time within a period of two years prior to the termination of his employment, or (c) a partner of a former state or county employee who knowingly engages, during a period of one year following the termination of the latter's employment by the commonwealth or county, in any activity in which the former state or county employee is himself prohibited from engaging by clause (a), or (d) a partner of a state or county employee who knowingly acts as agent or attorney for anyone other than the commonwealth or county in connection with any particular matter in which the county or a county agency of the same county is a party or has a direct and substantial interest and in which the state or county employee participates or has participated as a state or county employee or which is the subject of his official responsibility, shall be punished by a fine of not more than three thousand dollars or by imprisonment for not more than two years, or both.

If a partner of a member of the general court or of a special state or county employee or of a former state or county employee is also a member of another partnership in which the member of the general court or special or former employee has no interest, activities of the latter partner-

ship in which the member of the general court or special or former employee takes no part shall not thereby be subject to clause (c) or (d).

This section shall not prevent a present or former special state or county employee from aiding or assisting another person for compensation in the performance of work under a contract with or for the benefit of the county; provided, that the head of the special state or county employee's department or agency has certified in writing that the interest of the commonwealth or county requires such aid or assistance and the certification has been filed with the state secretary. The certification shall be open to public inspection.

*Section 13.* (a) Except as permitted by paragraph (b), a county employee who participates as such an employee in a particular matter in which to his knowledge he, his immediate family or partner, a business organization which he is serving as officer, director, trustee, partner or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest, shall be punished by a fine of not more than three thousand dollars or by imprisonment for not more than two years, or both.

(b) It shall not be a violation of this section (1) if the employee first advises the official responsible for appointment to his position of the nature and circumstances of the particular matter and makes full disclosure of such financial interest and receives in advance a written determination made by that official that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the county may expect from the employee, or (2) if, by general rule or regulation approved by the attorney general, the financial interest has been exempted from the requirement of clause (1) hereof as being too remote or too inconsequential to affect the integrity of county employee's services.

*Section 14.* A state or county employee who has a financial interest, directly or indirectly, in a contract made by a county agency of the same county, in which the county or a county agency is an interested party of which financial interest he has knowledge or has reason to know, shall be punished by a fine of not more than three thousand dollars or by imprisonment for not more than two years, or both.

This section shall not apply if such financial interest consists of the ownership of less than one per cent of the stock of a corporation.

This section shall not apply (a) to a state or county employee who in good faith and within thirty days after he learns of an actual or prospective violation of this section makes full disclosure of his financial interest to the contracting agency and terminates or disposes of the interest, or (b) to a state employee who does not participate in or have official responsibility for any of the activities of the contracting agency, or (c) to a county employee who does not participate in or have official responsibility for any of the activities of the contracting agency, if the contract is made through competitive bidding and his direct and indirect interests and those of his immediate family in the corporation or other commercial entity with which the contract is made do not in the aggregate amount to ten per cent of the total proprietary interests therein, or (d) to a special county employee who does not participate in or have official responsibility for any of the activities of the contracting agency and who files with the state secretary a statement making full disclosure of his interest and the interests of his immediate family in the contract,



or (e) to a special employee of the county who files with the state secretary a statement making full disclosure of his interest and the interests of his immediate family in the contract, if the county commissioners approve the exemption of his interest from this section.

*Section 15.* (a) In addition to any other remedies provided by law, a violation of section two, three, eight or sections eleven to fourteen, inclusive, which has substantially influenced the action taken by any county agency in any particular matter, shall be grounds for avoiding, rescinding or cancelling the action on such terms as the interests of the county and innocent third persons require.

(b) The attorney general or the district attorney may bring a civil action against any person who has acted to his economic advantage in violation of section eight or sections eleven to fourteen, inclusive, and may recover on behalf of the county damages in the amount of the economic advantage or five hundred dollars, whichever is greater. If there has been no final criminal judgment of conviction or acquittal of the same violation, the attorney general or the district attorney may in the discretion of the court recover additional damages in an amount not exceeding twice the amount of the economic advantage and a judgment for such damages shall bar any criminal prosecution for the same violation.

*Section 16.* Any county employee other than a county commissioner shall be entitled to the opinion of the county commissioners of the county in which he is employed, upon any question arising under this chapter relating to the duties, responsibilities and interests of such employee. Any county commissioner shall be entitled to the opinion of the county personnel board upon any question arising under this chapter relating to the duties, responsibilities and interests of such county commissioner. All requests for such opinions shall be in writing and no opinion shall be rendered by the county commissioners or the county personnel board except upon the submission of detailed existing facts which raise a question of actual or prospective violation of the provisions of this chapter.

*Section 17.* (a) No municipal employee shall, otherwise than as provided by law for the proper discharge of official duties, directly or indirectly receive or request compensation from anyone other than the city or town or municipal agency in relation to any particular matter in which the same city or town is a party or has a direct and substantial interest.

(b) No person shall knowingly, otherwise than as provided by law for the proper discharge of official duties, directly or indirectly give, promise or offer such compensation.

(c) No municipal employee shall, otherwise than in the proper discharge of his official duties, act as agent or attorney for anyone other than the city or town or municipal agency in prosecuting any claim against the same city or town, or as agent or attorney for anyone in connection with any particular matter in which the same city or town is a party or has a direct and substantial interest.

Whoever violates any provision of this section shall be punished by a fine of not more than three thousand dollars or by imprisonment for not more than two years, or both.

A special municipal employee shall be subject to paragraphs (a) and (c) only in relation to a particular matter (a) in which he has at any time participated as a municipal employee, or (b) which is or within one year has been a subject of his official responsibility, or (c) which is pending in the municipal agency in which he is serving. Clause (c) of the preceding

sentence shall not apply in the case of a special municipal employee who serves on no more than sixty days during any period of three hundred and sixty-five consecutive days.

This section shall not prevent a municipal employee from taking uncompensated action, not inconsistent with the faithful performance of his duties, to aid or assist any person who is the subject of disciplinary or other personnel administration proceedings with respect to those proceedings.

This section shall not prevent a municipal employee, including a special employee, from acting, with or without compensation, as agent or attorney for or otherwise aiding or assisting members of his immediate family or any person for whom he is serving as guardian, executor, administrator, trustee or other personal fiduciary except in those matters in which he has participated or which are the subject of his official responsibility; provided, that the official responsible for appointment to his position approves.

This section shall not prevent a present or former special municipal employee from aiding or assisting another person for compensation in the performance of work under a contract with or for the benefit of the city or town; provided, that the head of the special municipal employee's department or agency has certified in writing that the interest of the city or town requires such aid or assistance and the certification has been filed with the clerk of the city or town. The certification shall be open to public inspection.

This section shall not prevent a municipal employee from giving testimony under oath or making statements required to be made under penalty for perjury or contempt.

*Section 18.* (a) A former municipal employee who knowingly acts as agent or attorney for or receives compensation, directly or indirectly from anyone other than the same city or town in connection with any particular matter in which the city or town is a party or has a direct and substantial interest and in which he participated as a municipal employee while so employed, or (b) a former municipal employee who, within one year after his last employment has ceased, appears personally before any agency of the city or town as agent or attorney for anyone other than the city or town in connection with any particular matter in which the same city or town is a party or has a direct and substantial interest and which was under his official responsibility as a municipal employee at any time within a period of two years prior to the termination of his employment, or (c) a partner of a former municipal employee who knowingly engages, during a period of one year following the termination of the latter's employment by the city or town, in any activity in which the former municipal employee is himself prohibited from engaging by clause (a), or (d) a partner of a municipal employee who knowingly acts as agent or attorney for anyone other than the city or town in connection with any particular matter in which the same city or town is a party or has a direct and substantial interest and in which the municipal employee participates or has participated as a municipal employee or which is the subject of his official responsibility, shall be punished by a fine of not more than three thousand dollars or by imprisonment for not more than two years, or both.

If a partner of a former municipal employee or of a special municipal employee is also a member of another partnership in which the former

or special employee has no interest, the activities of the latter partnership in which the former or special employee takes no part shall not thereby be subject to clause (c) or (d).

Notwithstanding the provisions of clause (b), a former town counsel who acted in such capacity on a salary or retainer of less than two thousand dollars per year shall be prohibited from appearing personally before any agency of the city or town as agent or attorney for anyone other than the city or town only in connection with any particular matter in which the same city or town is a party or has a direct and substantial interest and in which he participated while so employed.

This section shall not prevent a present or former special municipal employee from aiding or assisting another person for compensation in the performance of work under a contract with or for the benefit of the city or town; provided, that the head of the special municipal employee's department or agency has certified in writing that the interest of the city or town requires such aid or assistance and the certification has been filed with the clerk of the city or town. The certification shall be open to public inspection.

*Section 19.* (a) Except as permitted by paragraph (b), a municipal employee who participates as such an employee in a particular matter in which to his knowledge he, his immediate family or partner, a business organization in which he is serving as officer, director, trustee, partner or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest, shall be punished by a fine of not more than three thousand dollars or by imprisonment for not more than two years, or both.

(b) It shall not be a violation of this section (1) if the municipal employee first advises the official responsible for appointment to his position of the nature and circumstances of the particular matter and makes full disclosure of such financial interest, and receives in advance a written determination made by that official that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee, or (2) if, by statute, the financial interest has been exempted from the requirements of clause (1) as being too remote or too inconsequential to affect the integrity of municipal employees' services.

*Section 20.* (a) A municipal employee who has a financial interest, directly or indirectly, in a contract made by a municipal agency of the same city or town, in which the city or town is an interested party of which financial interest he has knowledge or has reason to know, shall be punished by a fine of not more than three thousand dollars or by imprisonment for not more than two years, or both.

This section shall not apply if such financial interest consists of the ownership of less than one per cent of the stock of a corporation.

This section shall not apply (a) to a municipal employee who in good faith and within thirty days after he learns of an actual or prospective violation of this section makes full disclosure of his financial interest to the contracting agency and terminates or disposes of the interest, or (b) to a municipal employee who does not participate in or have official responsibility for any of the activities of the contracting agency, if the contract is made through competitive bidding and his direct and indirect interests and those of his immediate family in the corporation or other

commercial entity with which the contract is made do not in the aggregate amount to ten per cent of the total proprietary interests therein, or (c) to a special municipal employee who does not participate in or have official responsibility for any of the activities of the contracting agency and who files with the clerk of the city or town a statement making full disclosure of his interest and the interests of his immediate family in the contract, or (d) to a special municipal employee who files with the clerk of the city or town a statement making full disclosure of his interest and the interests of his immediate family in the contract, if the city council or board of aldermen if there is no city council or the board of selectmen approve the exemption of his interest from this section.

*Section 21.* (a) In addition to any other remedies provided by law, any violation of section two, three, eight, or sections fifteen to twenty, inclusive, which has substantially influenced the action taken by any municipal agency in any particular matter shall be grounds for avoiding, rescinding or cancelling the action on such terms as the interest of the municipality and innocent third persons require.

(b) The city or town may bring a civil action against any person who has acted to his economic advantage in violation of said sections two, three, eight and fifteen to twenty, inclusive, and may recover damages in the amount of such economic advantage or five hundred dollars, whichever is greater. If there has been no final criminal judgment of conviction or acquittal of the same violation, the city or town may in the discretion of the court recover additional damages in an amount not exceeding twice the amount of the economic advantage or five hundred dollars, whichever is greater, and a judgment for such damages shall bar any criminal prosecution for the same violation.

*Section 22.* Any municipal employee shall be entitled to the opinion of the corporation counsel, city solicitor or town counsel upon any question arising under this chapter relating to the duties, responsibilities and interests of such employee. All requests for such opinions by a subordinate municipal employee shall be made directly to the chief officer of the municipal agency in which he is employed, who shall in turn request such opinion of the corporation counsel, city solicitor or town counsel on behalf of such subordinate municipal employee, and all constitutional officers and chief officers or heads of municipal agencies may make direct requests for such opinions on their own account. No opinion will be rendered by the town counsel or city solicitor except upon the submission of detailed existing facts which raise a question of actual or prospective violation of any provision of this chapter.

*Section 23.* In addition to the other provisions of this chapter, and in supplement thereto, the following are established as standards of conduct for all state, county and municipal employees for the violation of which appropriate administrative action as is warranted may be taken by the appropriate constitutional officer or by the head of a state, county or municipal agency. No officer or employee of a state, county or municipal agency shall:

(a) accept other employment which will impair his independence of judgment in the exercise of his official duties.

(b) 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) improperly disclose confidential information acquired by him in the course of his official duties nor use such information to further his personal interests.

(d) use or attempt to use his official position to secure unwarranted privileges or exemptions for himself or others or give the appearance of such action.

(e) 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.

(f) pursue a course of conduct which will raise suspicion among the public that he is likely to be engaged in acts that are in violation of his trust.

*Section 24.* All disclosures and certifications provided for in this chapter and made in accordance with its provisions shall be made in writing and, unless otherwise specifically provided in this chapter, shall be kept open to inspection by the public by the official with whom such disclosure has been filed.

SECTION 2. 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 3. Sections seven, eight, eight A, nine, ten, eleven, twelve, thirty-seven and thirty-eight of chapter two hundred and sixty-eight of the General Laws are hereby repealed.

SECTION 4. This act shall take effect on May first, nineteen hundred and sixty-three.

*Approved July 26, 1962.*

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**Chap. 780.** AN ACT RELATIVE TO THE CONSTRUCTION OF A COLLIMATION TOWER AT THE SOUTH BOSTON ANNEX OF THE BOSTON NAVAL SHIPYARD.

*Be it enacted, etc., as follows:*

Notwithstanding the provisions of chapter seven hundred and ninety-nine of the acts of nineteen hundred and fifty-one, or of any general or special law, the Massachusetts aeronautics commission is hereby empowered to authorize the construction and maintenance of a collimation tower on Pier 2 at the South Boston Annex of the Boston Naval Shipyard lying within an airport approach zone to the General Edward Lawrence Logan International Airport, as established by said chapter seven hundred and ninety-nine; provided, that any structure authorized hereunder shall not exceed a height of one hundred and fifty feet above mean sea level, and shall be marked and lighted in such manner as may be required by the Massachusetts aeronautics commission.

*Approved July 27, 1962.*

**Chap. 781.** AN ACT FIXING THE SALARIES OF THE CLERKS AND ASSISTANT CLERKS OF THE SUPERIOR COURT FOR CIVIL BUSINESS AND THE SUPERIOR COURT FOR CRIMINAL BUSINESS IN THE COUNTY OF SUFFOLK, AND THE CLERKS AND ASSISTANT CLERKS OF COURTS OF THE VARIOUS COUNTIES.

*Be it enacted, etc., as follows:*

SECTION 1. Section 94 of chapter 221 of the General Laws is hereby amended by striking out the first two lines under the caption SUPERIOR COURT FOR CRIMINAL BUSINESS IN THE COUNTY OF SUFFOLK, as appearing in section 2 of chapter 774 of the acts of 1949, and inserting in place thereof the following: —

*Clerk.* — Fifteen thousand six hundred and seventy-five dollars.

SECTION 2. Said section 94 of said chapter 221 is hereby further amended by striking out all after the caption SUPERIOR COURT FOR CIVIL BUSINESS IN THE COUNTY OF SUFFOLK, as so appearing, and inserting in place thereof the following: —

*Clerk.* — Fifteen thousand six hundred and seventy-five dollars.

*First Assistant Clerk (so designated by the justices of said court).* — A sum equivalent to seventy-five per cent of the salary of the clerk.

Assistant clerk appointed to perform the duties of clerk pertaining to equity proceedings in said court and designated to act as clerk of said court when sitting in Boston for the hearing of causes from any other county — a sum equivalent to eighty per cent of the salary of the clerk, of which the sum of fifteen hundred dollars shall be paid by the commonwealth.

*All Other Assistant Clerks.* — A sum equivalent to sixty per cent of the salary of the clerk.

In all other counties, the salaries of the clerks of the courts shall be as follows: —

Middlesex	— Fifteen thousand six hundred and seventy-five dollars
Essex	— Fourteen thousand six hundred and thirty dollars
Worcester	— Fourteen thousand six hundred and thirty dollars
Hampden	— Thirteen thousand five hundred and eighty-five dollars
Bristol	— Thirteen thousand five hundred and eighty-five dollars
Norfolk	— Twelve thousand five hundred and forty dollars
Plymouth	— Eleven thousand four hundred and ninety-five dollars
Berkshire	— Nine thousand four hundred and five dollars
Hampshire	— Eight thousand three hundred and sixty dollars
Barnstable	— Eight thousand three hundred and sixty dollars
Franklin	— Eight thousand three hundred and sixty dollars
Dukes	— Four thousand one hundred and eighty dollars
Nantucket	— Four thousand one hundred and eighty dollars

In all counties other than Suffolk, the assistant clerk shall receive a sum equivalent to seventy-five per cent of the salary of the clerk, the second assistant clerk shall receive a sum equivalent to sixty per cent of the salary of the clerk, and all other assistant clerks shall receive a sum equivalent to fifty-five per cent of the salary of the clerk.

SECTION 3. This act shall take effect on January first, nineteen hundred and sixty-three.

*Approved July 27, 1962.*

**Chap. 782.** AN ACT RELATIVE TO THE ACCELERATED 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. The state department of public works, hereinafter called the department, and the metropolitan district commission, hereinafter called the commission, are hereby authorized and directed to expend a sum not to exceed one hundred and ten million dollars, in addition to any other appropriations which may have heretofore been or may hereafter be made, for projects for the laying out, construction, reconstruction, resurfacing, relocation or improvement of highways, parkways, bridges, grade crossing eliminations and alteration of crossings at other than grade, and for traffic safety devices on state highways, parkways and on roads constructed under the provisions of section thirty-four of chapter ninety of the General Laws, and for traffic studies.

Funds authorized in this section shall, except as otherwise specifically provided in this act, be available subject to the same conditions and for the same purposes as funds authorized in chapter seven hundred and eighteen of the acts of nineteen hundred and fifty-six, chapter thirty-two of the acts of nineteen hundred and fifty-eight, chapter five hundred and twenty-eight of the acts of nineteen hundred and sixty, and chapter five hundred and ninety of the acts of nineteen hundred and sixty-one, as amended.

SECTION 2. Pursuant to the provisions of section one, the department is hereby authorized and directed to expend a sum, not less than forty million dollars, for projects in the four following named areas: not less than ten million dollars of said sum shall be expended in the area west of the Connecticut river, including therein any bridges across said river with their approaches and connections; not less than ten million dollars in the area lying between the Connecticut river and the easterly boundary line of Worcester county, excluding therein any bridges across said river with their approaches and connections; not less than ten million dollars in the area comprising Essex, Middlesex and Norfolk counties provided that the department is further authorized and directed to complete the construction of Route 3 from its present terminus in Burlington to the designated area in the city of Boston as provided in the master plans on file in said department for the construction of said highway; and not less than ten million dollars in the area comprising Bristol, Plymouth, Barnstable, Dukes and Nantucket counties.

SECTION 2A. Section 2 of chapter 590 of the acts of 1961 is hereby amended by striking out, in line 5, the word "excluding" and inserting in place thereof the word: — including.

SECTION 3. Pursuant to the provisions of section one, the commission is hereby authorized and directed to expend a sum, not to exceed ten million dollars, for projects of the commission in the area set forth in the "Master Highway Plan for the Boston Metropolitan Area", as

established and defined in Exhibit B of House Document No. 1767 of the year nineteen hundred and forty-eight.

SECTION 4. Pursuant to the provisions of section one of this act, the department is hereby authorized and directed to apportion the sum of ten million dollars among the several cities and towns, each city and town to receive two thirds of the amount set forth in the schedule for each city and town in section five A of chapter seven hundred and eighty-two of the acts of nineteen hundred and fifty-six.

The department shall certify said apportionment to the comptroller on or before September first, nineteen hundred and sixty-two. The sums received by each city and town hereunder shall be used only for the purposes for which said city or town may borrow money within its debt limit under clause (5) of section seven of chapter forty-four of the General Laws: provided, however, that such sums shall not be available for the construction, surfacing or resurfacing of off-street parking areas.

Said sums may be expended by a city or town for the aforesaid purposes in addition to any federal funds allocated to such city or town and available for such expenditure; provided, that such city or town may elect to expend any part of the sum allocated to it at any time prior to June thirtieth, nineteen hundred and sixty-five. Any unexpended balances remaining on said June thirtieth shall be refunded to the department forthwith, to be applied as refunds of amounts expended under this section.

SECTION 5. The department shall accept any federal funds available for projects authorized in section one of this act and such federal funds when received shall be credited to the Highway Fund. To meet a portion of the expenditures authorized by section one of this act there is hereby appropriated from the Highway Fund the sum of sixty-five million dollars.

SECTION 6. In anticipation of the receipt of the federal funds authorized to be expended from the Highway Fund pursuant to section five, the state treasurer may borrow from time to time, on the credit of the commonwealth, such sums of money as may be necessary for the purpose of meeting payments authorized by this act, and may issue and renew as hereinafter provided, 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, outstanding at any one time, shall not exceed sixty-five million dollars, and the final maturity of such notes, whether original or renewal, shall be not later than June thirtieth, nineteen hundred and sixty-six. All payments on account of principal on such notes shall be repaid from the Highway Fund; provided, that notwithstanding any provision of this act, such notes shall be general obligations of the commonwealth.

SECTION 7. Any amounts made available by this act, or heretofore made available by section one of chapter five hundred and ninety of the acts of nineteen hundred and sixty-one, shall be available for expenditure until June thirtieth, nineteen hundred and sixty-seven.



SECTION 8. Sections eleven and fourteen of chapter seven hundred and eighteen of the acts of nineteen hundred and fifty-six, as amended, are hereby repealed.

SECTION 9. Five elevenths of the proceeds collected after June thirtieth, nineteen hundred and sixty-two, of the excise imposed by chapters sixty-four A, sixty-four E and sixty-four F of the General Laws, together with any accrued interest received in connection with bonds or notes issued for the Highway Fund and any interest received as a result of the investment of highway funds shall be reserved in a highway debt service account within the Highway Fund. The comptroller shall allocate to said account the sum of seventeen million, two hundred and fifty-two thousand, two hundred and ninety-one dollars as of July first, nineteen hundred and sixty-two.

Amounts so reserved in the highway debt service account shall be used solely to meet payments of interest on the notes and the interest and principal on bonds issued under authority of this act, and of any other debt service obligation of the Highway Fund heretofore or hereafter authorized.

SECTION 10. In anticipation of the issue of bonds authorized in section eleven, 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 and may issue and renew as hereinafter provided, 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 maturity of such notes, whether original or renewal, shall be not later than June thirtieth, nineteen hundred and sixty-six. Notwithstanding the provisions of this act such notes shall be general obligations of the commonwealth.

SECTION 11. To meet a portion of the expenditures necessary in carrying out the provisions of section one of this act, or to refinance notes issued as provided in section ten 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-five million dollars. All bonds issued by the commonwealth as aforesaid shall be designated on their face, Highway Improvement Loan, Act of 1962, 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 semiannually 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-four. All interest payments and payments on account of principal on such bonds shall be payable from the Highway Fund; provided, that notwithstanding the foregoing, such bonds shall be general obligations of the commonwealth.

SECTION 12. 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, New Bedford, Peabody, Revere, Somerville or Springfield until such projects have been approved and accepted by the selectmen of said towns, the mayor of the city of Boston, Lynn, New Bedford, Peabody, Somerville or Springfield or the city manager of the city of Cambridge or Revere.

SECTION 13. The department and the commission shall include in the notice required under the provisions of section eight of chapter seventy-nine of the General Laws a statement informing the owner of property taken under the provisions of said chapter for the purpose of constructing any project authorized by this act of his rights for pro tanto payment under the provisions of section eight A of said chapter. The department and the commission shall, notwithstanding the limitations of said section eight A, make available for payment within three months of the date of notice of taking such funds as may be required under the provisions of said section.

*Approved July 27, 1962.*

**Chap. 783.** AN ACT AUTHORIZING THE CITY OF CHICOPEE TO SELL WATER TO THE UNITED STATES OF AMERICA AT WESTOVER FIELD AIR FORCE BASE.

*Be it enacted, etc., as follows:*

SECTION 1. The city of Chicopee may furnish and sell water to the United States of America for use at Westover Field Air Force Base, a military reservation of the United States. Water so furnished shall be sold at such rate or rates and upon such terms as shall be mutually agreed upon between said city, acting by its board of water commissioners, and the United States of America.

SECTION 2. Any contract heretofore made between the city of Chicopee and the United States of America shall be as valid as if this act had been in effect at the time when such contract was made.

SECTION 3. This act shall take effect upon its passage.

*Approved July 27, 1962.*

**Chap. 784.** AN ACT PROVIDING TENURE FOR CERTAIN EMPLOYEES OF HOUSING AUTHORITIES.

*Be it enacted, etc., as follows:*

Section 26S of chapter 121 of the General Laws is hereby amended by striking out the second paragraph, as amended by chapter 571 of the acts of 1958, and inserting in place thereof the following paragraph: —

Chapter thirty-one and the rules made thereunder shall not apply to any officer, agent or employee of a housing authority or of the housing board or to any person employed on or in connection with any project of a housing authority; provided, however, that no employee of the state housing board or of any housing authority, except an employee

occupying the position of executive secretary, who has held his office or position, including any promotion or reallocation therefrom within the board or authority, for a total period of five years of uninterrupted service shall be involuntarily separated therefrom except subject to and in accordance with the provisions of sections forty-three and forty-five of said chapter thirty-one to the same extent as if said office or position were classified under said chapter.

*Approved July 27, 1962.*

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**Chap. 785.** AN ACT PROVIDING FOR THE CONSTRUCTION AND MAINTENANCE BY THE METROPOLITAN DISTRICT COMMISSION OF A SWIMMING POOL AND A COVERED ARTIFICIAL ICE SKATING RINK AT FRANKLIN FIELD IN THE CITY OF BOSTON AND DESIGNATING THE SAME AS JUDGE ABRAHAM H. KAHALAS AND REPRESENTATIVE CHARLES KAPLAN RECREATION CENTER.

*Be it enacted, etc., as follows:*

SECTION 1. The metropolitan district commission, on behalf of the commonwealth, is hereby authorized and directed to accept from the city of Boston, for park and recreational purposes and under the provisions of chapter ninety-two of the General Laws, a deed, without consideration, conveying to said commission, a certain parcel of land in Franklin field in the Dorchester district of said city, bounded and described as follows: Beginning at a point on the southerly side line of Talbot avenue at a distance of one hundred feet easterly from the easterly side line of Blue Hill avenue extended; thence running easterly, five hundred feet, along the said southerly side line of Talbot avenue; thence turning at a right angle and running southerly, two hundred and eighty feet; thence turning at a right angle and running westerly, four hundred and sixty-two feet, more or less, to the back of a sidewalk which lies parallel to and approximately one hundred feet from the easterly side line of Blue Hill avenue; thence turning to the right and running northerly by the back of the said sidewalk, and by the line of the back of the sidewalk extended, two hundred and eighty-three feet, more or less, to the point of beginning; containing approximately one hundred and thirty-four thousand, six hundred and eighty square feet.

SECTION 2. Upon the conveyance to the commonwealth by said city of the parcel of land described in section one, without consideration, said commission shall construct thereon, and thereafter operate, police and maintain, a swimming pool, a covered artificial ice skating rink, an administration-service building, and parking facilities.

SECTION 3. For the purposes of this act, said commission may expend such sums as are now available or may hereafter become available to it for the development of recreational facilities within the metropolitan parks district.

SECTION 4. The swimming pool and ice skating rink referred to in section two shall, when constructed, be known as the Judge Abraham H. Kahalas and Representative Charles Kaplan Recreation Center. A suitable tablet or marker bearing said designation shall be erected and maintained thereat by said commission.

*Approved July 27, 1962.*

**Chap. 786.** AN ACT RELATIVE TO THE NON-CRIMINAL DISPOSITION OF PARKING VIOLATIONS IN CITIES AND TOWNS IN THE COMMONWEALTH.

*Be it enacted, etc., as follows:*

SECTION 1. The first sentence of the first paragraph of section 20A of chapter 90 of the General Laws, as appearing in section 1 of chapter 249 of the acts of 1953, is hereby amended by inserting after the word "officer", in line 2, the words: —, except in cities and towns subject to the provisions of section twenty C.

SECTION 2. Said first paragraph of said section 20A of said chapter 90 is hereby further amended by striking out the last sentence, as most recently amended by chapter 404 of the acts of 1956, and inserting in place thereof the following sentence: — No other form of notice, except as provided in this section, shall be given to the offender; and no notification shall be attached to the vehicle involved except one which reads as follows: — This tag has been attached because of a parking violation and must be returned by mail or personally to the police department within four days filled in with your name, address and license number; if this notification is returned as directed, no further action will be taken against you unless this is a second or subsequent offense.

SECTION 3. The second paragraph of said section 20A of said chapter 90 is hereby amended by striking out the second sentence, as most recently amended by section 1 of chapter 420 of the acts of 1962, 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 town of Brookline; but, for such an offense, payment of the fine established therefor by the traffic commission of said town shall operate as a final disposition of the case.

SECTION 4. The third paragraph of said section 20A of said chapter 90 is hereby amended by striking out the fourth sentence, as appearing in section 1 of chapter 249 of the acts of 1953, and inserting in place thereof the following sentence: — The notice to appear, provided herein, shall be printed in such form as the administrative committee of district courts as created by section forty-three A of chapter two hundred and eighteen may prescribe.

SECTION 5. Said section 20A of said chapter 90 is hereby further amended by striking out the fifth paragraph, as most recently amended by section 21 of chapter 338 of the acts of 1962.

SECTION 6. Said chapter 90 is hereby further amended by inserting after section 20B the following two sections: —

*Section 20C.* In the cities of Boston and Cambridge and in any city or town which accepts the provisions of this section it shall be the duty of every police officer who takes cognizance of a violation of any provi-

sion of any rule, regulation, order, ordinance or by-law regulating the parking of motor vehicles established for their respective city or town, forthwith to give the offender a notice, which shall be in tag form as provided in this section, to appear before the clerk of the district court having jurisdiction, at any time during office hours, not later than twenty-one days after the date of such violation. All tags shall be prepared in triplicate and shall be prenumbered.

Said tag shall be affixed securely to the motor vehicle and shall contain, but shall not be limited to the following information: — The registration number of the motor vehicle involved, the date, time and place of the violation, the specific offense charged and if a meter violation, the number of said meter, the name and badge number of the officer and his division, a schedule of established fines, instructions for the return of the tag, and a notice which reads as follows: — This notice may be returned by mail, personally, or by an authorized person, and if properly returned shall be deemed non-criminal. A court hearing may be obtained upon the written request of the registered owner. Failure to obey this notice within twenty-one days after the date of violation will result in the owner's appearance in court on a criminal complaint.

At or before the completion of each tour of duty, the officer shall give to his commanding officer those copies of each notice of such violation taken cognizance of during such tour. Said commanding officer shall retain and safely preserve one of such copies and shall at a time not later than the beginning of the next court day after receipt of such notice deliver another of such copies to the clerk of the court before whom the offender has been notified to appear. The clerk of each district court shall maintain a separate docket of all such notices to appear.

Any person notified to appear before the clerk of a district court, as provided herein, may appear before such clerk and confess the offense charged, either personally or through an agent duly authorized in writing or by mailing to such clerk the notice accompanied by the fine provided therein, such payment to be made only by postal note, money order or check made out to the clerk of the court. Payment of the fine established shall operate as a final disposition of the case. Notice affixed to a motor vehicle as provided in this section, shall be deemed a sufficient notice, and a certificate of the officer affixing such notice that it has been affixed thereto, in accordance with this section, shall be deemed *prima facie* evidence thereof and shall be admissible in any court of the commonwealth as to the facts contained therein.

The traffic and parking commission of the city of Boston, with the approval of the city council of said city in accordance with the provisions of its charter, the traffic commission or director of any city or town having such a commission or director, with authority to promulgate traffic rules, the city council of any other city, and the board of selectmen of any other town, shall, from time to time, establish by rule or regulation a schedule of fines for offenses subject to this section committed within such city or town; provided, however, that all such fines shall be uniform for the same offense committed in the same zone or district, if any, except as hereinafter provided; provided, further, that any fine established under the provisions of this section shall not exceed fifteen dollars. In the city of Boston, no such rule or regulation shall be established which imposes a fine in excess of one dollar for all night parking except in those zones or districts, other than the residential

areas of the north end, south end and west end districts, so called, within the criminal jurisdiction of the municipal court of the city of Boston. The said traffic and parking commission shall by rule establish the boundaries of said residential areas. Proceedings under this section shall not be deemed criminal; and no person notified to appear before the clerk of a district court as provided herein shall be required to report to any probation officer, and no record of the case shall be entered in the probation records.

Should any person notified to appear hereunder fail to appear and pay the fine provided hereunder, or having appeared desire not to avail himself of the benefits of the procedure established by this section, the clerk shall as soon as may be notify the officer concerned, who shall forthwith make a complaint against the registered owner of said vehicle and follow the procedure established for criminal cases. If any person fails to appear in accordance with the summons issued upon such complaint, upon the express order of a justice of said court a warrant shall issue 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 disposing 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 disposing of such complaint to notify the registrar forthwith that such case has been so disposed of. The notice to appear, provided herein, shall be printed in such form as the chief justice of the municipal court of the city of Boston may prescribe for said court, and as the administrative committee of the district courts as created by section forty-three A of chapter two hundred and eighteen may prescribe for district courts other than said municipal court.

As used in this section, the words "motor vehicle" shall, so far as apt, include trailer, semi-trailer and semi-trailer unit.

The provisions of this section shall apply to violations of rules and regulations relative to the use of parking areas subject to the control of the county commissioners adjacent to or abutting county buildings, and county commissioners are hereby authorized to make such rules and regulations.

*Section 20D.* Whoever unlawfully tampers with or removes from a motor vehicle, or unlawfully changes, mutilates or destroys any notice affixed to such motor vehicle in accordance with section twenty C, shall be punished by a fine of not more than fifty dollars, or by imprisonment in jail for not more than one month, or by both such fine and imprisonment.

SECTION 7. The first paragraph of clause (a) of section 3 of chapter 455 of the acts of 1961 is hereby amended by striking out, in line 11, the word "twenty A" and inserting in place thereof the word:—twenty C.

SECTION 8. This act shall take effect on January first, nineteen hundred and sixty-three.

*Approved July 27, 1962.*

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**Chap. 787.** AN ACT ESTABLISHING A MEDICAL SCHOOL WITHIN THE UNIVERSITY OF MASSACHUSETTS.

*Be it enacted, etc., as follows:*

SECTION 1. Section 20 of chapter 15 of the General Laws is hereby amended by striking out the first sentence, as amended by section 5 of

chapter 344 of the acts of 1947, and inserting in place thereof the following sentence: — There shall be a board of trustees of the University of Massachusetts consisting of the governor, the commissioner of education, the commissioner of agriculture, the commissioner of public health, the commissioner of mental health, and the president of the college, ex-officiis, and not more than seventeen appointive members, none of whom shall be affiliated in any capacity with a private medical school.

SECTION 2. The first sentence of section 2 of chapter 75 of the General Laws, as appearing in section 1 of chapter 648 of the acts of 1962, is hereby amended by inserting after the word "education" the following: — , medicine.

SECTION 3. Said chapter 75 is hereby further amended by adding after section 33, added by chapter 621 of the acts of 1962, under the caption MEDICAL SCHOOL, the following three sections: —

*Section 34.* The trustees shall maintain a medical school to be known as the University of Massachusetts medical school. Said school shall be so maintained and operated as to comply with the standards approved by nationally recognized medical associations for accredited schools of medicine.

The trustees are authorized and directed to make plans and to work with all state and federal agencies and to accept grants or matching funds that are available or may become available from the federal government or any other source, public or private, for constructing, financing, equipping, improving or expanding said medical school.

*Section 35.* There is hereby established the office of dean of the medical school. The dean, under the president of the university, shall have the administrative responsibility of carrying out the policies established by the trustees for the conduct of said school and shall administer and co-ordinate its affairs.

*Section 36.* In order to provide for the maximum allowable degree of fiscal independence, the budget to be submitted with the estimates required under sections three and four of chapter twenty-nine, and the annual forecasts under section five A of said chapter twenty-nine in so far as they pertain to the medical school shall be submitted by the trustees separate from the estimates and forecasts submitted by the trustees for other parts of the university.

SECTION 4. There is hereby appropriated from the General Fund, subject to the provisions of law regulating the disbursement of public funds and the approval thereof, for the purposes hereinafter set forth the following sums:

Item		
1350-37	For the preparation of plans for the construction of the University of Massachusetts medical school . . . . .	\$100,000
1350-38	For the employment of a dean and ancillary personnel to formulate and establish the educational program of the University of Massachusetts medical school, for consulting services to be used in selection of a site for said medical school, and for necessary supplies, furnishings and equipment . . . . .	100,000

*Approved July 27, 1962.*

**Chap. 788.** AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WELFARE TO COMPLY WITH CERTAIN PROPOSED AMENDMENTS TO THE FEDERAL SOCIAL SECURITY ACT IF THEY ARE ADOPTED.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to enable the commonwealth to receive and secure additional funds which will be available if certain proposed amendments of the Social Security Act are adopted, 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:*

The department of public welfare is hereby authorized to make such rules and regulations, in accordance with the provisions of chapter thirty A of the General Laws as may be necessary or desirable for carrying out its purposes to conform with all requirements governing the granting of federal aid under Title I, IV, XIV or XVI of the federal Social Security Act, including provisions for entering into co-operative arrangements with public or private agencies for providing the services prescribed by the Secretary of Health, Education and Welfare.

*Approved July 27, 1962.*

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**Chap. 789.** AN ACT REGULATING NOTICE TO VIOLATORS OF THE MOTOR VEHICLE LAWS AND RELATIVE TO THE FILING OF COPIES OF SAID NOTICE AND ACTION TAKEN THEREON.

*Be it enacted, etc., as follows:*

SECTION 1. Chapter 90 of the General Laws is hereby amended by striking out section 27, as most recently amended by chapter 700 of the acts of 1962, and inserting in place thereof the following section: — *Section 27.* A full record shall be kept by every court of every case in which a person is charged with a 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 or twenty C, and an abstract of such record shall be sent forthwith by the court to the registrar. Said abstracts shall be made upon forms prepared by the registrar, and shall include all necessary information as to the parties to the case, the nature of the offense, the date of the hearing, the plea, the judgment and the result; and every such abstract shall be certified by the clerk of the court as a true abstract of the record of the court. The registrar shall keep such records in 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.

SECTION 2. The General Laws are hereby amended by inserting after chapter 90B the following chapter: —

#### CHAPTER 90C.

#### PROCEDURE AGAINST VIOLATORS OF MOTOR VEHICLE LAWS.

*Section 1.* In this chapter, unless the context otherwise requires, the following words shall have the following meanings: —



"Audit sheet", a sheet of paper which shall contain an audit of the issuance and disposition of each citation in each citation book. The form of the audit sheet shall be approved by the registrar and shall contain, but shall not be limited to, the following spaces in which to record the following information: —

(1) A line at the top of the sheet for the name of the police department or organization to which the citation book was issued, the date of receipt of said book by said police department or organization, and the number of the citation book.

(2) Twenty-five additional horizontal lines, one for each citation.

(3) Six vertical columns marked at the top, from left to right, as follows: —

Citation number,

Offense,

Date of issue,

Name and address of offender,

Name of issuing officer, and

Disposition. The sixth column marked "Disposition" shall be further subdivided into five columns under the following headings: —

Written warning,

Reference to registrar for action,

Court complaint,

Voided,

Arrest of defendant.

(4) One additional line at the bottom of the sheet for the signature of the police chief.

"Automobile law violation", any violation of any statute, by-law, ordinance or regulation relating to the operation or control of motor vehicles, other than a violation of any provision of the rule, regulation, order, ordinance or by-law regulating the parking of motor vehicles established by any city or town or by any commission or body empowered by law to make such rules or regulations therein, and other than a violation of section twenty A of chapter ninety.

"Citation", a notice upon which a police officer shall record an occurrence involving one or more automobile law violations by the person cited. Each citation shall be numbered consecutively and shall consist of an original, to be sent, or delivered, to the offender, and three copies, one for the registrar, one for the police chief and one for the police officer issuing the same. The form of said citation shall be approved by the registrar and shall contain, but shall not be limited to, sufficient spaces to record the following information: —

1. The name of the police department issuing the same.

2. Name, address and date of birth of offender.

3. Operator's license number of offender, if any, and dates of issuance and expiration of said license.

4. Registration number of motor vehicle involved, name and address of owner of vehicle and color of said vehicle.

5. Date, time and place of the violation, or violations.

6. Description of the violation or violations, and the existing conditions.

7. Signature of issuing police officer.

8. Signature of police chief or endorsing officer.

9. Recommendation.

"Citation book", twenty-five citations, stapled or bound together in book form. Each such book shall be consecutively numbered.

"Police chief", the chief or the head of the organized police department of a city or town, the commissioner of public safety, the superintendent of the metropolitan district commission police, the registrar of motor vehicles, the state superintendent of buildings, or the chairman of the Massachusetts Turnpike Authority.

"Police officer", any officer authorized to make arrest or serve criminal process, and any person appointed by the registrar under section twenty-nine of chapter ninety; provided, he is in uniform or displays his badge of office.

"Registrar", the registrar of motor vehicles.

*Section 2.* Any police officer assigned to traffic enforcement duty shall record the occurrence of automobile law violations on a citation or citations. If the offender has been stopped by said officer, the officer shall inform the offender of the violation and that a citation will issue which will notify the offender of the action taken thereon. A police officer not assigned to traffic enforcement duty may be issued an official prenumbered form supplied to him for that purpose by his police chief, and he shall record the occurrence of automobile law violations on said form. Thereafter, such violations shall be recorded on a citation. Upon completion of his tour of duty, each police officer shall complete and sign said citation, and deliver it to the chief or to an officer authorized by the chief to receive the same.

Within three days thereafter, the police chief or an officer of a rank not less than sergeant, or in the case of the state police of a rank not less than corporal and who is in charge of a state police barracks, shall endorse said citation and shall make a written recommendation of the disposition of said citation, which shall be one of the following:

- (1) Sending of a written warning to the offender.
- (2) Reference to the registrar for action.
- (3) Directing application to the appropriate district court or to a justice of the peace authorized to issue complaint under chapter two hundred and eighteen for a complaint.
- (4) Voiding the citation.

The original of said citation shall be delivered to the offender, or mailed to him at his mail address or his residential address as appears on his license or registration, and a copy thereof shall be delivered to the registrar and to the issuing police officer. The remaining copy of the citation shall be kept for the records of the department. If the offender has been placed under arrest by the police officer, such arrest shall be noted on the citation, and on the last column of the audit sheet. The written recommendation of the police chief or the officer so authorized by him shall not be required in arrest cases.

A voided citation shall be signed by the police officer voiding the same and endorsed with a brief explanation of the reason for so acting.

The original of a voided citation shall be forwarded to the registrar together with the registrar's copy of said citation.

*Section 3.* The registrar shall prepare citation books and distribute the same to each police chief, and shall obtain receipts therefor. Each police chief shall accept and be responsible for all citation books issued to his department. The registrar shall also furnish two audit sheets

with each citation book, said audit sheets to have the same number as the citation book.

When a citation has been completed the police chief or an officer of a rank not less than sergeant, or in the case of the state police of a rank not less than corporal and who is in charge of a state police barracks, shall record the issuance and disposition of said citation and enter the required information upon the audit sheet. When the twenty-five citations in a citation book are issued or used, the police chief shall sign and return a completed audit sheet to the registrar, keeping the other audit sheet for the files of his department. The registrar may at any time demand and inspect any citation, citation book or audit sheet used by any police department, or police chief.

*Section 4.* No justice or clerk of a district court shall issue a criminal complaint to a police officer for an automobile law violation, as defined in section one, unless such officer exhibits to such justice or clerk a copy of a citation showing either that a complaint has been recommended or that an arrest has been made. Nothing in this chapter shall prevent a person other than a police officer from applying for a criminal complaint for an automobile law violation, and such person need not show that the alleged offender has been issued a citation in connection with such offense.

*Section 5.* Nothing in this chapter shall be construed to supersede the powers and duties of the registrar as provided in chapter ninety.

*Section 6.* It shall be unlawful and official misconduct to dispose of a citation or copies thereof, or of the record of the issuance of same in a manner other than as required herein.

*Section 7.* If any of the provisions of this chapter, or the application of such provision to any persons or circumstances, shall be held invalid, the remainder thereof, or the application of such provision to persons or circumstances other than those wherein it is held invalid, shall not be affected thereby.

*SECTION 3.* Upon the effective date of this act, each clerk of each district court shall deliver all unused citation books in their possession to the registrar and the committee authorized under chapter five hundred and ninety-two of the acts of nineteen hundred and sixty-one to receive from said clerks of courts the quarterly audit and summary sheets, shall deliver all such quarterly audit and summary sheets in their possession to the registrar.

The registrar may issue the aforesaid unused citation books, in accordance with section three of chapter ninety C of the General Laws, until he can prepare new citation books in accordance with section one of said chapter.

*Approved July 27, 1962.*

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**Chap. 790.** AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO SELL A CERTAIN PARCEL OF LAND IN THE CITY OF BOSTON TO SAINT GEORGE SYRIAN ORTHODOX CHURCH.

*Be it enacted, etc., as follows:*

The metropolitan district commission is hereby authorized and directed to convey to Saint George Syrian Orthodox Church, for a consideration of three thousand, eight hundred and eighty-five dollars, a

certain parcel of land in the city of Boston, as shown on metropolitan district commission plan #27529, entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Parks Division, Stony Brook Reservation, Boston, Roads-Paths and Trails, one inch equals 400 feet", bounded and described as follows: — Beginning at a point 1390 feet from the southwest corner of land of the metropolitan district commission; thence running northerly 350 feet by Washington street; thence easterly 300 feet by Reservation land of said commission; thence southerly 350 feet by Reservation land of said commission; and thence westerly 300 feet by Reservation land of said commission, to the point of beginning. Containing 105,000 square feet of land.

*Approved July 27, 1962.*

**Chap. 791.** AN ACT IN ADDITION TO THE GENERAL APPROPRIATION ACT MAKING APPROPRIATIONS TO SUPPLEMENT CERTAIN ITEMS CONTAINED THEREIN, AND FOR CERTAIN NEW ACTIVITIES AND PROJECTS.

*Be it enacted, etc., as follows:*

SECTION 1. To provide for supplementing certain items in the general appropriation act and for certain new activities and projects, the sums set forth in section two, for the several purposes and subject to the conditions specified therein, are hereby appropriated from the funds designated in said section two subject to the provisions of law regulating the disbursement of public funds and the conditions pertaining to appropriations in chapter five hundred and ninety-one of the acts of the current year for the fiscal year ending June thirtieth, nineteen hundred and sixty-three, 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.

##### *House of Representatives.*

Item		
0102-20	For certain payments, as authorized by chapters four, five, one hundred and twenty-one, one hundred and forty and one hundred and forty-one of the resolves of the current year	\$27,700
0102-21	For the payment of compensation to certain members of the house of representatives, as authorized by chapter one hundred and twenty-five of the resolves of the current year, for the year nineteen hundred and sixty-three and the previous year	5,220

##### *Sergeant-at-Arms.*

0103-02	Item 0103-02 of section two of chapter five hundred and ninety-one of the acts of the current year is hereby amended by striking out the word "six" and inserting in place thereof the word: — seven	\$8,800
0103-03	Item 0103-03 of section two of chapter five hundred and ninety-one of the acts of the current year is hereby amended by striking out the word "two" and inserting in place thereof the word: — four	15,942
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	1,500

*Legislative Research Council.*

Item		
0104-02	For personal services and other expenses of the legislative research bureau . . . . .	\$8,000

*Other Expenses.*

0110-21	For printing a descriptive pamphlet of the murals, house of representatives . . . . .	\$1,500
0110-31	For the annual membership fee of the commonwealth in the National Conference of State Legislative Leaders . . . . .	1,000

*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
0263-01	For an investigation and study relative to improving and extending educational facilities in the commonwealth, as authorized by chapter one hundred and eight of the resolves of the current year . . . . .	250,000
0263-02	For an investigation and study relative to non-profit hospital and medical service corporations and the rising cost of hospital and medical care and hospital accommodations as authorized by chapter one hundred and twenty of the resolves of the current year . . . . .	20,000
0263-03	For the investigation and study relative to 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, as authorized by chapter eighty-nine of the resolves of nineteen hundred and sixty-one . . . . .	15,000

*Judiciary.*

0332-04	Clerical assistance to register, including not more than nine permanent positions . . . . .	\$1,000
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*Executive.**Extraordinary Expenses.*

0405-04	For expenses of a special investigation conducted by the executive office, for the year nineteen hundred and sixty-three and the previous year . . . . .	\$11,000
0405-51	From the unexpended balance remaining in item 8157-08 of section two of chapter seven hundred and eleven of the acts of nineteen hundred and fifty-six an amount not to exceed one thousand dollars may be expended for the purposes of chapter thirty-nine of the resolves of nineteen hundred and sixty.	

*Civil Defense Agency.*

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, prior appropriation continued . . . . .	\$25,000
0406-07	Item 0406-07 of section two of chapter five hundred and ninety-one of the acts of the current year is hereby amended by striking out, in lines four and five, the words "for reimbursement of fifty per cent of the amount expended for the purposes of this item" and inserting in place thereof the following: — and shall be expended with at least an equivalent amount of federal grants for the purposes of this item. . . . .	40,000

*Military Division.**State Quartermaster.*

0423-02	For the operation of armories of the first class, including not more than one hundred and two permanent positions . . . . .	\$5,000
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**Boards and Commissions serving under Governor and Council.**

*Commission on Administration and Finance.*

Item

- 0441-01 For the office of the commission of administration, including not more than thirteen permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of eighty-one thousand five hundred and ten dollars from the Highway Fund **\$958**
- 0445-01 For the division of personnel and standardization, including not more than seventy-three permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred thirty thousand five hundred and fifteen dollars from the Highway Fund **25,000**
- 0446-01 For the division of building construction, including not more than forty-eight permanent positions **48,000**
- 0448-01 For administration of the state employees' group insurance, including not more than twenty-five permanent positions **18,000**
- In accordance with the provisions of section nine of chapter thirty-two A of the General Laws, the comptroller shall transfer from account number 6904-69, Group Insurance Trust Fund, to the General Fund the sum of one hundred and eighty-two thousand three hundred and eighty dollars and thirty-one cents, determined by the commission to be the administrative cost for the calendar year nineteen hundred and sixty-one.
- 0448-03 For the group insurance premium for certain retired employees and their dependents, as authorized by chapter six hundred and forty-seven of the acts of the current year; provided, that amounts received from cities, towns or districts, in accordance with the provisions of said chapter six hundred and forty-seven, are to be in addition to this item and to be available for expenditure without further appropriation **165,000**

*State Superintendent of Buildings.*

- 0450-36 For resetting the granite steps, state house, Derne street **\$6,500**

*State Library.*

- 0459-01 Item 0459-01 of section two of chapter five hundred and ninety-one of the acts of the current year is hereby amended by adding at the end thereof the following: — ; provided, however, that notwithstanding any provision of law to the contrary, the director of personnel and standardization is hereby authorized and directed to reallocate the position of senior library assistant to exchange and bindery assistant, job group X **\$800**

*Massachusetts Commission Against Discrimination.*

- 0462-01 For the service of the commission, including not more than fourteen permanent positions **\$2,500**

*Soldiers' Home in Massachusetts.*

- 0481-01 For the maintenance of the Soldiers' Home in Massachusetts, including not more than five hundred and ninety permanent positions **\$17,000**

*State Housing Board.*

- 0483-01 Item 0483-01 of section two of chapter five hundred and ninety-one is hereby amended by striking out the word "thirty-six" and inserting in place thereof the word "forty-one";

*Massachusetts Rehabilitation Commission.*

- 0497-01 For the service of the commission, including not more than one permanent position, prior appropriation continued **\$98,000**

**Secretary of the Commonwealth.**

- 0501-02 For the office of the secretary, including not more than eighty-six permanent positions **\$5,064**

*Matters Relating to Elections.*

Item		
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	\$21,000
0504-07	For expenses of compiling and publishing information to voters, as required by section fifty-three of chapter fifty-four of the General Laws	20,000

**Treasurer and Receiver-General.**

0601-01	Item 0601-01 of section two of chapter five hundred and ninety-one of the acts of the current year is hereby amended by adding at the end thereof the following: — notwithstanding the provisions of section one of chapter ten of the General Laws	\$2,000
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 sixty thousand eight hundred and twenty-three dollars from the Highway Fund.	900

*State Board of Retirement.*

0604-03	Item 0604-03 of section two of chapter five hundred and ninety-one of the acts of the current year is hereby amended by inserting, in line twelve, after the word "education" the words "and the Massachusetts Port Authority" and by adding at the end thereof the following: —, for the year nineteen hundred and sixty-three and the previous year.	
0604-10	Item 0604-10 of section two of chapter five hundred and ninety-one 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-three and the previous year.	

**Auditor of the Commonwealth.**

0701-01	Item 0701-01 of section two of chapter five hundred and ninety-one of the acts of the current year is hereby amended by adding at the end thereof the following: — notwithstanding the provisions of section one of chapter eleven of the General Laws	\$3,500
0701-02	Item 0701-02 of section two of chapter five hundred and ninety-one of the acts of the current year is hereby amended by striking out the word "forty-nine" and inserting in place thereof the word: — sixty	70,000

**Department of Agriculture.***Milk Control Commission.*

0906-01	For the service of the commission, including not more than thirty-four permanent positions	\$16,500
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*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	\$15,000
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	5,000

*Division of Markets.*

0908-01	For the service of the division, including not more than twelve permanent positions	\$2,500
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**Department of Natural Resources.**

- Item**  
 8063-02 Item 8063-02 of chapter seven hundred and five of the acts of nineteen hundred and sixty-two is hereby amended by inserting after the word "sixty-one;" the following: — "; provided, that amounts made available by this item shall be available for matching any federal funds available for this purpose, and the department is hereby authorized to apply for, accept and utilize grants from the federal government, under the Housing Act of 1961, Public Law 87-70, 42 U.S.C. 1500, Title VII, relating to open space land; and, further provided, that the department may give such security as may be required, enter into and carry out such contracts or agreements as may be required in connection with such grants or assistance, and include in any such contracts or agreements for such grants or assistance such conditions imposed pursuant to federal laws as may be deemed reasonable and appropriate; and, further"

*Division of Law Enforcement.*

- 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 . . . . . \$10,000

*Division of Water Resources.*

- 1010-01 For the services of the division, including not more than eight permanent positions, to be in addition to any federal or other funds available . . . . . \$15,000

**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 eighteen thousand nine hundred and eighty-four dollars from the Highway Fund . . . . . \$2,140

**Department of Corporations and Taxation.**

- 1201-02 Item 1201-02 of section two of chapter five hundred and ninety-one of the acts of the current year is hereby amended in line two by striking out the word "ninety-five" and inserting in place thereof the word: — ninety-six.

**Department of Education.**

- 1301-20 For the board of education, including not more than two permanent positions . . . . . \$200  
 1301-23 For printing guides for school curricula . . . . . 7,300

*School Lunch and Commodity Distribution Program.*

- 1305-01 For the administration of the program, including not more than thirty-two permanent positions . . . . . \$2,300

*Education of Emotionally Disturbed Children.*

- 1312-01 For education of emotionally disturbed children of the commonwealth, as provided by section forty-six I of chapter seventy-one of the General Laws, for the year nineteen hundred and sixty-three and the previous year . . . . . \$100,000



*Division of University Extension.*

- Item  
1313-01 Item 1313-01 of section two of chapter five hundred and ninety-one of the acts of the current year is hereby amended by adding at the end thereof the following: — to be in addition to any federal funds available for the purpose.

*Division of Immigration and Americanization.*

- 1315-01 For the service of the division, including not more than seventeen permanent positions . . . . . \$1,000

*Teachers' Retirement Board.*

- 1319-01 For the service of the board, including not more than thirty-four permanent positions . . . . . \$3,350

*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 eighteen 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-eight permanent positions . . . . . \$12,220  
1331-01 State college at Fitchburg, including not more than one hundred and sixteen permanent positions . . . . . 8,000  
1331-21 State college at Fitchburg, boarding hall, including not more than nineteen permanent positions . . . . . 3,000  
1333-01 State college at Lowell, including not more than seventy-six permanent positions . . . . . 2,000

*Lowell Technological Institute of Massachusetts.*

- 1345-22 For a certain program designed to encourage students in the field of science . . . . . \$5,000

*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 . . . . . \$7,163  
1361-00 Massachusetts Bay community college, including not more than fifty-three permanent positions . . . . . 50,000  
1362-00 Northern Essex community college, including not more than twenty-two permanent positions . . . . . 7,000  
1367-00 Regional Community College, Springfield Area, appropriation expires June 30, 1964 . . . . . 15,000

*Division of Youth Service.*

- 1384-01 For the operation of reception and detention facilities for boys in the city of Boston, including not more than sixty-one permanent positions . . . . . \$4,000  
1390-01 For the maintenance of the Stephen L. French Youth Forestry camp . . . . . 1,179

**Department of Civil Service and Registration.***Division of Civil Service.*

- 1402-02 Item 1402-02 of section two of chapter five hundred and ninety-one of the acts of the current year is hereby amended by striking out the word "twenty" and inserting in place thereof the word: — twenty-six . . . . . \$20,436

*Division of Registration.*

*For the service of the following agencies in the division:*

Item		
1405-01	Board of dental examiners, including not more than five permanent positions	\$375
1412-01	Board of registration of professional engineers and land surveyors	5,000
1420-01	Board of registration of barbers, including not more than nine permanent positions	4,679

**Department of Labor and Industries.**

1603-01	For the division of industrial safety, including not more than sixty-eight permanent positions	\$120
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**Department of Mental Health.**

1701-02	For administration, including community nurseries for retarded children, the division of mental hygiene, psychiatric services to the courts and other state departments, therapy and out-patient 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 four hundred and eighty-two permanent positions	\$75,000
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Upon the effective date of the transfer of the property as authorized by chapter five hundred and ninety-eight of the acts of the current year, all persons then employed in permanent positions at the North Reading state sanatorium shall be transferred to the payroll of the Department of Mental Health without loss of seniority, retirement or other rights and their salaries shall be charged to item 1701-02 of section two of chapter five hundred and ninety-one of the acts of the current year.

*For the maintenance of and for certain improvements at the following institutions under the control of the department of mental health:*

1711-00	Boston state hospital, including not more than one thousand one hundred and twenty-two permanent positions	\$23,000
1711-54	For the replacement of fuel tanks, Boston state hospital	20,000
1715-52	Grafton state hospital, to replace steam lines	36,000
1716-46	Medfield state hospital, to replace power plant roof	20,000
1727-51	Cushing hospital, for certain renovations to building number three hundred and eighteen	13,500

**Department of Correction.**

*For the maintenance of and for certain improvements at the following institutions under the control of the department of correction:*

1810-01	Item 1810-01 of section two of chapter five hundred and ninety-one of the acts of the current year is hereby amended by striking out the word "fifty-six" and inserting in place thereof the word: — sixty-two	\$28,000
1818-01	Correctional institution at Norfolk, including not more than two hundred and fifty-five permanent positions	10,000
1820-01	For the operation of correctional institution camps, including not more than twenty-five permanent positions	9,500

*Parole Board.*

1830-01	For the service of the department, including not more than sixty-nine permanent positions	\$6,000
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**Department of Public Welfare.**

1901-03	Item 1901-03 of section two of chapter five hundred and ninety-one of the acts of the current year is hereby amended by striking out, in line four, the word "seventy-one" and inserting in place thereof the word: — eighty-six	\$77,220
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**Department of Public Health.***Bureau of Administration.*

Item		
2001-03	For a poliomyelitis vaccine program, for the purchase of poliomyelitis vaccine and for the development of programs for the administration of poliomyelitis vaccine, 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 present a report to the general court on or before the first Wednesday in January, nineteen hundred and sixty-three, prior appropriation continued	\$175,000
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	1,599
2001-06	For a special research program of chronic illness in cooperation with the federal government and for which the commonwealth shall be fully reimbursed	65,600

*Bureau of Environmental Sanitation.*

2002-27	For an investigation and study relative to the preparation of plans and maps for the disposal of sewage in the Merrimack river valley as authorized by chapter ninety-five of the resolves of the current year	\$80,000
2002-52	For the treatment of certain areas to prevent obnoxious odors and unsanitary conditions on tidal flats and the reimbursement to the town of Winthrop for certain expenses in connection therewith	41,000

*Bureau of Hospital Facilities.*

2005-01	For the service of the bureau, including not more than twenty-three permanent positions	\$5,000
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*Bureau of Tuberculosis and Institutions.*

2006-01	For the service of the bureau, including such payments for hospital care of tubercular patients as may be contracted for by the commissioner of public health, and for the commonwealth's share of the operation of certain tuberculosis clinics, including not more than thirty-three permanent positions	\$5,000
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*Institute of Laboratories.*

2007-01	For the service of the institute, including not more than one hundred and thirty-nine permanent positions	\$2,600
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*Bureau of Consumer Products Protection.*

2008-01	Item 2008-01 of section two of chapter five hundred and ninety-one of the acts of the current year is hereby amended by striking out the word "fifty" and inserting in place thereof the word: — fifty-three	\$17,563
2008-02	For the service of the pesticide board as authorized by section nine A of chapter seventeen of the General Laws	13,000

*For the maintenance of and for certain improvements at the following institution 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 eighty-six permanent positions	\$50,000
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**Department of Public Safety.***Division of Fire Prevention.*

2103-01	For the fire prevention service, including not more than twenty-five permanent positions; provided, however, that notwithstanding any provision of law to the contrary, the director of personnel and standardization is hereby authorized and directed to reallocate the position of captain of state police detectives, division of fire prevention, from job group XVIII to job group XIX, and the positions of state police detective lieutenant inspectors, division of fire prevention, from job group XVI to job group XVII	\$14,105
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*Division of Inspection.*

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| Item    |   |
| 2104-01 | For the service of the division, except as otherwise provided, including not more than fifty-nine permanent positions; provided, however, that the director of personnel and standardization is hereby authorized and directed to upgrade the positions of district engineering inspectors and the positions of state building inspectors from job group XIV to job group XV . . . . . \$49,000 |

*Division of Subversive Activities.*

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| 2109-01 | For the service of the division, including not more than five permanent positions; provided, however, that notwithstanding any provision of law to the contrary, the director of personnel and standardization is hereby authorized and directed to reallocate the position of captain of state police detectives, division of subversive activities, from job group XVIII to job group XIX . . . . . \$598 |
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**Department of Public Works.**

*Division of Waterways.*

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| 2202-09 | For the construction of a parking area as authorized by chapter six hundred and thirty-nine of the acts of the current year . . . . . \$80,000 |
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**Department of Public Utilities.**

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| 2301-02 | For administration, including not more than seventy-three permanent positions . . . . . \$5,360  |
| 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 . . . . . 5,000 |

*Gas Fitting Regulations Board.*

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| 2370-02 | For administration of the program of regulating the installation of gas fittings in buildings, as authorized by chapter six hundred and twenty-three of the acts of the current year . . . . . \$26,767 |
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**Miscellaneous.**

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| 2420-05 | For the payment of certain claims, as authorized by chapters thirteen, eighteen, nineteen and one hundred and six of the resolves of the current year . . . . . \$15,258      |
| 2420-16 | For the payment of a certain claim, as authorized by chapter ten of the resolves of the current year . . . . . 624  |
| 2420-17 | For the payment of a certain claim of an employee of the department of commerce, as authorized by chapter eleven of the resolves of the current year . . . . . 106            |
| 2420-18 | For the payment of certain unpaid rental charges for office space of various departments for the year nineteen hundred and sixty-three and the previous year . . . . . 13,056 |

**LOCAL AID APPROPRIATION.**

*The following appropriation is for reimbursements and grants to local governments and for certain other purposes and is to be in addition to any unexpended balance of appropriations heretofore made for the purpose:*

**Department of Agriculture.**

*Division of Livestock Disease Control.*

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| 2609-01 | For the reimbursement of certain towns for compensation paid to inspectors of animals . . . . . \$500 |
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**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-three fiscal year in full to appropriations authorized under the heading of "Highway Activities" in this act:*

Item		
2900-88	For the payment of a certain judgment of the Suffolk county superior court, docket number 557,996 . . . . .	\$1,410

**Registry of Motor Vehicles.**

2924-01	For the service of the registry, including not more than one thousand and fourteen permanent positions; provided, that the position of legislative assistant, R.M.V., shall not be subject to the civil service laws and rules . . . . .	\$55,600
2924-02	For the installation and operation of a mechanization program for the recording of applications for the registration of motor vehicles and operators' licenses and the processing of the motor vehicle excise tax, including not more than twenty-six permanent positions . . . . .	472,519

**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; provided, however, that notwithstanding any provision of law to the contrary, the director of personnel and standardization is hereby authorized and directed to reallocate the positions of captain of state police detectives, division of state police, from job group XVIII to job group XIX, and the positions of state police detective lieutenant inspectors, division of state police, from job group XVI to job group XVII . . . . .	\$33,439
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**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 ninety-one of the acts of the current year is hereby amended by striking out the word "eighty-nine" and inserting in place thereof the word "eighty-eight" and by adding at the end thereof the following: — and, provided further, that notwithstanding any other provision of law to the contrary, a sum not exceeding eight thousand nine hundred and ninety dollars may be expended from this item for certain prior-year salaries earned but not paid . . . . .	\$81,945
7755-00	Notwithstanding any other provision of law to the contrary, there shall be allowed and paid the sum of sixty-nine dollars for a certain prior-year salary earned but not paid.	
2931-76	For certain repairs to the Cradock Lock in the city of Medford . . . . .	25,000
2931-77	For an investigation and study of the metropolitan district commission electrical system, including the method of accounting and rates for service . . . . .	10,000
2931-78	For the conversion of radio equipment as required by the federal communications commission, appropriation expires June thirtieth, nineteen hundred and sixty-four . . . . .	56,000
2931-79	For certain improvements to modernize the police signal system . . . . .	35,000

**Miscellaneous.**

Item

- 2998-01 For the payment of certain claims, as authorized by chapters six, thirty-eight and forty-three of the resolves of the current year . . . **\$4,750**

**RECREATIONAL BOATING FUND.**

**STATE PURPOSES APPROPRIATION.**

*Division of Motorboats.*

- 3401-01 Item 3401-01 of section two of chapter five hundred and ninety-one of the acts of the current year is hereby amended by striking out the word "thirty-eight" and inserting in place thereof the word: — thirty-nine . . . **\$4,992**

**AGRICULTURAL PURPOSES FUND.**

**STATE PURPOSES APPROPRIATION.**

**Department of Agriculture.**

*Division of Plant Pest Control and Fairs.*

- 3850-01 For scholarships, as authorized by chapter six hundred and twenty-one of the acts of the current year . . . **\$50,000**

**STATE RECREATION AREAS FUND.**

**STATE PURPOSES APPROPRIATION.**

**Department of Public Works.**

*The salaries of all officers and employees of the department engaged in projects or activities authorized by bond issue or otherwise shall be charged for the nineteen hundred and sixty-three fiscal year in full to appropriations authorized under this heading in this act:*

*Division of Waterways.*

- 4050-01 Item 4050-01 of section two of chapter five hundred and ninety-one of the acts of the current year is hereby amended by striking out the word "four" and inserting in place thereof the word: — five . . . **\$7,371**

**METROPOLITAN DISTRICT COMMISSION FUNDS.**

**STATE PURPOSES APPROPRIATIONS.**

*The following appropriations are to be assessed upon the several districts in accordance with the methods fixed by law, unless otherwise provided, and to be expended under the direction of the Metropolitan District Commission:*

**Metropolitan Parks, General.**

- 8601-29 For certain payments for the maintenance and use of the Trailside museum . . . **\$10,000**  
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 . . . **100,000**

**Metropolitan Sewerage District.**

Item		
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	\$5,000

**Metropolitan Water System.**

8902-89	For certain improvements to the electric switch gear, transformer and related service, Belmont pumping station	\$20,000
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*Miscellaneous.*

0405-03	For the commonwealth's share of the cost for the preparation of preliminary plans, architectural services, working drawings, detailed specifications, and exhibition planning services for a New England exhibition at 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 New England Council; to be in addition to amounts appropriated in Item 0405-02 in section two of chapter five hundred and forty-three of the acts of nineteen hundred and sixty-one. The commission created by said item is hereby extended to June 30, 1963 and shall report to the general court on or before said date on the progress of this project; appropriation expires June 30, 1964	\$87,000
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**DEFICIENCIES.**

*For deficiencies in certain appropriations of previous years, in certain funds, as follows:*

2499-00	General Fund	\$63,938
2999-00	Highway Fund	5,011
3399-00	Inland Fisheries and Game Fund	730
3999-00	Mosquito Control Fund	2,852
4099-00	State Recreation Areas Fund	1,005
8799-00	Metropolitan Sewerage District Fund	2,721
8999-00	Metropolitan Water District Fund	85

SECTION 2A. Section 10 of chapter five hundred and ninety-one of the acts of the current year is hereby amended by striking out in the last sentence the words "as provided by rules and regulations of the commission on administration and finance" and inserting in place thereof the following:— or documents determined by the commission on administration and finance to be printed at no cost to the commonwealth as provided by rules and regulations of said commission.

SECTION 3. This act shall take effect upon its passage.

*Approved July 27, 1962.*

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**Chap. 792.** 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

five of chapter five hundred and fifty of the acts of the current year, authorizing the metropolitan district commission to construct, maintain and operate a dam across the Charles river, shall be issued for maximum terms of thirty 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 ninety-five, as recommended by the governor in a message to the general court, dated July twenty-seventh, nineteen hundred and sixty-two, 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 four of chapter five hundred and fifty-two of the acts of the current year, relative to the construction of flood protection works in the Chicopee river and providing for the financing in part of said works by the commonwealth and the city of Chicopee, shall be issued for maximum terms of ten years, the initial maturities of which shall be payable not later than one year from the date of issue thereof, as recommended by the governor in a message to the general court, dated July twenty-seventh, nineteen hundred and sixty-two, in pursuance of section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

Notwithstanding any provision of law to the contrary, the agreement with the secretary of the army which the governor and council may request the state treasurer to enter into under the provisions of section five of said chapter five hundred and fifty-two shall provide for the payment with interest of the eligible portion of the non-federal cost under the provisions of section 203 of Title II of the federal Flood Control Act within fifty years of the date of the agreement.

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 sixty-five of the acts of the current year, authorizing the commonwealth to borrow money for the non-federal cost of a hurricane protection barrier in New Bedford harbor and providing for the assessment of half of such cost upon the city of New Bedford and the towns of Acushnet and Fairhaven, shall be issued for maximum terms of thirty years, the initial maturities of which shall be payable not later than one year from the date of issue thereof, as recommended by the governor in a message to the general court, dated July twenty-seventh, nineteen hundred and sixty-two, 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 ten of chapter five hundred and seventy-one of the acts of the current year, authorizing the water resources commission to construct reservoirs and other works for flood control and other purposes in the watershed of the Quaboag river, shall be issued for maximum terms of ten years, the initial maturities of which shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and seventy-seven, as recommended by the governor in a message to the general court, dated July twenty-seventh, nineteen hundred and sixty-two, 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 two of chapter five hundred and ninety-three of the acts of the current year, authorizing the metropolitan district commission to construct certain sewerage works in the city of Medford and the towns of Arlington and Lexington, shall be issued for maximum terms of thirty 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 ninety-three, as recommended by the governor in a message to the general court, dated July twenty-seventh, nineteen hundred and sixty-two, 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 two of chapter six hundred and thirty-seven of the acts of the current year, directing the department of public works to provide recreational facilities at Fort Phoenix Beach in the town of Fairhaven, shall be issued for maximum terms of thirty years, and shall be payable not earlier than July first, nineteen hundred and sixty-three, nor later than June thirtieth, nineteen hundred and ninety-three, as recommended by the governor in a message to the general court, dated July twenty-seventh, nineteen hundred and sixty-two, 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 bonds which the state treasurer is authorized to issue under section nine of chapter six hundred and thirty-eight of the acts of the current year, authorizing the commonwealth to borrow money to meet the non-federal cost of the Westfield Flood Protection Project and providing for co-operation with the federal government in said project, shall be issued for maximum terms of ten years, the initial maturities of which shall be payable not later than one year from the date of issue thereof, as recommended by the governor in a message to the general court, dated July twenty-seventh, nineteen hundred and sixty-two, in pursuance of section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

Notwithstanding any provision of law to the contrary, the agreement with the secretary of the army which the governor and council may request the state treasurer to enter into under the provisions of section ten of said chapter six hundred and thirty-eight shall provide for the payment with interest of the eligible portion of the non-federal costs under the provisions of section 203 of the Flood Control Act of 1960 within fifty years of the date of the agreement.

SECTION 8. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section six of chapter six hundred and forty-nine 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-five, as recommended by the governor in a message to the general court, dated July twenty-seventh, nineteen hundred and sixty-two, 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 six hundred and fifty-four of the acts of the current year, providing additional funds to cover the cost of certain projects and works within 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 six hundred and fifty-four, 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 sixteen, as recommended by the governor in a message to the general court, dated July twenty-seventh, nineteen hundred and sixty-two, in pursuance of section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 10. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section two of chapter six hundred and fifty-five of the acts of the current year, providing additional funds 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 three, as recommended by the governor in a message to the general court, dated July twenty-seventh, nineteen hundred and sixty-two, in pursuance of section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 11. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section three of chapter six hundred and fifty-eight 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 three, as recommended by the governor in a message to the general court, dated July twenty-seventh, nineteen hundred and sixty-two, in pursuance of section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 12. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section seven of chapter six hundred and thirty-five of the acts of nineteen hundred and sixty, as amended by section three of chapter six hundred and eighty-five of the acts of the current year, making further provisions for the government center commission to construct a state office building and a health, welfare and education service center, shall be issued for maximum terms of twenty years, the initial maturities of which shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and eighty-five, as recommended by the governor in a message to the general court, dated July twenty-seventh, nineteen hundred and sixty-two, in pursuance of section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 13. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section nine of chapter six hundred and ninety-two of the acts of the current year, authorizing the commonwealth to borrow money to meet the non-federal cost of the Three rivers, Massachusetts, local flood protection project and providing for co-operation with the federal government in said project, shall be issued for maximum terms of fifteen years, the initial maturities of which shall be payable not later than one year from the date of issue thereof, as recommended by the governor in a message to the general court, dated July twenty-seventh, nineteen hundred and sixty-two, in pursuance of section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

Notwithstanding any provision of law to the contrary, the agreement with the secretary of the army which the governor and council may request the state treasurer to enter into under the provisions of section ten of said chapter six hundred and ninety-two shall provide for the payment with interest of the eligible portion of the non-federal cost under the provisions of section 203 of the Flood Control Act of 1960 within fifty years of the date of the agreement.

SECTION 14. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section four of chapter seven hundred and four of the acts of the current year, authorizing and directing the metropolitan district commission to construct, enlarge and improve its recreational 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 July twenty-seventh, nineteen hundred and sixty-two, in pursuance of section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 15. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section four of chapter seven hundred and five of the acts of the current year, to provide for a 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 five of said chapter seven hundred and five, 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-eight, as recommended by the governor in a message to the general court, dated July twenty-seventh, nineteen hundred and sixty-two, in pursuance of section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 16. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section three of chapter seven hundred and sixteen of the acts of the current year, to provide for a special program for mass transportation demonstration and planning programs by the mass transportation commission, shall be issued and may be renewed one or more times for terms not exceeding one

year, and the final maturities of such notes, whether original or renewal, shall be not later than June thirtieth, nineteen hundred and sixty-six, as recommended by the governor in a message to the general court, dated July twenty-seventh, nineteen hundred and sixty-two, in pursuance of section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 17. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section two of chapter seven hundred and sixty-two of the acts of the current year, providing for the filling and improvement of South Bay, Roxbury Canal and Dorchester Brook and certain territories adjacent thereto, 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, as recommended by the governor in a message to the general court, dated July twenty-seventh, nineteen hundred and sixty-two, in pursuance of section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 18. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section three of chapter seven hundred and sixty-six 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 three, as recommended by the governor in a message to the general court, dated July twenty-seventh, nineteen hundred and sixty-two, in pursuance of section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 19. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section six and under section ten of chapter seven hundred and eighty-two of the acts of the current year, relative to the accelerated 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-six, and the bonds which the state treasurer is authorized to issue under section eleven of said chapter seven hundred and eighty-two, 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-four, as recommended by the governor in a message to the general court, dated July twenty-seventh, nineteen hundred and sixty-two, in pursuance of section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth. *Approved July 27, 1962.*

**Chap. 793.** AN ACT IN ADDITION TO THE GENERAL APPROPRIATION ACT MAKING APPROPRIATIONS TO SUPPLEMENT CERTAIN ITEMS CONTAINED THEREIN, AND FOR CERTAIN NEW ACTIVITIES AND PROJECTS.

*Be it enacted, etc., as follows:*

**SECTION 1.** To provide for supplementing certain items in the general appropriation act and for certain new activities and projects, the sums set forth in section two, for the several purposes and subject to the conditions specified therein, are hereby appropriated from the funds designated in said section two subject to the provisions of law regulating the disbursement of public funds and the conditions pertaining to appropriations in chapter five hundred and ninety-one of the acts of the current year for the fiscal year ending June thirtieth, nineteen hundred and sixty-three, 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.**

*Special Investigations.*

Item		
0263-04	For an investigation and study relative to the need for amendment, revision or simplification of the Constitution of the commonwealth, as authorized by chapter eighty-eight of the resolves of the current year	\$10,000
0263-06	For the expenses of a special commission to investigate crime and corruption, as authorized by chapter one hundred and forty-six of the resolves of the current year; provided that, notwithstanding any provisions of law to the contrary, the commission may authorize travel within and without the commonwealth . . . . .	75,000

**Judiciary.**

0305-01	Item 0305-01 of section two of chapter five hundred and ninety-one of the acts of the current year is hereby amended by striking out the word "thirty-seven" and inserting in place thereof the word:—forty-one . . . . .	\$60,000
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*District Attorneys.*

0354-01	Item 0354-01 of section two of chapter five hundred and ninety-one of the acts of the current year is hereby amended by striking out the word "six" and inserting in place thereof the word:—seven . . . . .	\$8,400
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**Secretary of the Commonwealth.**

1201-02)	From the unexpended balances remaining in items 1201-02 and 1201-03 of	
1201-03)	section two of chapter five hundred and ninety-one of the acts of the	
0501-04)	current year, the sum of thirty-two thousand, eight hundred and twenty-five dollars from said item 1201-02 and the sum of eight thousand seven hundred and fifty dollars from said item 1201-03 are hereby transferred and made available for the purposes of the following item:—	
0501-04	For the expenses of the bureau of corporate organization and registration of the department of corporations and taxation transferred by the provisions of chapter seven hundred and fifty of the acts of the current year, including not more than thirteen permanent positions.	

**Auditor of the Commonwealth.**

Item		
0701-02	For the office of the auditor, including not more than sixty permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and twenty-two thousand eight hundred and sixty-two dollars from the Highway Fund	\$23,500
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	22,500
0701-26	For an audit of the Massachusetts Parking Authority and the Massachusetts Turnpike Authority	7,500

**Department of Public Health.**

*Bureau of Health Services.*

2004-01	For the service of the bureau, including not more than sixty-two permanent positions	\$15,000
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**Department of Public Utilities.**

2301-10	For the commonwealth's share of the cost of certain legal services at hearings of the Interstate Commerce Commission.	\$3,000
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**Special Investigations.**

0263-05	For an investigation and study of the laws relating to convalescent and nursing homes as authorized by chapter one hundred and thirty-eight of the resolves of the current year	\$10,000
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SECTION 3. This act shall take effect upon its passage.

*Approved July 27, 1962.*

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**Chap. 794.** AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO PARTICIPATE IN CERTAIN IMPROVEMENTS TO BE MADE IN WESTPORT HARBOR IN THE TOWN OF WESTPORT.

*Be it enacted, etc., as follows:*

The division of waterways in the department of public works is hereby authorized and directed to participate in the improvement of the outer and inner harbor entrances to Westport harbor in the town of Westport in conjunction with the United States Army engineers as authorized by House Document 692, 75th Congress, Third Session, June 20, 1938, provided that the town of Westport shall contribute equally with the commonwealth to the cost of said improvement minus the amount of such cost assumed by the United States of America.

*Approved July 27, 1962.*

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**Chap. 795.** AN ACT MAKING LOANS UP TO THREE THOUSAND DOLLARS SUBJECT TO THE LAW REGULATING THE MAXIMUM RATE OF INTEREST THAT MAY BE CHARGED BY PERSONS ENGAGED IN THE BUSINESS OF MAKING SMALL LOANS.

*Be it enacted, etc., as follows:*

SECTION 1. Chapter 140 of the General Laws is hereby amended by striking out section 96, as most recently amended by section 1 of chapter 136 of the acts of 1959, and inserting in place thereof the following

section: — *Section 96.* No person shall directly or indirectly engage in the business of making loans of three thousand dollars or less, if the amount to be paid on any such loan for interest and expenses exceeds in the aggregate an amount equivalent to twelve per cent per annum upon the sum loaned, without first obtaining from the commissioner of banks, in sections ninety-six to one hundred and fourteen, inclusive, called the commissioner, a license to carry on the said business in the town where the business is to be transacted. When an application for a loan or for an endorsement or guarantee or for the purchase of a note is made by any person within this commonwealth, and the money is advanced or the endorsement or guarantee is made or furnished by any person without this commonwealth, the transaction shall be deemed a loan made within this commonwealth, and such a loan and the parties making it shall be subject to sections ninety-six to one hundred and thirteen, inclusive. The buying or endorsing of notes or the furnishing of guarantee or security for compensation shall be considered to be engaging in the business of making small loans within said sections, but the foregoing provisions of this sentence shall not apply in the case of any transaction which involves any note or other instrument evidencing the indebtedness of a buyer to the seller of goods, services or insurance for a part or all of the purchase price. For the purposes of said sections, the amount to be paid upon any loan of three thousand dollars or less for interest or expenses shall include all sums paid or to be paid by or on behalf of the borrower for interest, brokerage, recording fees, commissions, services, extension of loan, forbearance to enforce payment, and all other sums charged against or paid or to be paid by the borrower for making or securing directly or indirectly the loan, and shall include all such sums when paid by or on behalf of or charged against the borrower for or on account of making or securing the loan, directly or indirectly, to or by any person, other than the lender, if such payment or charge was known to the lender at the time of making the loan, or might have been ascertained by reasonable inquiry. Any person directly or indirectly engaging in the business of negotiating, arranging, aiding or assisting the borrower or lender in procuring or making loans of three thousand dollars or less, for which the amount paid or to be paid for interest and expenses, including all amounts paid or to be paid to any other party therefor, exceeds in the aggregate an amount equivalent to twelve per cent per annum, whether such loans are actually made by such person or by another party, shall be deemed to be engaged in the business of making small loans, and shall be subject to sections ninety-six to one hundred and twelve, inclusive. If, after all deductions or payments, whether on account of interest, expenses or principal made substantially contemporaneously with the making of the loan, the amount retained by the borrower be three thousand dollars or less, the transaction shall be deemed to be a loan in the amount of the sum so retained by the borrower after such deductions or payments, notwithstanding that the loan be nominally for a greater sum.

The provisions of this section shall not apply to loans which are subject to the provisions of section ninety A.

SECTION 2. Said chapter 140 is hereby further amended by striking out section 110, as most recently amended by section 2 of chapter 351 of the acts of 1962, and inserting in place thereof the following section: — *Section 110.* Whoever, not being duly licensed as provided in sec-

tion ninety-six, on his own account or on account of any other person not so licensed, engages in or carries on, directly or indirectly, either separately or in connection with or as a part of any other business, the business of making loans or buying notes or furnishing endorsements or guarantees, to which sections ninety-six to one hundred and eleven, inclusive, apply, shall be punished by a fine of not more than five thousand dollars or by imprisonment for not more than two years, or both. Any loan made or note purchased or endorsement or guarantee furnished by an unlicensed person in violation of said sections shall be void. In any judicial proceedings under said sections the fact that the defendant has made or assisted in the making of two or more loans of three thousand dollars or less, upon which there has directly or indirectly been paid or charged, for interest, brokerage, recording fees, commissions, services, extension of loan, forbearance to enforce payment or other expenses, a sum which exceeds in the aggregate an amount equivalent to twelve per cent per annum upon the amount actually received by the borrower, whether such sum has been paid to or charged by the defendant or paid to or charged by any other person, shall be prima facie evidence that the defendant has engaged in and carried on the business of making loans to which sections ninety-six to one hundred and twelve, inclusive, apply.

SECTION 3. Said chapter 140 is hereby further amended by striking out section 114A, inserted by section 8 of chapter 689 of the acts of 1956, and inserting in place thereof the following section: — *Section 114A.* Trust companies, savings banks, co-operative banks, savings and loan associations, credit unions, national banking associations and federal savings and loan associations shall not be subject to the provisions of sections ninety-six to one hundred and fourteen, inclusive; provided, that such institutions may not take, receive, reserve or charge interest, expenses and other considerations for making or securing a loan of three thousand dollars or less in excess of those permitted by section one hundred. Any loan of three thousand dollars or less made by any trust company, savings bank, co-operative bank, savings and loan association, credit union, national banking association or federal savings and loan association on which charges for interest, expenses and other considerations exceed those permitted by section one hundred may be declared void by the supreme judicial or superior court in equity upon petition by the person to whom the loan was made, and any such trust company, bank, association or credit union making such loan shall be subject to a fine of not more than five hundred dollars.

SECTION 4. Until such time as the small loans regulatory board shall establish a maximum interest rate on that part of the unpaid principal balance of a loan exceeding one thousand five hundred dollars but not exceeding three thousand dollars the maximum charge for interest, expenses and other considerations on such unpaid principal balance shall not exceed the maximum rate of interest established by said board on the unpaid principal balance of a loan exceeding one thousand dollars but not exceeding one thousand five hundred dollars.

*Approved July 27, 1962.*



**Chap. 796.** AN ACT AUTHORIZING CITIES AND TOWNS TO LEASE THE SPACE ABOVE MUNICIPAL PARKING LOTS.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to permit forthwith the leasing of airspace above municipal parking lots for the purposes of affording tax relief for cities and towns, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Be it enacted, etc., as follows:*

Chapter 40 of the General Laws is hereby amended by inserting after section 22D, added by chapter 322 of the acts of 1961, the following section: —

*Section 22E.* Whenever the board or officer having charge of an off-street parking area or facility owned by a city or town, whether acquired under general or special law and irrespective of the date of acquisition, determines that the whole or any part of the airspace more than fourteen feet above the grade line of such area or facility is not required for off-street parking purposes, such board or officer shall publish once a week for at least three consecutive weeks in a newspaper of general circulation in such city or town an advertisement of such determination, identifying the off-street parking area or facility involved. Such advertisement shall invite sealed proposals for the leasing of such airspace for a term not exceeding ninety-nine years and for the construction of a building therein pursuant to basic drawings and outline specifications to be submitted with such proposal. Such advertisement shall also fix a time, not less than three months after the first publication of such advertisement, and specify a place, at which time and place such board or officer shall publicly open and read such sealed proposals.

Any provision of general or special law to the contrary notwithstanding, the city manager in the case of a city having a Plan D or Plan E charter, when authorized thereto by an affirmative vote of a majority of the city council, the mayor in the case of any other city, when authorized thereto by majority vote of the city council, and the selectmen in the case of a town, when authorized thereto by vote of the town at a town meeting, may lease, in accordance with whichever of the proposals so submitted is deemed most advantageous to such city or town, the whole or any part of the airspace determined as aforesaid to be not required for off-street parking purposes and such parts of the off-street parking area or facility as may be necessary for structural supports for the building to be erected in such airspace. Buildings and other things erected or affixed pursuant to the lease of any such airspace shall be taxed to the lessee thereof or his assigns in the same manner and to the same extent as if such lessee or his assigns were the owners of the land in fee and the value of the land shall be included in any such assessment.

*Approved July 27, 1962.*

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**Chap. 797.** AN ACT EXTENDING THE TIME WITHIN WHICH PETITIONS FOR DAMAGES IN EMINENT DOMAIN CASES MAY BE FILED.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to extend forthwith the time within which petitions in eminent domain proceedings may be brought, 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 79 of the General Laws is hereby amended by striking out section 16, as most recently amended by chapter 230 of the acts of 1950, and inserting in place thereof the following section:—

*Section 16.* A petition for the assessment of damages under section fourteen may be filed within two years after the right to such damages has vested; but any person, including every mortgagee of record, whose property has been taken or injured, and who has not received notice under section eight or otherwise of the proceedings whereby he is entitled to damages at least sixty days before the expiration of such two years, may file such petition within six months after the taking possession of his property or the receipt by him of actual notice of the taking, whichever first occurs, or, if his property has not been taken, within six months after he first suffers actual injury in his property.

And, without limiting the foregoing provisions of this section, if within two years after the date of an order of taking for a highway or town way or for a ditch or drain for draining the same, entry is made or possession taken thereunder for the purpose of constructing the same, a petition for the assessment of damages may be filed at any time prior to the expiration of six months after the recording under section three of a certificate of such entry or taking possession. In no event shall any person have less than two years after the right to damages has vested to bring his petition.

SECTION 2. The provisions of section sixteen of chapter seventy-nine of the General Laws, as amended by section one of this act, shall apply to petitions for the assessment of damages under section fourteen of said chapter seventy-nine on account of property taken or injured prior to, as well as on or after, its effective date. *Approved July 27, 1962.*

**Chap. 798.** AN ACT AUTHORIZING APPOINTING AUTHORITIES TO SUSPEND PERSONS FROM THE SERVICE OF THE COMMONWEALTH DURING ANY PERIOD SUCH PERSONS ARE UNDER INDICTMENT FOR MISCONDUCT IN OFFICE.

*Be it enacted, etc., as follows:*

SECTION 1. Chapter 30 of the General Laws is hereby amended by inserting after section 58 the following section:—

*Section 59.* The appointing authority of any department of the commonwealth, or of any board, commission or agency thereof, in which a person is employed may suspend such person during any period during which said person is under indictment for misconduct in his office or employment of the commonwealth. Notice of said suspension shall be given in writing in hand to said person, and the receipt thereof shall automatically suspend the authority of said person until he is notified, in like manner, that his suspension is removed.

Any person so suspended shall not receive any compensation or salary during the period of such suspension, nor shall the period of his suspension be counted in computing his sick leave or vacation benefits or seniority rights, nor shall any person who retires from service while un-

der such suspension be entitled to any pension or retirement benefits, notwithstanding any contrary provisions of law, but all contributions paid by him into a retirement fund, if any, shall be returned to him.

A suspension under this section shall not, in any way, be used to prejudice the rights of the suspended person either civilly or criminally. During the period of any such suspension, the appointing authority may fill the position of the suspended employee on a temporary basis.

If the criminal proceedings against the person suspended are terminated without a finding or verdict of guilty on any of the charges on which he was indicted, his suspension shall be forthwith removed, and he shall receive all compensation or salary due him for the period of his suspension, and the time of his suspension shall count in determining sick leave, vacation, seniority and other rights, and shall be counted as creditable service for purposes of retirement.

SECTION 2. This act shall take effect on January first, nineteen hundred and sixty-three.

*Approved July 27, 1962.*

# RESOLVES.

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- Chap. 1.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE VALIDITY OF CERTAIN AGREEMENTS, SETTLEMENTS OR GENERAL RELEASE OF CLAIMS FOR PERSONAL INJURIES OR DEATH.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 1095, relative to the validity of certain agreements, settlements or general release of claims for personal injuries or 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 January 25, 1962.*

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- Chap. 2.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PERMITTING PASSENGERS TO RECOVER FOR INJURIES, DEATH, DAMAGE TO PROPERTY AND CONSEQUENTIAL DAMAGES CAUSED BY NEGLIGENCE OF THE OPERATOR OF A MOTOR VEHICLE.

*Resolved,* That the judicial council be requested to investigate the subject matter of current senate document numbered 33, relative to permitting passengers to recover for injuries, death, damage to property and consequential damages caused by negligence of the operator of a motor vehicle, 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 January 25, 1962.*

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- Chap. 3.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO FURNISHING PARTIES TO CIVIL COURT ACTIONS WITH COPIES OF PAPERS FILED IN COURT BY THEIR ADVERSARIES AND RELATIVE TO PERMITTING RECOVERY FOR INJURIES, DEATH, AND DAMAGE TO PROPERTY OF THE OWNER OF A MOTOR VEHICLE WHO IS A PASSENGER AT THE TIME OF THE ACCIDENT.

*Resolved,* That the judicial council be requested to investigate the subject matter of current senate documents numbered 34, relative to furnishing parties to civil court actions with copies of papers filed in court by their adversaries, and 41, relative to permitting recovery for injuries, death, and damage to property of the owner of a motor vehicle who is a passenger at the time of the accident, 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 January 25, 1962.*

**Chap. 4.** RESOLVE IN FAVOR OF THE WIDOW OF THE LATE JAMES V. DUFFY.

*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 James V. Duffy, who died while a member of the present house of representatives, the salary to which he would have been entitled had he lived and served until the end of the term for which he was elected.

*Approved January 31, 1962.*

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**Chap. 5.** RESOLVE IN FAVOR OF THE WIDOW OF THE LATE EDWIN D. GORMAN.

*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 Edwin D. Gorman, who died while a member of the present house of representatives, the salary to which he would have been entitled had he lived and served until the end of the term for which he was elected.

*Approved February 5, 1962.*

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**Chap. 6.** RESOLVE IN FAVOR OF HARRY P. BLOOD AND LILLIAN BLOOD.

*Resolved,* That for the purpose of discharging a moral obligation of the commonwealth, there shall be allowed and paid out of the state treasury, subject to appropriation, to Harry P. Blood and Lillian Blood, both of Templeton, whose water supply for property owned by them on Dennison avenue, Templeton, was destroyed because of the negligent action of servants or agents of the commonwealth in allowing chloride to penetrate into said water supply system, the sum of seven hundred and fifty dollars. No payment shall be made hereunder until there has been filed with the comptroller an agreement signed by Harry P. Blood and Lillian Blood that the amount, if any, paid or to be paid for legal services rendered in connection with the passage of this resolve shall not exceed ten per cent of said sum.

*Approved February 6, 1962.*

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**Chap. 7.** RESOLVE VALIDATING THE ACTS OF SHIRLEY M. KERMAN AS A NOTARY PUBLIC.

*Resolved,* That the acts of Shirley M. Kerman of North Reading as a notary public between November seventeenth, nineteen hundred and fifty-seven and October fourteenth, 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 Shirley M. Bagdoian, 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 February 6, 1962.*

- Chap. 8.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO RETURN AND REGISTRATION OF BIRTHS TO PARENTS OF CERTAIN CHILDREN.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 2499, relative to return and registration of births to parents of certain children, 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 7, 1962.*

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- Chap. 9.** RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE A STUDY RELATIVE TO THE ORGANIZATION AND OPERATION OF THE METROPOLITAN DISTRICT COMMISSION AND OTHER MATTERS.

*Resolved,* That the unpaid special commission established by chapter one hundred and forty of the resolves of nineteen hundred and fifty-eight and the time for filing whose final report was most recently extended by chapter one hundred and nineteen of the resolves of nineteen hundred and sixty-one, is hereby revived and continued.

*Approved February 7, 1962.*

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- Chap. 10.** RESOLVE IN FAVOR OF MICHAEL STATHY AND NATALIA J. STATHY.

*Resolved,* That for the purpose of discharging a moral obligation of the commonwealth, and after an appropriation has been made therefor, there shall be allowed and paid out of the state treasury the sum of two hundred and seven dollars and seventy-two cents to Natalia J. Stathy, the widow of John Stathy, late of Boston, and the sum of four hundred and fifteen dollars and forty-four cents to Michael Stathy, the only child of said decedent, both of whom are residents of Albania; said sums being the residue of the estate of said John Stathy, Suffolk probate number 28791, which was paid over to the commonwealth on November ninth, nineteen hundred and forty-two, by the public administrator due to the impossibility of transmitting funds to Albania because of World War II.

*Approved February 9, 1962.*

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- Chap. 11.** RESOLVE IN FAVOR OF PAUL A. GOWELL.

*Resolved,* That for the purpose of discharging a moral obligation, and after appropriation has been made therefor, there shall be allowed and paid out of the state treasury to Paul A. Gowell, an employee of the department of commerce, the sum of one hundred and five dollars and sixty-two cents for services rendered by him on May ninth, tenth, thirteenth, fourteenth and fifteenth in the year nineteen hundred and fifty-seven, prior to his appointment as general representative of said department in its New York city office.

*Approved February 9, 1962.*

**Chap. 12.** RESOLVE FURTHER CONTINUING THE STUDY BY THE WATER RESOURCES COMMISSION OF THE WATERS OF THE WARE, QUABOG AND QUINEBAUG RIVER VALLEYS.

*Resolved,* That the water resources commission is hereby authorized and directed to continue further the study authorized by chapter ninety-six of the resolves of nineteen hundred and fifty-eight, the time for completion of which was most recently extended by chapter forty-five of the resolves of nineteen hundred and sixty, relative to the water resources of the Ware, Quabog and Quinebaug river valleys. Said commission may expend any balance available in item 1010-23 of section two of chapter three hundred and eighteen of the acts of nineteen hundred and sixty and shall file its final report with the clerk of the senate on or before the first Wednesday in December in the year nineteen hundred and sixty-two.

*Approved February 14, 1962.*

**Chap. 13.** RESOLVE IN FAVOR OF ANNABELLE FLAMMIA, AS MOTHER AND NEXT FRIEND OF GEORGE GENTUSO, A MINOR.

*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 Annabelle Flammia, of Wilmington, as mother and next friend of George Gentuso, a minor, the sum of five thousand four hundred and eighty-nine dollars and eighty-one cents, in full settlement and satisfaction of an execution issued by the superior court in the county of Middlesex, docket number 225349, dated April fourth, nineteen hundred and sixty-one, in favor of the said Annabelle Flammia, as mother and next friend of said George Gentuso, against Parker Gifford of Danvers, supervisor of the Harold Parker State Forest, in an action of tort for personal injuries sustained by said minor by reason of a dangerous condition created by the said Parker Gifford in said state forest.

No payment shall be made hereunder until there is filed with the comptroller an agreement signed by said Annabelle Flammia 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 the amount paid or payable hereunder.

*Approved February 14, 1962.*

**Chap. 14.** RESOLVE VALIDATING THE ACTS OF IRENE ARABIAN AS A NOTARY PUBLIC.

*Resolved,* That the acts of Irene Arabian of Brookline as a notary public (a) between June eighteenth and August nineteenth, 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 Irene Manogian, 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, and (b) between August twenty-second and November twenty-second, nineteen hundred and sixty-one, both dates inclusive, in so far as the same may have been invalid by reason of the fact that she was reappointed and qualified as a notary public under her maiden name on August twenty-second, nineteen hundred and sixty-one, are hereby confirmed and made valid.

*Approved February 14, 1962.*

**Chap. 15.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PREVENTING THE CIRCUMVENTION OF THE LAWS RELATIVE TO ATTACHMENT OF WAGES.

*Resolved*, That the judicial council be requested to investigate the subject matter of current house document numbered 784, relative to preventing the circumvention of the laws relative to attachment of wages, 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 14, 1962.*

**Chap. 16.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE CUSTODY OF CERTAIN MARRIED WOMEN.

*Resolved*, That the judicial council be requested to investigate the subject matter of current house document numbered 3207, relative to the custody of certain married women, 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 February 14, 1962.*

**Chap. 17.** RESOLVE VALIDATING THE ACTS OF CAROLYN JOAN OUMET OF NORTH ADAMS AS A NOTARY PUBLIC.

*Resolved*, That the acts of Carolyn Joan Oumet of North Adams as a notary public, between October twenty-second and November twenty-seventh, nineteen hundred and sixty-one, both dates inclusive, in so far as the same were invalid by reason of the fact that, upon the change of her name from Carolyn Joan Demo, 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 February 27, 1962.*

**Chap. 18.** RESOLVE IN FAVOR OF DORIS B. WHITEHOUSE.

*Resolved*, That for the purpose of discharging a moral obligation of the commonwealth, and subject to appropriation, there be allowed and paid out of the state treasury to Doris B. Whitehouse of Boston, the sum of seven hundred and fifty dollars, as compensation for personal injuries sustained and as reimbursement for medical expenses incurred by her arising out of an accident which occurred on January fourth, nineteen hundred and sixty-one on a stairway at the premises of the state college at Boston while in the performance of her duties as a teacher for the division of university extension. No payment shall be made hereunder until there is filed with the comptroller an agreement signed by said Doris B. Whitehouse 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 this sum.

*Approved February 27, 1962.*



**Chap. 19.** RESOLVE IN FAVOR OF FORISH CONSTRUCTION COMPANY, INCORPORATED.

*Resolved,* That for the purpose of discharging a moral obligation of the commonwealth, and after an appropriation has been made therefor, there shall be allowed and paid out of the state treasury to Forish Construction Company, Incorporated the sum of one thousand twenty-three dollars and twenty-two cents, for extra work performed at the nurses' home at the state sanatorium at Westfield in the year nineteen hundred and fifty-nine by said company without the prior written approval of the department of public health. No payment shall be made hereunder until there is filed with the comptroller an agreement signed by said Forish Construction Company, Incorporated 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 this sum.

*Approved February 27, 1962.*

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**Chap. 20.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO ALLOWING PERSONS COMPLAINED OF FOR MISDEMEANORS TO BE HEARD PERSONALLY OR BY COUNSEL IN OPPOSITION TO THE ISSUANCE OF ANY PROCESS BASED ON SUCH COMPLAINT.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 1094, relative to allowing persons complained of for misdemeanors to be heard personally or by counsel in opposition to the issuance of any process based on such complaint, 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 5, 1962.*

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**Chap. 21.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE PROVIDING FOR PENALTY FOR THE SEIZING AND HOLDING BY PRISONERS OF EMPLOYEES IN PENAL AND REFORMATORY INSTITUTIONS.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 17, relative to the providing for penalty for the seizing and holding by prisoners of employees in penal and reformatory institutions, 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 5, 1962.*

**Chap. 22.** RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY 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 the unpaid special commission established by chapter seventy-two of the resolves of nineteen hundred and sixty-one is hereby revived and continued.

*Approved March 7, 1962.*

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**Chap. 23.** RESOLVE VALIDATING THE ACTS OF LUCY N. SOKOLOSKI OF DEERFIELD, IN PURPORTING TO ACT AS A NOTARY PUBLIC.

*Resolved,* That the acts of Lucy N. Sokoloski of Deerfield, in purporting to act as a notary public, between April twenty-first, nineteen hundred and forty-five and May twenty-sixth, nineteen hundred and sixty, both dates inclusive, are hereby confirmed and made valid to the same extent as if during said period she had been duly appointed and qualified as a notary public.

*Approved March 12, 1962.*

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**Chap. 24.** 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, which investigation and study was continued by chapter sixty-five of the resolves of nineteen hundred and sixty-one, is hereby authorized and directed to further continue so much of said investigation and study as relates 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 also make an investigation and study of the subject matter of current senate document numbered 484 relative to eliminating the corporate excess and to modify the tangible property measure of the corporation excise in order to stimulate investment in machinery and equipment and to promote new industry in the commonwealth.

Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate on or before the fourth Wednesday of April, nineteen hundred and sixty-two.

*Approved March 12, 1962.*

- Chap. 25.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO MAKING UNIFORM THE LAWS RELATIVE TO TESTAMENTARY ADDITIONS TO TRUSTS.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 122, (App. A), relative to making uniform the laws relative to testamentary additions to trusts, 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 12, 1962.*

- Chap. 26.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING THAT A DECREE OF ALIMONY ORDERING A CONVEYANCE OF REAL ESTATE SHALL CONSTITUTE A CONVEYANCE.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 1998, relative to providing that a decree of alimony ordering a conveyance of real estate shall constitute a conveyance, 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 12, 1962.*

- Chap. 27.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING THAT CERTAIN SUMS RECEIVED BY AN ADMINISTRATOR OR EXECUTOR AFTER THE EXPIRATION OF ONE YEAR OF HIS GIVING BOND SHALL BE CONSIDERED ASSETS OF THE ESTATE.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 262, relative to providing that certain sums received by an administrator or executor after the expiration of one year of his giving bond shall be considered assets of the estate, 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 12, 1962.*

- Chap. 28.** RESOLVE FURTHER CONTINUING THE INVESTIGATION AND STUDY BY THE WATER RESOURCES COMMISSION OF THE GROUND WATER RESOURCES IN THE COUNTIES OF PLYMOUTH AND BRISTOL AND IN CERTAIN TOWNS IN THE COUNTY OF NORFOLK.

*Resolved,* That the water resources commission is hereby authorized and directed to continue the investigation and study authorized by chapter three hundred and fourteen of the acts of nineteen hundred and fifty-seven, relative to the ground water supplies in the counties of Plymouth and Bristol, and the investigation and study authorized by chapter eighty-three of the resolves of nineteen hundred and fifty-nine

relative to such supplies in the towns of Avon, Holbrook, Plainville and Stoughton in the county of Norfolk. Said commission shall file its final report with the clerk of the house of representatives on or before the last Wednesday of December, nineteen hundred and sixty-three.

*Approved March 12, 1962.*

**Chap. 29.** RESOLVE CONTINUING THE 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 continue the investigation authorized by chapter thirty-two of the resolves of nineteen hundred and sixty-one. Said commission shall file its final report not later than the fourth Wednesday of January, nineteen hundred and sixty-four.

*Approved March 13, 1962.*

**Chap. 30.** RESOLVE CONTINUING THE STUDY BY THE WATER RESOURCES COMMISSION OF THE WATER RESOURCES OF THE WESTFIELD RIVER VALLEY.

*Resolved,* That the water resources commission is hereby authorized and directed to continue the study authorized by chapter eighty-two of the resolves of nineteen hundred and sixty, relative to the water resources of the Westfield river valley. Said commission shall file its final report with the clerk of the senate on or before the first Wednesday of January, nineteen hundred and sixty-three.

*Approved March 13, 1962.*

**Chap. 31.** RESOLVE EXTENDING THE TIME WITHIN WHICH THE DIVISION OF INSURANCE SHALL FILE ITS REPORT 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 time within which the division of insurance shall make its report to the general court relative to the securing of fire insurance, plan of apportionment and service charges therefor, by certain persons unable to obtain such insurance, as authorized by chapter one hundred and fourteen of the resolves of nineteen hundred and sixty-one, is hereby extended to the fourth Wednesday of June in the current year.

*Approved March 19, 1962.*

**Chap. 32.** RESOLVE IN FAVOR OF WALTER W. KUSHMEREK AND HELEN C. SIKORSKI.

*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 Walter W. Kushmerek of Chelsea, the sum of four thousand two hundred and seventy dollars; and to Helen C. Sikorski the sum of three thousand six hundred and sixty-seven dollars and fifty cents for damages to their property at twenty-four and twenty-eight Second street in said city, in the year nineteen hundred and fifty-five caused by the

collapse of a section of the North Metropolitan Sewer in said street, which sewer was under the control of the metropolitan district commission. The amounts authorized by this resolve shall be paid from funds previously reserved under account 9114-01 of the North Metropolitan Sewerage Loan of 1955. No payment shall be made hereunder until there has been filed with the comptroller an agreement signed by said Walter W. Kushmerck and Helen C. Sikorski, 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 sums.

*Approved March 19, 1962.*

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**Chap. 33.**      RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO ESTABLISHING LIMITATIONS ON PROCEEDINGS RELATING TO BUILDING RESTRICTIONS.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 1100, relative to establishing limitations on proceedings relating to building restrictions, 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 22, 1962.*

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**Chap. 34.**      RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE PROCEDURE ON WRITS OF CERTIORARI.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 1565, relative to the procedure on writs of certiorari, 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 22, 1962.*

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**Chap. 35.**      RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE FILING OF REPORTS BY GUARDIAN AD LITEM APPOINTED BY THE PROBATE COURT.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 2497, relative to the filing of reports by guardian ad litem appointed by the probate court, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

*Approved March 22, 1962.*

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**Chap. 36.**      RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROHIBITING THE PUBLICATION OF THE NAME OF THE VICTIM OF CRIMINAL ASSAULT OR RAPE EXCEPT IN CERTAIN CIRCUMSTANCES.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house documents numbered 787, relative to

prohibiting the publication of the name of the victim of criminal assault or rape without assent, and 2966, relative to prohibiting during a trial the publication of the name of any alleged victim of rape, 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 22, 1962.*

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**Chap. 37.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING THAT A CONTRACTOR WHO DIVERTS FUNDS IS GUILTY OF LARCENY.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 2230, relative to providing that a contractor who diverts funds is guilty of larceny, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

*Approved March 22, 1962.*

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**Chap. 38.** RESOLVE IN FAVOR OF ANNE B. WEINER AND J. HARVEY THIRKELL, TRUSTEE.

*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 to Anne B. Weiner and J. Harvey Thirkell, trustee, the sum of twenty-nine hundred dollars as damages in connection with the taking by the metropolitan district commission by eminent domain of a parcel of land owned by said Anne B. Weiner and J. Harvey Thirkell, trustee and described in an order of taking by said commission on April sixth, nineteen hundred and sixty, and recorded in Middlesex South Registry of Deeds on April fifteenth, nineteen hundred and sixty, the time having expired within which a petition could legally be brought for the assessment of damages because of such land taking. No payment shall be made hereunder until there has been filed with the state treasurer an agreement signed by Anne B. Weiner and J. Harvey Thirkell, trustee, that the amount, if any, paid or to be paid for legal or other services rendered in connection with the passage of this resolve shall not exceed ten per cent of the amount paid or payable hereunder.

*Approved March 22, 1962.*

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**Chap. 39.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR OFFICIAL REPORTS AS EVIDENCE.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 780, relative to providing for official reports as evidence, 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 2, 1962.*

**Chap. 40.**      RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE CREATION OF THE OFFICE OF ASSOCIATE JUSTICE IN CERTAIN DISTRICT COURTS AND THE ABOLITION OF THE OFFICE OF SPECIAL JUSTICE THEREIN.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 1096, relative to the creation of the office of associate justice in certain district courts and the abolition of the office of special justice therein, 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 2, 1962.*

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**Chap. 41.**      RESOLVE VALIDATING THE ACTS OF BURTON M. STEVENS OF FITCHBURG AS A NOTARY PUBLIC.

*Resolved,* That the acts of Burton M. Stevens of Fitchburg as a notary public between July twenty-third, nineteen hundred and sixty-one and December fifteenth, nineteen hundred and sixty-one, both dates inclusive, are hereby confirmed and made valid to the same extent as if during said time he had been qualified to discharge the duties of said office.

*Approved April 4, 1962.*

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**Chap. 42.**      RESOLVE EXTENDING THE TIME WITHIN WHICH THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO CONFLICT OF INTERESTS AND ETHICS IN GOVERNMENT SHALL MAKE ITS FINAL REPORT.

*Resolved,* That the time within which the unpaid special commission established by section two of chapter six hundred and ten of the acts of nineteen hundred and sixty-one shall make its final report is hereby extended to April thirtieth, nineteen hundred and sixty-two.

*Approved April 5, 1962.*

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**Chap. 43.**      RESOLVE IN FAVOR OF LILLIAN E. PATTERSON OF WILMINGTON.

*Resolved,* That, for the purpose of discharging a moral obligation of the commonwealth, and subject to appropriation, there be allowed and paid out of the state treasury to Lillian E. Patterson of Wilmington, the sum of eleven hundred dollars for injuries sustained by her as a result of being struck by a stone projected from a rotary lawn mower operated by an employee of the metropolitan district commission on the Fellsway in Stoneham on July twenty-ninth, nineteen hundred and sixty.

No payment shall be made hereunder until there shall have been filed with the comptroller an agreement signed by the said Lillian E. Patterson 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 sum paid or payable hereunder.

*Approved April 10, 1962.*

- Chap. 44.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE COMMISSIONER OF PUBLIC SAFETY OF THE STANDARDS OF HIS DEPARTMENT FOR THE ERECTION, ALTERATION AND INSPECTION OF GRANDSTANDS, STADIA, BLEACHERS AND ARENAS.

*Resolved,* That the commissioner of public safety is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 1856, directing the commissioner of public safety to review the standards of the department of public safety for the erection, alteration and inspection of grandstands, stadia, bleachers and arenas. Said commissioner may expend for the employment of engineering, technical and clerical assistance such sums as may be appropriated therefor. Said commissioner shall report to the general court the results of his investigation and study and his 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 December in the current year.

*Approved April 10, 1962.*

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- Chap. 45.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO EXTENDING RULE-MAKING POWER OF THE SUPREME JUDICIAL COURT.

*Resolved,* That the judicial council be requested to investigate the subject matter of current senate document numbered 276, relative to extending rule-making power of the supreme judicial court, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

*Approved April 13, 1962.*

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- Chap. 46.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO THE CONSTRUCTION OF A CERTAIN TRAFFIC INTERCHANGE IN THE CITY OF SOMERVILLE.

*Resolved,* That the metropolitan district commission is hereby authorized and directed to make an investigation and study of current senate document numbered 363, relative to authorizing and directing the metropolitan district commission to construct a certain traffic interchange on the McGrath Highway in the city of Somerville. 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, nineteen hundred and sixty-three.

*Approved April 13, 1962.*



**Chap. 47.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION RELATIVE TO EXEMPTING FROM TAXATION SO MUCH OF RETIREMENT ALLOWANCES RECEIVED FROM TRUSTS FORMING PART OF CERTAIN PLANS AS IS REPRESENTED BY EMPLOYEES' CONTRIBUTIONS THERETO.

*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 481, relative to exempting from taxation so much of retirement allowances received from trusts forming part of certain plans as is represented by employees' contributions thereto. 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 April 13, 1962.*

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**Chap. 48.** RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE LICENSING OF AGENCIES GIVING DAY CARE TO CHILDREN.

*Resolved,* That the special commission established by chapter eighty-one of the resolves of nineteen hundred and sixty-one is hereby revived and continued.

*Approved April 13, 1962.*

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**Chap. 49.** RESOLVE EXTENDING THE TIME WITHIN WHICH THE WATER RESOURCES COMMISSION IS REQUIRED TO COMPLETE ITS STUDY AND FILE ITS FINAL REPORT RELATIVE TO THE WATER SUPPLY OF THE MUNICIPALITIES IN THE MERRIMACK RIVER VALLEY.

*Resolved,* That the time within which the water resources commission is required to complete its study and file its final report and recommendations relative to the water supply of municipalities in the Merrimack River Valley as authorized by chapter one hundred and one of the resolves of nineteen hundred and fifty-eight, is hereby extended to the first Wednesday in December, nineteen hundred and sixty-three.

*Approved April 13, 1962.*

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**Chap. 50.** RESOLVE PROVIDING FOR A STUDY BY THE REGISTRAR OF MOTOR VEHICLES RELATIVE TO REQUIRING A SPECIAL LICENSE TO OPERATE A MOTOR VEHICLE TO BE USED FOR THE TRANSPORTATION OF SCHOOL CHILDREN AND REQUIRING A PERSON TO MEET CERTAIN PHYSICAL STANDARDS BEFORE SUCH LICENSE SHALL BE ISSUED.

*Resolved,* That the registrar of motor vehicles is hereby authorized and directed to make a study relative to requiring a special license to operate a motor vehicle to be used for the transportation of school children and requiring a person to meet certain physical standards before

such license shall be issued. The registrar shall consider the subject matter of current house document numbered 1531, relative to requiring operators for hire of a bus or other vehicle transporting school children to pass a physical examination annually. Said registrar shall report to the general court the results of his study and his recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect by filing the same with the clerk of the senate on or before the last Wednesday of December, nineteen hundred and sixty-two.

*Approved April 13, 1962.*

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**Chap. 51.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO RE-CONSTRUCTING OR REPLACING THE DIGHTON-BERKLEY BRIDGE.

*Resolved,* That the department of public works is hereby authorized and directed to make an investigation and study relative to the advisability and feasibility of reconstructing the Dighton-Berkley bridge between the towns of Dighton and Berkley over the Taunton river, or constructing a new bridge at the same site.

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, nineteen hundred and sixty-two.

*Approved April 13, 1962.*

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**Chap. 52.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO CERTAIN PROBATE MATTERS AND RELATIVE TO THE BIRTH RECORDS OF CERTAIN ADOPTED CHILDREN.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house documents numbered 1576, relative to permitting compliance with a testator's expressed desire as to representation of interests of persons unborn or unascertained in probate accounts; 3147, relative to further regulating the holding of the sessions of the probate court for the county of Worcester; and 3281, relative to providing for the recording of the birth of certain children born outside the commonwealth who are adopted therein, 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 13, 1962.*

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**Chap. 53.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE REVIEW OF QUESTIONS OF LAW ARISING IN PROCEEDINGS IN THE DISTRICT COURTS RELATIVE TO THE REMOVAL, ETC. OF CIVIL SERVICE EMPLOYEES.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 1566, relative

to the review of questions of law arising in proceedings in the district courts relative to the removal, etc. of civil service employees, 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 13, 1962.*

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**Chap. 54.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR THE APPROVAL OF FEES OF ATTORNEYS AND/OR THE DISTRIBUTION OF THE PROCEEDS OF SETTLEMENTS WITH THIRD PARTIES UNDER THE WORKMEN'S COMPENSATION LAW.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 37, relative to providing for the approval of fees of attorneys and/or the distribution of the proceeds of settlements with third parties under the workmen's compensation law, 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 13, 1962.*

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**Chap. 55.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO AUTHORIZING CITIES AND TOWNS TO TAKE LAND BY EMINENT DOMAIN FOR THE PURPOSE OF CONSTRUCTING BOMB BLAST AND FALLOUT SHELTERS.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 1285, relative to authorizing cities and towns to take land by eminent domain for the purpose of constructing bomb blast and fallout shelters, 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 13, 1962.*

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**Chap. 56.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE CONVICTION OF A PERSON BY ENTRAPMENT.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 1556, relative to the conviction of a person by entrapment, 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 13, 1962.*

**Chap. 57.** 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 nineteen hundred and sixty-one, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 486, relative to reimbursing the town of Norfolk for the loss of taxes on certain land therein owned by the commonwealth and held for public institution purposes; 488, relative to clarifying the right of the city of Boston to tax lands in that city known as Commonwealth Flats when leased for business purposes; and 489, relative to the taxation of lands and buildings situated in Boston known as Commonwealth Flats.

*Approved April 13, 1962.*

**Chap. 58.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ESTABLISHMENT OF A SOLDIERS' HOME IN THE COUNTIES OF ESSEX AND WORCESTER.

*Resolved,* That an unpaid special commission, to consist of three members of the senate, five members of the house of representatives, and three persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to the advisability and feasibility of establishing a soldiers' home in the counties of Essex and Worcester. Said commission may travel without the commonwealth.

*Approved April 24, 1962.*

**Chap. 59.** 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 nineteen hundred and sixty-one, shall, in the course of its investigation and study, consider the subject matter of current house documents numbered 695, relative to the methods of taxation of real estate within the commonwealth; 699, relative to the method of assessing real estate taxes by the cities and towns of the commonwealth; and 2103, relative to assessment or valuation of property subject to local taxation and related matters.

*Approved April 24, 1962.*

**Chap. 60.** 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 house documents numbered 1177, relative to the taxation of income derived from real estate; 2380, relative to providing that income from real estate rentals in excess of one thousand dollars shall be subject to the income tax laws; and 2606, relative to eliminating the exemption of rental income from taxation relative to buildings containing more than four dwelling units.

*Approved April 24, 1962.*

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**Chap. 61.** 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 nineteen hundred and sixty-one, shall, in the course of its investigation and study, consider the subject matter of current house documents numbered 592, relative to further regulating the assessment of certain taxes on corporations; 1172, relative to regulating the time within which the commissioner of corporations and taxation shall give notice after he has computed the amount of inheritance tax due on an estate, and other related matters; and 3079, relative to requiring dealers in second-hand motor vehicles to notify assessors of the sale of said vehicles.

*Approved April 24, 1962.*

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**Chap. 62.** RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO STUDY AND INVESTIGATE COMMUNISM AND SUBVERSIVE ACTIVITIES AND RELATED MATTERS IN THE COMMONWEALTH.

*Resolved,* That the unpaid special commission established by chapter eighty-nine of the resolves of nineteen hundred and fifty-three, most recently revived and continued by chapter fifty-four of the resolves of nineteen hundred and sixty, and the time for filing its final report extended by chapter one hundred and twenty-four of the resolves of nineteen hundred and sixty-one, is hereby further revived and continued.

*Approved April 24, 1962.*

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**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 nineteen hundred and sixty-one, shall, in the course of its investigation and study, consider the subject matter of current house documents numbered 374, relative to providing for the retention by registers of deeds and the payment to the respective counties of certain moneys derived from the sale of adhesive stamps for the payment of the excise on deeds, instruments and writings; 1450, relative to providing for the distribution to the several counties of the excise on deeds, instruments and writings; and 1894, relative to making certain changes in the cigarette excise tax law.

*Approved April 24, 1962.*

**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 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 158, 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; and of current house documents numbered 1449, 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; 2376, relative to exempting cities and towns from payment of gasoline excise tax for municipally owned vehicles; and 2842, relative to providing for tax free sales of special fuels to towns within the commonwealth.

*Approved April 24, 1962.*

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**Chap. 65.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC UTILITIES RELATIVE TO THE IMPROVEMENT OF SAFETY CONDITIONS AT OR NEAR PAWTUCKET STREET RAILROAD BRIDGE IN THE CITY OF LOWELL.

*Resolved,* That the department of public utilities is hereby authorized and directed to make an investigation and study relative to the Pawtucket street railroad bridge in the city of Lowell and the traffic approaches thereto for the purpose of determining the reasonableness, for motor vehicle use, of the design and location of said bridge and approaches. Said department shall also determine the obligation of the Boston and Maine Railroad Company to provide a facility at this location suitable to reduce the motor vehicle accident frequency rate thereat.

The 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 April 24, 1962.*

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**Chap. 66.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DIVISION OF FISHERIES AND GAME RELATIVE TO THE FEASIBILITY OF ISSUING FREE CERTIFICATES OR LICENSES TO FISH, HUNT OR TRAP TO CERTAIN PERSONS.

*Resolved,* That the division of fisheries and game in 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 378, relative to providing for the issuance without charge of a special certificate to fish to certain mental patients; and of current house documents numbered 818, relative to making persons on social security eligible for free fishing licenses; 1344, relative to exempting

persons over the age of sixty-five from the payment of fees for trapping licenses; 1348, relative to providing for the issuance of a hunting, fishing or trapping license to persons over sixty-five years of age; and 1839, relative to establishing fees for sporting, hunting and trapping licenses issued to servicemen. Said division shall report to the general court the results of its investigation and study, and its recommendations, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of December in the current year.

*Approved April 24, 1962.*

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**Chap. 67.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DIVISION OF EMPLOYMENT SECURITY RELATIVE TO VOLUNTARY COVERAGE FOR NON-PROFIT INSTITUTIONS' EMPLOYEES UNDER THE EMPLOYMENT SECURITY ACT AND UNEMPLOYMENT COMPENSATION BENEFITS TO EMPLOYEES OF THE COMMONWEALTH AND ITS POLITICAL SUBDIVISIONS.

*Resolved,* That the division of employment security is hereby authorized and directed to make an investigation and study of the subject matter of current senate document numbered 315, relative to permitting voluntary coverage for non-profit institutions' employees under the employment security act; and of current house documents numbered 252, relative to providing unemployment compensation benefits to employees of the commonwealth and its political subdivisions; 259, relative to permitting voluntary coverage for non-profit institutions' employees under the employment security act; 952, relative to providing unemployment compensation benefits to employees of the commonwealth and its political subdivisions; and 1803, relative to permitting voluntary coverage for non-profit institutions' employees under the employment security act. 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 such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of December in the current year.

*Approved April 24, 1962.*

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**Chap. 68.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF NATURAL RESOURCES RELATIVE TO CERTAIN PRACTICES OF OWNERS OF COMMERCIAL DEEP SEA FISHING BOATS IN THE TAKING AND SALE OF LOBSTERS.

*Resolved,* That the department of natural resources is hereby authorized and directed to make an investigation and study of certain practices of owners of commercial deep sea fishing boats, with particular reference to the taking and sale of lobsters and the removal of eggs from egg bearing lobsters. 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 December in the current year.

*Approved April 24, 1962.*

**Chap. 69.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE MASS TRANSPORTATION COMMISSION RELATIVE TO THE FISCAL AFFAIRS OF THE METROPOLITAN TRANSIT AUTHORITY AND THE SOUTH SHORE TRANSPORTATION DISTRICT.

*Resolved,* That the mass transportation commission is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 2106, relative to the fiscal affairs of the Metropolitan Transit Authority and the South Shore Transportation District.

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 December in the current year.

*Approved April 24, 1962.*

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**Chap. 70.** RESOLVE INCREASING THE SCOPE OF THE 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, authorized to make an investigation and study by chapter one hundred and fourteen of the resolves of nineteen hundred and sixty-one, and the time for filing its final report having been extended by chapter thirty-one of the resolves of nineteen hundred and sixty-two, shall, in the course of its investigation and study, consider the subject matter of current house documents numbered 223, relative to providing for the securing of fire insurance, plan of apportionment and service charges therefor, by certain persons unable to obtain such insurance; 224, relative to authorizing certain foreign fire insurance companies to transact business in the commonwealth for certain applicants for fire insurance policies; 1086, relative to providing for the securing of fire insurance, plan of apportionment and service charges therefor, by certain persons unable to obtain such insurance; 1539, relative to providing for the securing of fire insurance, plan of apportionment and service charges therefor, by certain persons unable to obtain such insurance; and 1541, relative to requiring full notice of denial or refusal by insurance company to insure.

*Approved April 24, 1962.*

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**Chap. 71.** 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 most recently revived and continued by chapter nine of the resolves of nineteen hundred and sixty-two, shall, in the course of its investigation and study, consider the subject matter of current house



documents numbered 1327, relative to providing for an advisory board in the metropolitan park district; 1621, relative to establishing an advisory board to the metropolitan district commission; 2284, relative to authorizing and directing the metropolitan district commission to construct and maintain a sea aquarium in the Castle Island section of the city of Boston; 2779, relative to establishing a recreation division within the framework of the metropolitan district commission; and 3009, relative to providing for a recreation supervisor to supervise the metropolitan district commission's recreation areas in Boston.

*Approved April 24, 1962.*

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**Chap. 72.** 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 nineteen hundred and sixty-one, shall, in the course of its investigation and study, consider the subject matter of current house document numbered 807, relative to increasing the amount of water which the town of Southborough may take from the pressure aqueduct and tunnel of the metropolitan water system.

*Approved April 24, 1962.*

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**Chap. 73.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION RELATIVE TO BRINGING THE TAXATION OF CHARITABLE TRUSTS INTO CONFORMITY WITH THE FEDERAL LAW.

*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 1903, relative to bringing the taxation of charitable trusts into conformity with the federal law. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of December in the current year.

*Approved April 24, 1962.*

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**Chap. 74.** RESOLVE PROVIDING FOR AN ANNUITY FOR WILLIAM H. PRATT OF MARSHFIELD, A FORMER MEMBER OF THE STATE POLICE.

*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 William H. Pratt of Marshfield, formerly a member of the state police who was injured in the performance of his duties as a member of the state police on June twenty-sixth, nineteen hundred and twenty-seven, an annuity of two thousand dollars, payable

in equal monthly instalments, for a period of five years commencing June first, nineteen hundred and sixty-two. Said annuity shall cease upon the death of said William H. Pratt if it occurs prior to the expiration of said period of five years. No payment shall be made hereunder until there has been filed with the comptroller an agreement signed by said William H. Pratt 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 maximum amount payable hereunder.

*Approved April 24, 1962.*

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**Chap. 75.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF NATURAL RESOURCES RELATIVE TO THE COASTAL WETLANDS IN THE COMMONWEALTH AND CERTAIN SHELLFISH GRANTS.

*Resolved,* That the department of natural resources is hereby authorized and directed to make an investigation and study of the coastal wetlands in the commonwealth with respect to their location, ownership and value to fish and wildlife. Said department shall, in the course of its investigation and study, consider the subject matter of current house documents numbered 979, relative to repealing certain provisions of law relating to certain shellfish grants; 2038, relative to private shellfish grants; and 3017, relative to increasing lease charges and costs of surveying relating to private shellfish grants. 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 fourth Wednesday of December in the current year.

*Approved April 24, 1962.*

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**Chap. 76.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION OF VARIOUS MATTERS RELATING TO RETIREMENT.

*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 984, relative to granting a retirement option to certain veterans; 2301, relative to providing the payment of an allowance to the surviving widow of a deceased municipal employee who has no other support; 3023, relative to extending certain options under the retirement laws to the state police; 3031, relative to providing an annuity for widows of certain former employees of the commonwealth or any political subdivisions thereof; and 3397, providing for an investigation and study by the retirement law commission relative to the election of options by certain members of the contributory retirement system.

Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of December in the current year.

*Approved April 24, 1962.*

**Chap. 77.** RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO SUPPRESSING AND MAKING INADMISSIBLE CERTAIN EVIDENCE IN CRIMINAL PROSECUTIONS.

*Resolved,* That the unpaid special commission established by chapter one hundred and three of the resolves of nineteen hundred and sixty-one is hereby revived and continued. *Approved April 27, 1962.*

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**Chap. 78.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DIVISION OF MARINE FISHERIES RELATIVE TO RESTRICTING THE USE OF AN OTTER TRAWL IN CERTAIN WATERS OF THE COMMONWEALTH.

*Resolved,* That the division of marine fisheries in 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 980, relative to restricting the use of an otter trawl in certain waters of the commonwealth. Said division shall report to the general court the results of its investigation and study, and its recommendations, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of December in the current year. *Approved April 27, 1962.*

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**Chap. 79.** 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 house document numbered 1905, relative to providing financial aid for driver education. *Approved May 1, 1962.*

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**Chap. 80.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE COST OF DOING BUSINESS IN MASSACHUSETTS AS COMPARED TO OTHER STATES.

*Resolved,* That an unpaid special commission, to consist of two members of the senate, three members of the house of representatives, and two persons to be appointed by the governor is hereby established for the purpose of making an investigation and study of the cost of doing business in Massachusetts as compared to other states. Said commission, in the course of its investigation and study, shall consider without being limited thereto, the costs of operations and production, workmen's compensation, unemployment compensation, taxes and freight rates. Said commission may require by summons the attendance and testimony of witnesses and the production of books and papers, and may travel without the commonwealth. *Approved May 1, 1962.*

**Chap. 81.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO CLEARING, IMPROVING AND BEAUTIFYING THE BANK OF THE MERRIMACK RIVER LOCATED IN DRACUT AND TO CONSTRUCT THEREON A MARINA.

*Resolved,* That the department of public works, through its division of waterways, is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 420, relative to clearing, improving and beautifying the bank of the Merrimack river located in Dracut and to construct thereon a marina. For such purpose said department may expend such 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 such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of December in the current year.

*Approved May 1, 1962.*

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**Chap. 82.** 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 house document numbered 2370, relative to imposing a tax on chain stores.

*Approved May 1, 1962.*

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**Chap. 83.** RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE ERECTION OF A MEMORIAL TO COLONEL THOMAS CASS AND THE OFFICERS AND MEN OF THE NINTH REGIMENT OF INFANTRY.

*Resolved,* That the special commission established by chapter ninety of the resolves of nineteen hundred and sixty-one is hereby revived and continued.

*Approved May 7, 1962.*

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**Chap. 84.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE CONSTRUCTION OF FACILITIES FOR THE HOLDING OF ATHLETIC COMPETITIONS IN THE METROPOLITAN AREA.

*Resolved,* That an unpaid special commission, to consist of two members of the senate, three members of the house of representatives, and five persons to be appointed by the governor, one of whom shall be a representative of the Boston public schools, and one of whom shall be a representative of the metropolitan track league, is hereby established to make an investigation and study relative to the advisability and feasibility of the construction and maintenance of new, adequate and convenient facilities for the holding of athletic competitions, particularly high school and other track and field meets in the metropolitan area.

*Approved May 7, 1962.*

**Chap. 85.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE CREATION OF A MERRIMACK RIVER VALLEY POLLUTION ABATEMENT DISTRICT.

*Resolved,* That an unpaid special commission, to consist of one member of the senate, three members of the house of representatives, the commissioner of public health or his designee, the commissioner of natural resources or his designee, the chairman of the water resources commission or his designee, the chairman of the Merrimack River valley sewerage board or his designee, and one representative of each of the cities and towns of Amesbury, Andover, Billerica, Chelmsford, Dracut, Groveland, Haverhill, Lawrence, Lowell, Merrimac, Methuen, Newburyport, North Andover, Salisbury, Tewksbury, Tyngsborough, Westford and West Newbury, to be designated by the mayor with the consent of the council or by the board of selectmen as the case may be, is hereby established for the purpose of making an investigation and study relative to the establishment of a Merrimack river valley pollution abatement district. Said commission shall, in the course of its investigation and study, consider the subject matter of current house document numbered 2803, relative to establishing the Merrimack River Valley Pollution Abatement District.

*Approved May 7, 1962.*

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**Chap. 86.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO AUTHORIZING PUBLIC UTILITY COMPANIES TO GRANT REDUCED RATES TO THEIR EMPLOYEES AND RETIRED EMPLOYEES.

*Resolved,* That an unpaid special commission, to consist of the chairman of the commissioners of the department of public utilities or his designee, and four persons to be appointed by the governor, of whom two shall be representatives of management of public utilities, one shall be a representative of labor and an active employee of a public utility, and one shall be a representative of labor and a retired employee of a public utility, is hereby established for the purpose of making an investigation and study of the subject matter of current senate document numbered 406, relative to authorizing gas and electric companies to grant reduced rates to certain of their retired employees, and of current house document numbered 831, relative to authorizing public utilities to establish special reduced rates applicable to employees thereof.

*Approved May 7, 1962.*

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**Chap. 87.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE FEASIBILITY OF ESTABLISHING A STATE FAIR FOR CERTAIN PURPOSES.

*Resolved,* That an unpaid special commission, to consist of two members of the senate, three members of the house of representatives, and three persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to the feasibility of establishing a state fair for the promotion and development of industry, for the furtherance of advertising our educational institutions, for the promotion of our commercial fisheries and to further the possibilities in the development of atomic energy.

*Approved May 11, 1962.*

**Chap. 88.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE NEED FOR AMENDMENT, REVISION OR SIMPLIFICATION OF THE CONSTITUTION OF THE COMMONWEALTH.

*Resolved,* That an unpaid special commission, to consist of three members of the senate, five members of the house of representatives, and eight persons to be appointed by the governor, of whom three shall hold or have held elective state, county and municipal office, respectively, one shall be selected from a list furnished by the Massachusetts Bar Association, one shall be selected from a list furnished by the Boston Bar Association, and one shall be a professor of constitutional law at an accredited law school, is hereby established for the purpose of making an investigation and study relative to the need for amendment, revision or simplification of the constitution of the commonwealth.

Said commission shall, in the course of its investigation and study, consider current and recent proposals for amendments to the constitution and shall prepare and distribute such materials relative to constitutional problems and proposals for amendments as will in its opinion contribute to citizen understanding of such matters.

Said commission may travel without the commonwealth. Said commission shall report from time to time to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislative proposals for amendment to the constitution necessary to carry its recommendations into effect by filing the same with the clerk of the senate. Said commission shall file its initial report not later than the fourth Wednesday of March, nineteen hundred and sixty-three and its final report not later than the fourth Wednesday of March, nineteen hundred and sixty-seven.

*Approved May 18, 1962.*

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**Chap. 89.** RESOLVE ESTABLISHING A SPECIAL UNPAID COMMISSION TO MAKE AN INVESTIGATION AND STUDY OF THE PROBLEM OF UNEMPLOYMENT AMONG ELDER CITIZENS.

*Resolved,* That a special unpaid commission to consist of two members of the senate, three members of the house of representatives, and four persons to be appointed by the governor, is hereby established to make a study of the problem of unemployment among elder citizens, and methods of alleviating such unemployment.

*Approved May 18, 1962.*

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**Chap. 90.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION OF MEANS OF ABSORBING LABOR SURPLUS IN CERTAIN AGE GROUPS.

*Resolved,* That an unpaid special commission, to consist of one member of the senate, three members of the house of representatives, and three persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the means of absorbing the labor surplus existing in the group of persons forty-five years of age and over. Said commission shall also study the effect of the workmen's compensation act in creating unemployment in said age

group. Said commission shall have the power to summons witnesses and to require the production of books, records and papers, and the giving of testimony under oath and may travel without the commonwealth.

*Approved May 18, 1962.*

**Chap. 91.**      RESOLVE EXTENDING THE TIME WITHIN WHICH THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO ESTABLISHING A TRAINING PROGRAM FOR MUNICIPAL POLICE OFFICERS IS REQUIRED TO FILE ITS FINAL REPORT.

*Resolved,* That the time within which the unpaid special commission established by chapter eighty-six of the resolves of nineteen hundred and sixty-one is required to file its final report is hereby extended to June thirtieth, nineteen hundred and sixty-two.

*Approved May 18, 1962.*

**Chap. 92.**      RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE ERECTION OF A STATUE OR OTHER SUITABLE MEMORIAL TO THE LATE JAMES MICHAEL CURLEY.

*Resolved,* That the unpaid special commission established by chapter twenty-three of the resolves of nineteen hundred and sixty-one is hereby revived and continued.

*Approved May 18, 1962.*

**Chap. 93.**      RESOLVE AUTHORIZING AND DIRECTING THE DEPARTMENT OF PUBLIC UTILITIES TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE ISSUANCE OF BONDS BY GAS AND ELECTRIC COMPANIES.

*Resolved,* That the department of public utilities is hereby authorized and directed to make an investigation and study of the subject matter of current senate document numbered 405, relative to the issuance of bonds by gas and electric companies. 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 senate on or before November first, nineteen hundred and sixty-two.

*Approved May 18, 1962.*

**Chap. 94.**      RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO EDIBLE SHELLFISH PURIFICATION PLANTS AND THE ESTABLISHMENT OF A SHELLFISH LABORATORY.

*Resolved,* That the unpaid special commission established by chapter thirty-four of the resolves of nineteen hundred and sixty-one is hereby revived and continued. Said commission shall, in the course of its investigation and study, consider the subject matter of the investigation and study proposed by current senate document numbered 551, relative to shellfish purification plants.

*Approved May 18, 1962.*

**Chap. 95.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC HEALTH RELATIVE TO THE PREPARATION OF PLANS AND MAPS FOR THE DISPOSAL OF SEWAGE IN THE MERRIMACK RIVER VALLEY.

*Resolved,* That the department of public health is hereby authorized and directed to consider and report a plan for the disposal of sewage and other liquid wastes in the valley of the Merrimack river in the cities and towns of Amesbury, Andover, Billerica, Chelmsford, Dracut, Groveland, Haverhill, Lawrence, Lowell, Merrimac, Methuen, Newburyport, North Andover, Salisbury, Tewksbury, Tyngsborough, Westford and West Newbury. In the course of its investigation and study, said department shall consider the contents of Senate Document No. 550 of 1947, "Report of the Joint Board established to investigate and study, and to prepare Plans and Maps for, the Disposal of Sewage in the Merrimack River Valley". Said department may expend for such purposes, such sums as may be appropriated therefor to employ such engineering consultants and other assistants as may be necessary to carry out the objectives of this resolve. Said department shall report from time to time its findings and recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before December fourth, nineteen hundred and sixty-three.

*Approved May 22, 1962.*

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**Chap. 96.** RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ON TAXATION.

*Resolved,* That the unpaid special commission 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 house document numbered 1453, relative to making certain corrections in the law regarding the taxation of partnerships, associations and trusts with transferable shares; and 3482, the special report of the state tax commission relative to taxation of trusts with transferable shares and certain income tax provisions.

*Approved May 22, 1962.*

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**Chap. 97.** RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ON TAXATION.

*Resolved,* That the unpaid special commission 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 house documents numbered 3081, relative to the fixing of tax limits in cities and towns; 3082, relative to providing that real estate taxes shall be assessed on fifty per cent of the fair cash value of such property; and 3083, relative to authorizing and directing the state treasurer to pay certain sums of money to the cities and towns based on a proportion of taxes now exempt on certain real estate.

*Approved May 22, 1962.*



**Chap. 98.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE MASS TRANSPORTATION COMMISSION RELATIVE TO THE CARE, MAINTENANCE, INSTALLATION AND OPERATION OF PUBLIC GRADE CROSSINGS, THE ELIMINATION OF PASSENGER SERVICE ON THE BOSTON AND MAINE RAILROAD, ENLARGING THE POWERS OF THE SOUTH SHORE TRANSPORTATION DISTRICT AND CERTAIN OTHER MATTERS.

*Resolved,* That the mass transportation commission is hereby authorized and directed to make an investigation and study of the subject matter of current house documents numbered 884, relative to the care, maintenance, installation and operation of all public grade crossings; 1048, relative to the care and maintenance of public highway bridges over railroads; of the investigation and study proposed by current house document numbered 1477, relative to the proposed elimination of passenger service on the Boston and Maine railroad; of current house documents numbered 1913, relative to gates and flashing lights at crossings of railroads and public ways; 2863, relative to authorizing and directing the department of public works to repair and maintain all bridges spanning railroad tracks; 3094, relative to the payment to the South Shore Transportation District of annual charges for capital costs by the commonwealth; and of 3095, relative to enlarging the powers of the South Shore Transportation District. 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 December in the current year.

*Approved May 22, 1962.*

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**Chap. 99.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE PAROLE BOARD RELATIVE TO THE FEASIBILITY OF CHANGING THE LAW RELATIVE TO THE MANDATORY TIME TO BE SERVED BY PRISONERS CONVICTED OF CERTAIN GAMBLING OFFENSES AND CERTAIN OTHER RELATED MATTERS.

*Resolved,* That the parole board is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 1097, relative to providing that persons convicted for second offenses of certain gambling laws shall serve at least two thirds of the sentence imposed therefor. In the course of its investigation and study said board shall also investigate and study the procedure, rules and regulations used by county commissioners in the exercise of their parole authority. Said board shall report to the general court the results of its investigation and study and its recommendations, if any, in relation thereto, 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 December in the current year.

*Approved May 22, 1962.*

**Chap. 100.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE COMMISSIONER OF INSURANCE RELATIVE TO CANCELLATION OF AND DISCLOSURE OF LIMITS OF INDEMNIFICATION IN MOTOR VEHICLE LIABILITY POLICIES AND BONDS.

*Resolved,* That the commissioner of insurance is hereby authorized and directed to make an investigation and study of the subject matter of current house documents numbered 1271, relative to prohibiting the cancellation of compulsory motor vehicle liability policies except under certain conditions; 1780, relative to requiring insurance companies and surety companies to disclose to certain persons the amounts or limits of indemnification or protection contained in a motor vehicle liability policy or bond; 2213, relative to notice to be given policyholder prior to cancellation of motor vehicle liability policy; and 2726, relative to cancellation notices under the compulsory motor vehicle insurance law. Said commissioner shall report to the general court the results of his investigation and study, and his 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 December in the current year.

*Approved May 22, 1962.*

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**Chap. 101.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE INDEMNIFICATION OF STATE OFFICERS, EMPLOYEES AND AGENTS IN CONNECTION WITH ACTIONS ARISING OUT OF THEIR USE OF OR ACTIONS CONCERNING HAZARDOUS MATERIALS AND SOURCES OF IONIZING RADIATION.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house documents numbered 646, relative to the indemnification of state officers, employees and agents in connection with actions arising out of their use of or actions concerning hazardous materials and sources of ionizing radiation, and 2240, relative to the indemnification of state officers, employees and agents in connection with actions arising out of their use of or actions concerning hazardous materials and sources of ionizing radiation, 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 24, 1962.*

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**Chap. 102.** RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO MUNICIPAL HOME RULE.

*Resolved,* That the unpaid special commission established by chapter one hundred and sixteen of the resolves of nineteen hundred and sixty-one, is hereby revived and continued. Said commission may travel without the commonwealth. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same from time to time with the clerk of the senate and shall file its final report on or before the last Wednesday in January, nineteen hundred and sixty-three.

*Approved May 25, 1962.*

**Chap. 103.** RESOLVE CONTINUING THE 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 continue the investigation and study authorized by chapter one hundred of the resolves of nineteen hundred and sixty-one, relative to the repair, restoration or change in structural design of the Mount Greylock War Memorial. 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 25, 1962.*

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**Chap. 104.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO CLARIFYING CERTAIN PROVISIONS OF LAW RELATIVE TO JUVENILE OFFENDERS.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 1683, clarifying certain provisions of law relative to juvenile 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 25, 1962.*

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**Chap. 105.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE RECLAMATION BOARD RELATIVE TO PROVIDING FOR EXEMPTION OF CERTAIN CITIES AND TOWNS FROM THE OPERATION OF MOSQUITO CONTROL PROJECTS.

*Resolved,* That the state reclamation board is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 2566, relative to providing for exemption of certain cities and towns from the operation of mosquito control projects. Said board shall, in the course of its investigation and study, also consider the mosquito control projects established under the provisions of chapter one hundred and twelve of the acts of nineteen hundred and thirty-one, with particular reference to the effectiveness of said projects. Said board 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 December in the current year.

*Approved May 25, 1962.*

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**Chap. 106.** RESOLVE IN FAVOR OF MYRA H. JILLSON OF DOUGLAS.

*Resolved,* That in order to discharge a moral obligation of the commonwealth, the state treasurer is hereby authorized and directed to pay to Myra H. Jillson of Douglas the sum of seventy-nine hundred and ninety-

four dollars and thirty-nine cents as reimbursement for medical bills incurred by her as a result of being struck by a motor vehicle on June tenth, nineteen hundred and fifty-nine on a public highway in the town of Douglas, said motor vehicle being operated by Elizabeth A. Collins, an assistant teacher in the department of mental health, while in the course and within the scope of her duties as a teacher of mentally retarded children.

*Approved May 29, 1962.*

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**Chap. 107.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE METHOD OF VOTING FOR PRESIDENTIAL ELECTORS AND OTHER RELATED MATTERS.

*Resolved,* That an unpaid special commission, to consist of two members of the senate, three members of the house of representatives, 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 proposed by current house documents numbered 168, relative to determining the advisability of a change in the presidential primary laws; 174, relative to requiring candidates for delegates or alternate delegates to national political party conventions to pledge themselves to vote thereat for certain candidates for nomination for the office of president of the United States; 178, relative to changing the method of voting for presidential electors and providing for the election thereof partly by all voters of the commonwealth and partly by the voters of the respective congressional districts; 180, relative to changing the method of voting for presidential electors and providing for the election thereof partly by all the voters of the commonwealth and partly by the voters of the respective congressional districts; and 2925, relative to permitting presidential electors to be unpledged.

*Approved May 29, 1962.*

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**Chap. 108.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY AN UNPAID SPECIAL COMMISSION RELATIVE TO IMPROVING AND EXTENDING EDUCATIONAL FACILITIES IN THE COMMONWEALTH.

*Resolved,* That an unpaid special commission, to consist of three members of the senate, seven members of the house of representatives and eleven persons to be appointed by the governor, of whom two shall have had experience as teachers or administrators at grammar school level, two shall have had such experience at high school level and two shall have had such experience at college level, is hereby established for the purpose of making an investigation and study of the laws of the commonwealth pertaining to education, of the educational institutions of the commonwealth and their organization, of the various school systems therein, and of the educational laws, programs and school systems of other states, with a view to elevating educational standards in the commonwealth, reorganizing the scope of the various educational boards and administrators of the commonwealth, revising and modernizing the organizational and financial structure of schools and school systems, extending the facilities, curricula and educational goals of the schools and colleges of the commonwealth, and providing increased financial aid

for education. Said commission shall consider the entire educational system from primary grades through college. Said commission may travel outside of the commonwealth, and may call on officials of the department of education, and the officers of the various state colleges and institutes, and of the University of Massachusetts for advice and assistance. The commission shall appoint a person outstanding in the field of education to act as secretary and to correlate its findings, and the commission shall establish his salary. Said commission shall report to the general court from time to time 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, but shall file its final report on or before the last Wednesday in December, nineteen hundred and sixty-three.

*Approved May 31, 1962.*

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**Chap. 109.** RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE ESTABLISHMENT OF YOUTH CONSERVATION CAMPS BY THE DEPARTMENT OF NATURAL RESOURCES.

*Resolved,* That the unpaid special commission established by chapter seventy-five of the resolves of nineteen hundred and sixty-one is hereby revived and continued. Said commission shall confine its study to the construction, maintenance and operation of youth conservation camps for the purpose of employing non-delinquent youthful persons and educating them in the conservation of our natural resources.

*Approved May 31, 1962.*

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**Chap. 110.** RESOLVE VALIDATING THE ACTS OF EVELYN F. KING AS A NOTARY PUBLIC.

*Resolved,* That the acts of Evelyn F. King of Huntington as a notary public between October eighth, nineteen hundred and sixty and April twenty-third, nineteen hundred and sixty-two, 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 Evelyn F. Garlick, she failed to re-register under her new name and pay to the state secretary a fee of one dollar as required by section thirteen of chapter thirty of the General Laws, are hereby confirmed and made valid.

*Approved May 31, 1962.*

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**Chap. 111.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC SAFETY RELATIVE TO FEES, RULES AND LICENSING AND OTHER MATTERS RELATING TO PUBLIC SAFETY.

*Resolved,* That the department of public safety is hereby authorized and directed to make an investigation and study of current house documents numbered 845, establishing a state fire academy; 1385, relative to the eligibility of applicants to take certain fireman's and engineer's examinations; 1857, relative to the licensing and regulation of refrigera-

tion and air conditioning personnel; 1859, relative to license fees of certain engineers and firemen; 1867, providing for the construction of new facilities and buildings for the state police academy; 1868, relative to the duties of the board of boiler rules; 1886, authorizing the transfer of a certain parcel of land from the department of correction to the department of public safety; and 2358, providing for the regulation of the refrigeration and air conditioning trades and for the licensing of the members therein. Said department shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Tuesday of December in the current year.

*Approved May 31, 1962.*

**Chap. 112.** RESOLVE CONTINUING THE INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC HEALTH RELATIVE TO THE METHODS OF COLLECTION AND DISPOSAL OF SEWAGE IN CERTAIN MUNICIPALITIES IN THE COUNTY OF WORCESTER.

*Resolved,* That the department of public health is hereby authorized and directed to continue the investigation and study authorized by chapter seventy-two of the resolves of nineteen hundred and sixty. Said department shall also investigate and study the collection, treatment and disposal of sanitary sewage and industrial waste originating in the town of Sturbridge. Said department shall report its findings and recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect by filing the same with the clerk of the house of representatives on or before the first Wednesday of December, nineteen hundred and sixty-three.

*Approved June 4, 1962.*

**Chap. 113.** RESOLVE IN FAVOR OF CHARLES L. FLANNERY.

*Resolved,* That, for the purpose of promoting the public good, there be allowed and paid out of the state treasury to Charles L. Flannery, 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 June 4, 1962.*

**Chap. 114.** RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE 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.

*Resolved,* That the unpaid special commission established by chapter one hundred and six of the resolves of nineteen hundred and sixty-one, is hereby revived and continued.

*Approved June 7, 1962.*

**Chap. 115.** RESOLVE PROVIDING FOR AN INVESTIGATION BY AN ADVISORY COMMISSION RELATIVE TO THE HISTORICAL AND CULTURAL ASSETS OF THE COMMONWEALTH AND RECOMMENDING PROGRAMS OF DEVELOPMENT AND MANAGEMENT.

*Resolved,* That an unpaid advisory commission, to consist of two persons to be appointed by the commissioner of commerce, two persons to be appointed by the commissioner of natural resources and five persons to be appointed by the governor, is hereby established for the purpose of investigating and making recommendations as to the most effective means by which an inventory of the historic and cultural assets of the commonwealth may be compiled, determining which agency should have responsibility for places of historic value, and recommending programs of acquisition, development and management of the historical and cultural assets of the commonwealth. Said commission shall have broad latitude in determining what may constitute the historical and cultural assets of the commonwealth. 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 governor 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 governor from time to time, and by filing its final report not later than March fifteenth, nineteen hundred and sixty-three.

*Approved June 7, 1962.*

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**Chap. 116.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF EDUCATION AS TO THE EQUIPMENT AND PROTECTIVE DEVICES USED BY FOOTBALL PLAYERS IN GAMES PLAYED BY HIGH SCHOOL TEAMS AND CERTAIN OTHER ORGANIZED TEAMS.

*Resolved,* That the department of education is hereby authorized and directed to make an investigation and study relative to the equipment and protective devices used by football players in youth activities programs, junior high school and high school athletic programs. Said department shall, in the course of its investigation and study, consider the subject matter of current house document numbered 1382, regulating the playing of organized football games on fields under the jurisdiction or control of a city or town or instrumentality thereof. For the purposes of this resolve, said department may expend such sums as may be appropriated therefor. Said department shall report to the general court the results of its investigations and study and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives from time to time, and shall file its final report not later than the first Wednesday of December, nineteen hundred and sixty-two.

*Approved June 7, 1962.*

**Chap. 117.** RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO INVESTIGATE AND STUDY THE ADMINISTRATION OF THE DEPARTMENT OF MENTAL HEALTH AND CERTAIN OTHER MATTERS.

*Resolved,* That the unpaid special commission established by chapter eighty-nine of the resolves of nineteen hundred and sixty-one is hereby revived and continued.

*Approved June 19, 1962.*

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**Chap. 118.** 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 sixty-two of the resolves of nineteen hundred and sixty-one. For said purpose said department may expend for services, traveling expenses, materials, equipment and supplies, the unexpended balance made available by said chapter sixty-two 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 when a definite understanding of the ecology and control of encephalitis disease is achieved.

*Approved June 19, 1962.*

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**Chap. 119.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF MIDDLESEX TO APPROPRIATE AND SPEND A SUM OF MONEY FOR THE CONSTRUCTION OF A NEW COURT HOUSE BUILDING IN THE CITY OF WOBURN.

*Resolved,* That an unpaid special commission, to consist of two members of the senate, three members of the house of representatives, the county commissioners of Middlesex county, 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 document numbered 1233, relative to authorizing the county commissioners of the county of Middlesex to appropriate and spend a sum of money for the construction of a new court house building in the city of Woburn.

*Approved June 19, 1962.*

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**Chap. 120.** RESOLVE ESTABLISHING A SPECIAL COMMISSION TO INVESTIGATE AND STUDY THE LAWS RELATIVE TO NON-PROFIT HOSPITAL AND MEDICAL SERVICE CORPORATIONS, AND THE RISING COST OF HOSPITAL AND MEDICAL CARE, AND HOSPITAL ACCOMMODATIONS.

*Resolved,* That an unpaid special commission, consisting of two members of the senate, three members of the house of representatives, the commissioner of insurance or his designee, the director of hospital costs



and finances, a designee of the group insurance commission, and three persons to be appointed by the governor, of whom two shall be university presidents, and one a representative of the Massachusetts Hospital Association, is hereby established to make an investigation and study of the laws relating to non-profit hospital service corporations, medical service corporations and non-profit medical service plans, with a view to determining the advisability of amending or revising chapters one hundred and seventy-six A, one hundred and seventy-six B and one hundred and seventy-six C of the General Laws, and such other provisions of said laws to which said corporations and plans may be subject. Said commission shall also investigate and study the rates charged for services by non-profit hospitals, proprietary hospitals and municipal hospitals, particularly for room and board, with a view to containing spiraling costs to the public for such services.

Said commission shall consider the adequacy of the regulatory authority of the commissioner of insurance with a view toward clarifying and expanding the subject matter of his approval and disapproval powers, requirements for public hearings and appellate procedure; and further, said commission shall study the extent, if any, to which non-profit hospital and medical service corporations, through contractual relationships or otherwise have contributed to or are contributing to the rising costs of hospital, medical and surgical care, and, whether a monopoly has developed as a result of such relationships, thus preventing fair and reasonable competition within the health insurance field.

Said commission may require by summons the attendance and testimony of witnesses and the production of books and papers.

*Approved June 29, 1962.*

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**Chap. 121.** RESOLVE IN FAVOR OF THE WIDOW OF THE LATE HARRY B. ALBRO.

*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 Harry B. Albro, who died while a member of the present house of representatives, the salary to which he would have been entitled had he lived and served until the end of the term for which he was elected.

*Approved June 29, 1962.*

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**Chap. 122.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ADVISABILITY OF CONSTRUCTING A NEW SUPERIOR COURT COURTHOUSE IN MIDDLESEX COUNTY.

*Resolved,* That an unpaid special commission, to consist of two members of the senate, three members of the house of representatives, one person to be appointed by the governor, and the chairman of the county commissioners of Middlesex county, is hereby established for the purpose of making an investigation and study relative to the advisability of constructing a new superior court courthouse in said county. Said commission shall consider the type of building, if any, which should be constructed and what facilities such building should provide for offices of Middlesex county in addition to accommodations for the superior court.

*Approved June 29, 1962.*

**Chap. 123.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO PROHIBITING THE RECAPPING, RETREADING OR REPAIRING OF BLOWN-OUT, CUT OR DAMAGED TIRES.

*Resolved,* That an unpaid special commission, to consist of two members of the senate, three members of the house of representatives, and two persons to be appointed by the governor is hereby established for the purpose of making an investigation and study relative to prohibiting the recapping, retreading or repairing of blown-out, cut or damaged tires. In the course of its investigation and study said commission shall consider the subject matter of senate document numbered 24, prohibiting the recapping, retreading or repairing of certain blown-out, cut or damaged two-ply tires.

*Approved July 5, 1962.*

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**Chap. 124.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO CONSTRUCTING A BRIDGE OVER THE CHICOPEE RIVER IN THE CITY OF CHICOPEE.

*Resolved,* That the department of public works is hereby authorized and directed to make an investigation and study relative to constructing a bridge over the Chicopee River in the city of Chicopee. 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 senate on or before the fourth Wednesday of January, nineteen hundred and sixty-three.

*Approved July 5, 1962.*

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**Chap. 125.** RESOLVE IN FAVOR OF EMMETT J. CAULEY OF HOLYOKE, JOSEPH DEL GROSSO OF REVERE AND ROGER E. INGALLS OF METHUEN.

*Resolved,* That for the purpose of promoting the public good there shall be allowed and paid out of the state treasury to Emmett J. Cauley of Holyoke, Joseph Del Grosso of Revere and Roger E. Ingalls of Methuen, members of the house of representatives, who were chosen to fill vacancies during the year nineteen hundred and sixty-one, per diem compensation at the rate of sixty-seven hundred dollars per annum from the time of their election to the end of said year.

*Approved July 5, 1962.*

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**Chap. 126.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO THE RECONSTRUCTION OR REPLACEMENT OF THE CHICOPEE-WEST SPRINGFIELD BRIDGE IN THE CITY OF CHICOPEE AND THE TOWN OF WEST SPRINGFIELD.

*Resolved,* That the department of public works is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 2454, relative to providing for

the reconstruction or replacement of the Chicopee-West Springfield bridge in the city of Chicopee and the town of West Springfield. Said department shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry 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-three.

*Approved July 9, 1962.*

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**Chap. 127.** RESOLVE IN FAVOR OF JOHN JANAS.

*Resolved,* That, for the purpose of promoting the public good, there be allowed and paid out of the state treasury to John Janas, 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 July 9, 1962.*

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**Chap. 128.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE ADMISSIBILITY OF EVIDENCE RELATIVE TO THE VALUE OF CERTAIN PROPERTY TAKEN BY EMINENT DOMAIN AND PROVIDING FOR THE RECOVERY OF CERTAIN INCOME LOST PRIOR TO SUCH A TAKING.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 1978, providing for the admissibility of evidence relative to the value of certain property taken by eminent domain and providing for the recovery of certain income lost prior to such a taking, 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 July 9, 1962.*

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**Chap. 129.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO ESTABLISHING JUVENILE COURTS, FAMILY COURTS OR JUVENILE OR DOMESTIC RELATIONS DIVISIONS IN THE DISTRICT COURTS.

*Resolved,* That an unpaid special commission to consist of four members of the senate, five members of the house of representatives, and six persons to be appointed by the governor, three of whom shall be members of the Judicial Council, is hereby established for the purpose of making an investigation and study relative to establishing juvenile courts, family courts, or domestic relations or juvenile divisions within the district courts of the commonwealth. Said commission shall consider the subject matter of current house document numbered 2744, relative to establishing juvenile divisions of the district courts; current house document numbered 3737, the report of the legislative research council relative to an independent system of juvenile courts; and current house document numbered 3792, providing for an investigation by the judicial council relative to the establishment of an independent system of ju-

venile courts. Said commission shall also study the recent legislative and constitutional action in the states of New York and Rhode Island, creating statewide systems of family courts in lieu of their juvenile courts. Said commission may travel outside the commonwealth.

*Approved July 16, 1962.*

**Chap. 130.** RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO INVESTIGATE AND STUDY THE ADMINISTRATION OF THE DEPARTMENT OF MENTAL HEALTH AND CERTAIN OTHER MATTERS.

*Resolved,* That the unpaid special commission, established by chapter eighty-nine of the resolves of nineteen hundred and sixty-one and revived and continued by chapter one hundred and seventeen of the resolves of nineteen hundred and sixty-two, shall, in the course of its investigation and study, consider the subject matter of current house document numbered 1143, providing for commitment of persons addicted to drugs, and authorizing the department of public health to designate places or institutions as drug addict rehabilitation centers.

*Approved July 16, 1962.*

**Chap. 131.** RESOLVE AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO PAY CERTAIN AMOUNTS IN FULL SETTLEMENT OF CERTAIN CLAIMS AGAINST THE COMMONWEALTH FOR SERVICES TO OR WORK PERFORMED FOR SAID COMMISSION.

*Resolved,* That, for the purpose of discharging certain moral obligations of the commonwealth and subject to appropriation, there shall be allowed and paid out of the state treasury, for services rendered prior to October first, nineteen hundred and sixty, as shown by vouchers or claims on file with the metropolitan district commission, such amounts as may be certified by the chairman of the metropolitan district commission and verified after examination by the state auditor to be the amounts determined to be due for said services, or work performed, or for materials furnished in connection with said work.

No payment of any sum shall be made hereunder to any person entitled thereto until such person shall have signed and filed with the comptroller an agreement that said sum is in full satisfaction of any and all claims such person may have against the commonwealth for the period ending October first, nineteen hundred and sixty, for services rendered by him, and that the amount, if any, paid or to be paid by him for legal services rendered in connection with the presentation of said claim shall not exceed ten per cent of the sum payable to him hereunder.

*Approved July 16, 1962.*

**Chap. 132.** RESOLVE FURTHER REVIVING AND 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 nineteen of the resolves

of nineteen hundred and sixty-one, is hereby further revived and continued. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of March in the year nineteen hundred and sixty-three.

*Approved July 16, 1962.*

**Chap. 133.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO THE TRANSFER OF CERTAIN BRIDGES AND HIGHWAYS TO SAID COMMISSION.

*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 3775, Appendix A, extending the metropolitan parks district; Appendix B, authorizing the department of public works to transfer to the metropolitan district commission the care and control of certain bridges; Appendix C, authorizing the department of public works to transfer to the metropolitan district commission the Truman highway in Boston and Milton; Appendix D, authorizing the department of public works to transfer to the metropolitan district commission certain portions of state highways no longer needed for state highway purposes, subject to limited access conditions; and Appendix E, providing that public hearings be held on certain proposed improvements or extensions of the metropolitan parks district, and that due notices thereof be given to member 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 senate on or before the fourth Wednesday of December, nineteen hundred and sixty-two.

*Approved, July 16, 1962.*

**Chap. 134.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO CERTAIN CONSTRUCTION PROJECTS.

*Resolved,* That the metropolitan district commission is hereby authorized and directed to make an investigation and study of the subject matter of current senate documents numbered 353, authorizing the metropolitan district commission to construct a sea wall along Revere beach from Eliot circle, Beachmont, to the northern circle in Point of Pines section of Revere; and 709, authorizing and directing the metropolitan district commission to make certain improvements at Moswetusetts Hummock in the city of Quincy; and of current house documents numbered 288, transferring to the metropolitan district commission the care, control and maintenance of that historic area of the city of Boston, known as Dorchester Heights; 293, providing for an investigation and study by a special commission relative to the advisability and feasibility of using all or part of the land and waters under the control of the metropolitan district commission at Quabbin reservoir for recreational purposes; 461, relative to the transfer of certain land within Franklin Park from the city of Boston to the metropolitan district com-

mission; 554, authorizing the metropolitan district commission to acquire certain land in the north end district of Boston adjacent to the Cuttillo skating rink and to construct certain facilities thereon; 1124, authorizing the metropolitan district commission to acquire land in the Charlestown district of the city of Boston and to construct and maintain an ice skating rink thereon; 1329, authorizing the metropolitan district commission to construct, equip and maintain a comfort station on Lynn Shore Drive contiguous to the boundary line of the town of Swampscott and the city of Lynn; 1610, providing for the construction of an artificial ice skating rink on the land belonging to the metropolitan district commission bounded by Victory Road, Freeport Street and Morrissey Boulevard; 1969, providing for the construction of a foot-bridge in the Metropolitan Hill section of the Hyde Park district of the city of Boston; 2022, relative to the Franklin Park Zoo and the Middlesex Fells Zoo; 2024, authorizing and directing the metropolitan district commission to construct, enlarge and improve its recreational facilities; 2284, authorizing and directing the metropolitan district commission to construct and maintain a sea aquarium in the Castle Island section of the city of Boston; 2525, authorizing the metropolitan district commission to improve certain beaches in the metropolitan parks district, and to protect them against erosion; 2526, authorizing the city of Boston to convey to the metropolitan district commission a certain parcel of land and authorizing the metropolitan district commission to construct a park containing certain facilities; 2777, authorizing the metropolitan district commission to improve Savin Hill Bay in the Dorchester District of the city of Boston; and 3119, to authorize the conveyance of certain land in Hyde Park by the metropolitan district commission to the William D. Doyle Post #2831, Veterans of Foreign Wars; and 3683, providing for the construction and maintenance by the metropolitan district commission of a swimming pool and a covered artificial ice skating rink at Franklin Field in the city of Boston. 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 not later than the last Tuesday of December in the current year.

*Approved July 16, 1962.*

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**Chap. 135.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION RELATIVE TO PROVIDING AN EXEMPTION FROM TAXATION OF THE REAL ESTATE OF CERTAIN ELDERLY PERSONS.

*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 3475, relative to providing an exemption from taxation of the real estate of certain elderly persons. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of December in the current year.

*Approved July 19, 1962.*

**Chap. 136.** RESOLVE IN FAVOR OF KEITH E. COLLINS.

*Resolved,* That, for the purpose of promoting the public good, there be allowed and paid out of the state treasury to Keith E. Collins, 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 July 20, 1962.*

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**Chap. 137.** RESOLVE IN FAVOR OF EDWARD S. ZELAZO.

*Resolved,* That, for the purpose of promoting the public good, there be allowed and paid out of the state treasury to Edward S. Zelazo, 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 July 20, 1962.*

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**Chap. 138.** RESOLVE PROVIDING FOR A STUDY BY A SPECIAL UNPAID COMMISSION RELATIVE TO THE LAWS RELATING TO CONVALESCENT OR NURSING HOMES, AND TO THE STANDARDS AND COSTS THEREOF.

*Resolved,* That an unpaid special commission, consisting of three members of the senate, five members of the house of representatives, and three persons to be appointed by the governor, is hereby established for the purpose of making a study of the laws governing convalescent or nursing homes, and the medical and nursing care of recipients of public aid, the standard of care which should be provided to such recipients, the cost of such care, the comparative cost to the taxpayer of convalescent or nursing home care in private convalescent or nursing homes and in public institutions, the administration and operation of said convalescent or nursing homes, the qualifications of the personnel employed therein, and such other matters as may be necessary to provide better nursing care and attendance, and reducing the costs thereof.

*Approved July 21, 1962.*

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**Chap. 139.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE PREPARATION OF PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF A HOSPITAL FOR CHRONIC DISEASES IN THE CITY OF ATTLEBORO.

*Resolved,* That an unpaid special commission, to consist of two members of the senate, three members of the house of representatives, the trustees of the Bristol county hospital, the county commissioners of Bristol county and the commissioner of public health or his designee, is hereby established for the purpose of making an investigation and study of the subject matter of current senate document numbered 860, relative to authorizing the trustees of the Bristol county tuberculosis hospital to have plans and specifications prepared for the construction of a hospital for chronic diseases in the city of Attleboro.

*Approved July 21, 1962.*

**Chap. 140.** RESOLVE IN FAVOR OF THE WIDOW OF THE LATE CARLTON H. BLISS.

*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 Carlton H. Bliss, who died while a member of the present house of representatives, the salary to which he would have been entitled had he lived and served until the end of the term for which he was elected.

*Approved July 23, 1962.*

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**Chap. 141.** RESOLVE IN FAVOR OF THE WIDOW OF THE LATE PHILIP F. WHITMORE.

*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 Philip F. Whitmore, who died while a member of the present house of representatives, the salary to which he would have been entitled had he lived and served until the end of the term for which he was elected.

*Approved July 23, 1962.*

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**Chap. 142.** RESOLVE INCREASING THE SCOPE OF THE 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, authorized to make an investigation and study by chapter one hundred and fourteen of the resolves of nineteen hundred and sixty-one, and the time for filing its final report having been extended by chapter thirty-one of the resolves of nineteen hundred and sixty-two, shall, in the course of its investigation and study, consider the subject matter of current house document numbered 3628, relative to providing for the securing of fire insurance, plan of apportionment and service charges therefor, by certain persons unable to obtain such insurance.

*Approved July 25, 1962.*

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**Chap. 143.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING PAYMENT PROTECTION TO SUBCONTRACTORS ON PRIVATE CONSTRUCTION WORK.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 1698, relative to providing payment protection to subcontractors on private construction work 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 July 25, 1962.*



**Chap. 144.** RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO PROVIDING FOR THE REIMBURSEMENT OF THE METROPOLITAN TRANSIT AUTHORITY FOR CERTAIN EXPENSES INCURRED FOR THE TRANSPORTATION OF PUPILS FOR THE PURPOSE OF MAKING AN INVESTIGATION AND STUDY OF CERTAIN ADDITIONAL MATTERS.

*Resolved,* That the unpaid special commission established by chapter one hundred and seventeen of the resolves of nineteen hundred and sixty-one is hereby revived and continued. *Approved July 26, 1962.*

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**Chap. 145.** RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE A STUDY RELATIVE TO IMPROVING AND EXTENDING EDUCATIONAL FACILITIES IN THE COMMONWEALTH.

*Resolved,* That the unpaid special commission established by chapter one hundred and eight of the resolves of the current year shall, in the course of its investigation and study consider the problems of providing transportation for pupils to and from school and the reimbursement to cities and towns for a portion of the cost of such transportation by the commonwealth. *Approved July 27, 1962.*

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**Chap. 146.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO CRIME AND CORRUPTION.

*Resolved,* That an unpaid special commission to consist of seven members appointed by the governor is hereby established to investigate and study as a basis for legislative action the existence and extent of organized crime within the commonwealth and corrupt practices in government at state and local levels, the existence of conditions which tend or may tend to prevent or interfere with the proper enforcement of the laws relating thereto, the existence of physical, legal and policy limitations on the powers and functions of those charged with the duty of enforcement of said laws and the extent to which the power of the government of the commonwealth in relation to the enforcement of said laws may or should be properly exercised at state and local levels.

No member shall hold any public office except that of justice of the peace or notary public or be a member or employee of any political committee. Not more than four of said members shall at any one time be members of the same political party. No person who has been convicted of a felony, gaming offense or any misdemeanor involving moral turpitude, nor any member of the immediate family of any such person, and no person who has served as a member of the special commission established under chapter one hundred of the resolves of nineteen hundred and fifty-three and revived and continued under chapter one hundred and forty-seven of the resolves of nineteen hundred and fifty-five shall be eligible for appointment to the commission. The governor shall fill any vacancy in the commission but a vacancy shall not affect its powers and duties. The governor shall from time to time designate one of the members as chairman.

The commission shall request the commissioner of public safety to assist it in its investigation and study and he shall furnish any information in his possession which is so requested and he shall assign such assistants and investigators to said commission as it may request. The commission may require the co-operation of all agencies of state and local governments.

The commission may require by summons the attendance and testimony under oath of witnesses and the production before it of books and papers relating to any matter being investigated by it pursuant to the provisions of this resolve. Such a summons may be issued by the commission only upon a vote of the commission and shall be served in the same manner as summonses for witnesses in criminal cases issued on behalf of the commonwealth and all provisions of law relative to summonses issued in such cases shall apply to summonses issued under this resolve so far as applicable. Any justice of the supreme judicial court or of the superior court may upon application by the commission compel the attendance of witnesses summoned as aforesaid and the giving of testimony under oath before the commission in furtherance of any investigation under this resolve in the same manner and to the same extent as before said courts.

The commission shall establish rules of procedure governing the conduct of its hearings which shall be made available in printed form to each witness prior to his testimony. Witnesses shall have the right to be represented by counsel and shall before testifying be sworn. Witnesses shall testify only at private hearings and the same provisions with reference to secrecy which govern proceedings of a grand jury shall govern all proceedings of the commission.

Upon order of the commission its counsel shall present to a grand jury for its action, or submit to the attorney general, a district attorney or other law enforcement agency, such evidence which has come to the attention of the commission as in the opinion of the commission warrants such presentation or submission.

The commission shall report to the general court annually on or before the first Wednesday in December in each year the results of its investigations 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 and shall file a final report not later than the last Wednesday in June, nineteen hundred and sixty-five. The commission shall also file a copy of each such report with the governor.

*Approved July 27, 1962.*

NUMBER OF ACTS AND RESOLVES APPROVED, APPROVAL  
WITHHELD, ACTS VETOED BY THE GOVERNOR, PASSED  
OVER HIS VETO AND ACTS DECLARED EMERGENCY  
LAWS BY THE GOVERNOR UNDER AUTHORITY OF  
THE CONSTITUTION.

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The general court, during its second annual session held in 1962, passed 793 Acts and 146 Resolves, which received executive approval, and 3 Acts from which executive approval was withheld but have become law by virtue of chapter 1, section 1, Article II of the Constitution of the Commonwealth.

The governor returned 10 Acts and 1 Resolve with his objections thereto in writing. Upon 8 Acts and 1 Resolve his objections were sustained.

Three (3) Acts entitled, respectively, "An Act to provide domiciliary facilities for women veterans at the soldiers' home in Massachusetts" (Chapter 563); "An Act relative to the laying of certain water mains by the board of water commissioners in the town of Westford" (Chapter 617); and "An Act increasing the amounts of pensions and retirement allowances payable to certain former public employees" (Chapter 646) were passed, but failed to receive executive approval; as however, they were not returned, with objections thereto, within five days after they had been received in the executive department, the general court not having been prorogued in the meantime, said acts have the force of law, under the provisions of the Constitution governing such cases and has been so certified.

Eight (8) Acts entitled, respectively, "An Act authorizing and directing the issuance of an alcoholic beverage license to Abington Old Town Post No. 5737 Veterans of Foreign Wars Building Association, Inc."; "An Act increasing the speed at which school buses may be operated while carrying school children"; "An Act establishing a minimum annual compensation for police officers in certain cities and towns"; "An Act relative to reports required to be submitted to the probate court in adoption cases"; "An Act prohibiting the operation of bowling alleys during certain hours"; "An Act authorizing the registrar of motor vehicles to make rules and regulations for the use of hand signals by operators of motor vehicles"; "An Act prohibiting savings banks from denying insurance coverage to blind persons who are otherwise insurable"; "An Act authorizing the Massachusetts Turnpike Authority to lease air rights in connection with the extension of the Massachusetts Turnpike into the city of Boston, and providing for the taxation of buildings and other things erected or affixed pursuant to any such lease"; and one (1) Resolve entitled, respectively, "Resolve providing for an investigation and study by a special commission relative to the payment by the Eastern States Exposition to the town of West Springfield in lieu of taxes" 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 and resolve thereby became void.

Two (2) Acts entitled, respectively, "An Act repealing provisions of law providing for local acceptance of the law requiring equal pay for men and women teachers" (Chapter 519); and "An Act establishing a minimum annual compensation for fire fighters in certain cities and towns" (Chapter 520) 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, agreeably to the provisions of the Constitution, and the vote being taken on their passage, the objections of the governor thereto notwithstanding, they were passed, and said acts have thereby the force of law.

Fifteen (15) Acts entitled, respectively, "An Act clarifying the acceptance provisions of the law relating to contributory group general or blanket insurance for persons in the service of certain political subdivisions of the commonwealth" (Chapter 150); "An Act relative to the powers of officers empowered to enforce the provisions of law regulating motorboats" (Chapter 250); "An Act granting to the governor certain emergency powers relative to the continued operation of the metropolitan transit authority in the event of the interruption of public transportation in violation of an injunction" (Chapter 307); "An Act establishing congressional districts" (Chapter 315); "An Act requiring lights and other equipment on bicycles for safety purposes" (Chapter 346); "An Act establishing in the department of education an advisory board of higher education policy" (Chapter 429); "An Act relative to the disclosures of campaign expenditures and contributions" (Chapter 444); "An Act further extending the opportunity to cities and towns to borrow under the act creating the emergency finance board" (Chapter 450); "An Act providing that certain licenses for the purpose of placing and maintaining fill in tidewater in that part of Boston known as South Bay be irrevocable" (Chapter 493); "An Act providing that the words "combination of persons" as used in the corrupt practices act include corporations formed for charitable and certain other purposes" (Chapter 518); "An Act further regulating the appointment of a superintendent of a state institution under the general supervision of the department of mental health" (Chapter 564); "An Act authorizing the commissioner of public health to transfer the North Reading state sanatorium to the department of mental health" (Chapter 598); "An Act providing that certain licenses for placing and maintaining fill and structures over certain tidewaters in the Dorchester district of the city of Boston be irrevocable" (Chapter 651); "An Act relative to the promotion and development of marine fisheries of the commonwealth" (Chapter 715); and "An Act providing for the filling and improvement of South Bay, Roxbury Canal and Dorchester Brook and certain territories adjacent thereto" (Chapter 762) 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 150 thereby took effect at 4.15 P.M. on April 9, 1962; said Chapter 250 at 10.50 A.M. on March 23, 1962; said Chapter 307 at 11.59 P.M. on March 31, 1962; said Chapter 315 at

10.30 A.M. on April 4, 1962; said Chapter 346 at 9.15 A.M. on April 17, 1962; said Chapter 429 at 3.00 P.M. on May 11, 1962; said Chapter 444 at 9.45 A.M. on May 14, 1962; said Chapter 450 at 1.25 P.M. on May 16, 1962; said Chapter 493 at 11.00 A.M. on May 31, 1962; said Chapter 518 at 3.30 P.M. on June 5, 1962; said Chapter 564 at 4.00 P.M. on June 13, 1962; said Chapter 598 at 4.30 P.M. on June 29, 1962; said Chapter 651 at 1.00 P.M. on July 17, 1962; said Chapter 715 at 11.00 A.M. on July 24, 1962; and said Chapter 762 at 11.45 P.M. on July 26, 1962.

The general court was prorogued on Friday, July 27, 1962, at four o'clock and twenty-five minutes P.M., the session having occupied 138 days.

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# APPENDIX

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The following table and index have been prepared by CHARLES J. INNES, Esq., and FREDERICK B. WILLIS, Esq., counsel, respectively, to the Senate and House of Representatives, in accordance with section fifty-one of chapter three of the General Laws.

# TABLE OF CHANGES

SHOWING

TO WHAT EXTENT THE GENERAL LAWS OF THE COMMONWEALTH, AS APPEARING IN THE TERCENTENARY EDITION, HAVE BEEN AFFECTED BY LEGISLATION PASSED BY THE GENERAL COURT FROM JANUARY FIRST, NINETEEN HUNDRED AND THIRTY-TWO THROUGH THE YEAR NINETEEN HUNDRED AND SIXTY-TWO.\*†

## 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; section revised, 1962, 750 § 1.

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,

\* 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.



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).

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; amended, 1962, 686. (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. 2A added, 1962, 68 (relative to the powers and duties of certain special commissions).

SECT. 4 revised, 1962, 182.

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; 1962, 616 § 1; clause Twenty-sixth revised, 1958, 626 § 1; 1962, 427 § 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; 1962, 170.

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; paragraph added at end, 1962, 640.

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, Dis-

abled 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, 1962, 757 § 1; 1959, 418 § 1; 1958, 662 § 2; 1962, 487 § 1. (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).

SECT. 108 added, under caption, 1962, 487 § 2 (establishing a mobile homes commission).

**Chapter 7. — Executive Office for Administration and Finance (former title, Commission on Administration and Finance).**

**Title changed, 1962, 757 § 2.**

SECT. 1 amended, 1962, 757 § 3.

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.)

SECTS. 2, 3, 3A, 4, 5, 5A, 5B and 6 stricken out and sections 2, 3, 4, 4A, 4B, 4C, 4D, 5 and 6 inserted, 1962, 757 § 4.

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); amended, 1962, 757 § 9. (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. 6C repealed, 1962, 757 § 5.

SECT. 6D amended, 1962, 757 § 10; third paragraph amended, 1956, 198.

SECT. 7 amended, 1945, 457; revised, 1948, 610 § 5; first paragraph stricken out, 1962, 757 § 6; 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); amended, 1962, 757 § 11.

SECT. 8 amended, 1962, 757 § 12.

SECT. 9 amended, 1962, 757 § 13.

SECT. 10 amended, 1962, 757 § 14.

SECT. 11 amended, 1962, 757 § 15.

SECT. 12 repealed, 1962, 757 § 5.

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. 19 amended, 1962, 757 § 16.

SECT. 21 amended, 1962, 757 § 17.

SECT. 22 amended, 1962, 757 §§ 18, 19; clause (17) revised, 1933, 353 § 1; 1958, 638; clause (18) added, 1955, 727; amended, 1959, 96; 1962, 757 § 20.

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; amended, 1962, 757 § 21.

SECT. 26 amended, 1939, 451 § 2.

SECT. 28 revised, 1954, 680 § 2; amended, 1962, 757 § 22; 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; 1962, 757 § 23.

SECTS. 30A-30J added, 1953, 612 § 5 (relative to public building construction). (See 1953, 612 §§ 10-13.)

SECT. 30A, second sentence stricken out and three sentences inserted, 1956, 399; second paragraph amended, 1962, 757 § 24.

SECT. 30B amended, 1962, 757 § 25.

SECT. 30D, third paragraph amended, 1962, 757 § 26.

SECT. 30E amended, 1962, 757 § 27.

SECT. 30F amended, 1962, 757 § 28.

SECT. 30H, sentence inserted after first sentence, 1955, 548; section amended, 1962, 757 § 29.

SECT. 30I amended, 1962, 757 § 30.

SECT. 30J amended, 1962, 757 § 31.

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; 1962, 757 § 7.

SECT. 31A added, 1953, 504 (providing for recognition of state employees' suggestions which increase the efficiency of state government); revised, 1954, 546; first paragraph amended, 1962, 757 § 8.

SECT. 32 repealed, 1962, 757 § 5.

SECT. 33 revised, 1939, 499 § 1; 1945, 292 § 1; amended, 1962, 757 § 32.

SECT. 34 revised, 1950, 276.

SECT. 35 amended, 1962, 757 § 33.

#### Chapter 8. — State Superintendent of Buildings, and State House.

SECTS. 1-12 affected, 1935, 327; 1941, 627 § 3.

SECT. 1 revised, 1938, 249 § 1; 1962, 757 § 34. (See 1938, 249 § 6.)

SECT. 2 repealed, 1962, 757 § 35.

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; 1962, 590 § 1. (See 1953, 612 §§ 10-13.)

SECT. 9 amended, 1938, 249 § 3. (See 1938, 249 § 6.)

SECT. 10 amended, 1938, 249 § 4; 1943, 440 § 1; 1962, 590 § 2, 757 § 36. (See 1938, 249 § 6.)

SECT. 10A revised, 1933, 170; 1941, 267; amended, 1943, 440 § 2; revised, 1945, 706; first paragraph amended, 1962, 757 § 37; 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; fourth paragraph revised 1962, 290. (See 1955, 317 § 2; 1960, 620 § 2.)

SECT. 12 revised, 1938, 249 § 5; sentence inserted after "officers" in line 12, 1947, 66; paragraph added at end, 1962, 728. (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; 1962, 416, 490.

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; 1962, 18.

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; first sentence amended, 1962, 757 § 38.

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 § 1.)

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.

SECT. 12 revised, 1962, 733.

#### **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. 8A amended, 1962, 401 § 1.

SECT. 8E amended, 1955, 203; 1959, 59 § 1.

SECT. 8F amended, 1962, 425.

SECT. 8J added, 1962, 401 § 2 (providing that public charities organized in the commonwealth file copies of charters, articles of incorporation and instruments of trust, with the office of the attorney general).

SECT. 10 revised, 1960, 788.

SECT. 11 amended, 1939, 499 § 3; 1945, 292 § 3.

SECT. 11A added, 1962, 652 (establishing a division of civil rights and liberties).

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; eighth paragraph revised, 1962, 694 § 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; eighth paragraph revised, 1962, 694 § 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; 1962, 694 § 3; 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; revised, 1962, 200. (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. 3B added, 1962, 429 § 1 (establishing in the department of education an advisory board of higher education policy). (See 1962, 429 § 2.)

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. 6C added, 1962, 585 § 1 (providing for an advisory commission on academically talented pupils). (See 1962, 585 § 2.)

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; 1962, 787 § 1.

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; paragraph added at end, 1962, 559.

#### 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. 8 amended, 1962, 598 § 1. (See 1962, 598 § 2.)

SECT. 9A added, 1962, 521 § 1 (establishing a pesticide board in the department of public health).

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; sentence inserted after first sentence 1962, 235 § 1; third sentence revised, 1955, 730 § 25. (See 1952, 602 §§ 15-18; 1955, 730 § 43; 1962, 235 § 2.)

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; four sentences added at end, 1962, 698. (See 1938, 486 §§ 21, 22.)

SECT. 4A amended, 1938, 486 § 6. (See 1938, 486 §§ 21, 22.)

SECT. 4B added, 1962, 365 (relative to the establishment of certain educational qualifications for applicants for certain positions in the department of mental health).

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.

SECT. 5A added, 1962, 715 § 1 (establishing a marine fisheries advisory commission).

SECTS. 8-15 added, under caption, 1956, 620 § 3 (establishing in the department of natural resources a water resources division). (See 1956, 620 § 4.)

SECT. 16 added, 1962, 513 (requiring persons engaged in the business of digging or drilling wells to be registered, and to file certain reports).

SECT. 17 added, 1962, 715 § 2 (establishing a public access board).

**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; amended 1962, 498 § 1. (See 1935, 479 § 7.)

SECT. 4 amended, 1934, 331 § 2; 1935, 479 § 2; first two sentences amended, 1939, 261 § 1; section amended, 1941, 490 § 5; first two sentences revised, 1941, 596 § 16; same two sentences revised, 1941, 707 § 1. (See 1939, 261 § 25.)

SECT. 5 amended, 1935, 479 § 3. (See 1935, 479 § 7.)

SECT. 8 amended, 1939, 261 § 2. (See 1939, 261 § 25.)

SECT. 9 revised, 1935, 60 § 1.

SECT. 9A revised, 1932, 99; repealed, 1933, 73.

SECT. 9B repealed, 1933, 73.

SECT. 9C revised, 1932, 187; repealed, 1933, 73.

SECT. 9D repealed, 1939, 261 § 3.

SECT. 9E amended, 1941, 490 § 6.

SECT. 9G amended, 1939, 459 § 2. (See 1939, 459 § 3.)

SECT. 9H revised, 1933, 362; 1939, 261 § 4.

SECTS. 9I-9N added, 1935, 479 § 4 (establishing the Unemployment

Compensation Commission, and defining its powers and duties); same sections revised and the powers and duties of the commission conferred and imposed upon the director of the division of unemployment compensation, 1939, 20 § 1; name of said division changed to division of employment security, 1941, 685 § 4. (See 1935, 479 §§ 6, 7; 1939, 20 §§ 6-9.)

SECT. 9I paragraph (a) revised, 1941, 685 § 4, 709 § 4; paragraph (b) revised, 1941, 596 § 17; 1946, 591 § 35; section revised, 1950, 792; paragraph (b) revised, 1955, 730 § 33; 1960, 730. (See 1941, 685 § 6, 709 §§ 1-3; 1955, 730 § 43.)

SECT. 9K, first sentence revised, 1941, 709 § 5; fourth sentence (as appearing in 1939, 20 § 1) revised, 1947, 610 § 1. (See 1941, 709 §§ 1-3.)

SECT. 9L amended, 1941, 709 § 6; revised, 1956, 602 § 4. (See 1956, 602 §§ 17-20.)

SECT. 9N, paragraph (b) revised, 1941, 611 § 1; section revised, 1941, 685 § 5; paragraph (a) amended, 1947, 610 § 2; paragraph (b) amended, 1946, 591 § 36; 1949, 720; eighth sentence revised, 1951, 763 § 21A; 1962, 739. (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; 1962, 498 § 2.

SECT. 11N revised, 1962, 498 § 3.

SECT. 11O amended, 1962, 498 § 4.

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; revised, 1941, 596 § 19; new sentence added at end, 1941, 653 § 1; same sentence stricken out, 1951, 664 § 8. (See 1939, 335 § 2.)

SECT. 12G added, 1936, 117 (authorizing the director of the commercial motor vehicle division in the department of public utilities to summon witnesses, administer oaths and take testimony).

SECT. 12H added, 1960, 737 § 1 (providing for the promulgation of uniform rules and regulations to govern gas fitting in buildings throughout the commonwealth); amended, 1962, 497, 623 § 1. (See 1960, 737 § 6.)

SECTS. 12I-12L added, 1962, 623 § 2 (relative to the powers and duties of the board established to regulate gas fittings in buildings throughout the commonwealth). (See 1962, 623 §§ 3, 4.)

#### **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. 8 repealed, 1962, 434.

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; section amended, 1962, 757 § 39. (See 1941, 509 § 9.)

SECT. 2 revised, 1950, 40.

SECT. 3 revised, 1939, 502 § 2; amended, 1945, 242 § 3; 1962, 757 § 40.

SECT. 4 amended, 1939, 502 § 3; 1945, 242 § 4; 1962, 757 § 41.

SECT. 5 revised, 1939, 502 § 4; 1941, 656 § 2; 1945, 242 § 5, 637 § 2; subdivision (1) amended, 1962, 757 § 42. (See 1941, 656 § 17; 1945, 279.)

SECT. 5A amended, 1939, 502 § 5; 1945, 242 § 6; last sentence amended, 1962, 757 § 43.

SECT. 6 amended, 1937, 426 § 1; revised, 1939, 502 § 6; amended, 1941, 490 § 7, 656 § 3; revised, 1945, 242 § 7; first sentence amended, 1962, 757 § 44; 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, 1962, 757 § 45; 1951, 401.

SECT. 8B added, 1962, 754 (further regulating bidding procedures and the awarding of certain contracts by the department of public works).

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); amended, 1962, 757 § 46. (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; amended, 1962, 757 § 47.

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; last sentence amended, 1962, 757 § 48. (See 1941, 656 § 17.)

SECT. 29 amended, 1939, 502 § 14; 1943, 345; revised, 1947, 636 § 3; 1950, 46; amended, 1962, 757 § 49.

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 (a) amended, 1962, 757 § 50; 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; amended, 1962, 757 § 51. (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. 1 amended, 1962, 757 § 52.

SECT. 7 revised, 1937, 414 § 1; amended, 1941, 512; 1947, 376; 1962, 757 § 53.

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; amended, 1962, 757 § 54. (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); amended, 1962, 757 § 55.

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. 27 amended, 1962, 757 § 56.

SECT. 28 revised, 1941, 656 § 11. (See 1941, 656 § 17.)

SECT. 30A amended, 1945, 580 § 5; 1962, 757 § 57.

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; 1962, 757 § 58.

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 amended, 1962, 757 § 59; paragraph added at end, 1954, 680 § 6; amended, 1962, 757 § 59.

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; section revised, 1962, 427 § 2; amended, 1962, 757 § 60.

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 (2) amended, 1962, 757 § 61; paragraph (3) amended, 1956, 729 § 1; paragraph (4) revised, 1956, 729 § 2; paragraph (5) revised, 1956, 729 § 3; clause (c) of said paragraph amended, 1962, 757 § 62; paragraph (6) amended, 1955, 643 § 2; 1962, 757 § 63; paragraph 7(A) added, 1959, 474; amended, 1962, 757 § 64; 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; amended, 1962, 757 § 65; paragraph (3) revised, 1956, 729 § 7; 1959, 473 § 3; paragraph (4) revised, 1955, 643 § 1; amended, 1956, 729 § 8; 1962, 757 § 66; paragraph (5) revised, 1954, 680 § 11; 1956, 729 § 9; amended, 1962, 757 § 67; 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; last sentence stricken out and three sentences inserted, 1962, 690; section amended, 1962, 757 § 68. (See 1962, 757 § 75.)

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, 1962, 757 § 69; 1960, 457.

SECT. 57 amended, 1962, 757 § 70.

SECT. 58 added, 1955, 602 (regulating the payment of compensation to state employees injured in the service of the commonwealth).

SECT. 59 added, 1962, 798 § 1 (authorizing appointing authorities to suspend persons from the service of the commonwealth during any period such persons are under indictment for misconduct in office). (See 1962, 798 § 2.)

#### Chapter 30A. — State Administrative Procedure.

**New chapter inserted, 1954, 681 § 1. (See 1954, 681 §§ 20-22.)**

SECT. 1, paragraph (2) revised, 1959, 511.

SECT. 6 revised, 1962, 545.

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; last paragraph revised, 1962, 331.

SECT. 13, third paragraph amended, 1960, 245; 1962, 179.

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; paragraph (b) amended, 1962, 270.

SECT. 2A added, 1939, 238 § 11 (relative to the duties of the director of civil service); clause (b) revised, 1939, 506 § 1; clause (c) 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 revised, 1932, 282 § 1; section amended, 1939, 238 § 13; paragraph added at end, 1939, 256 § 1; paragraphs added at end by 1941, 625 § 1, 1941, 627 § 1 and 1941, 686 § 2, respectively; paragraphs added at end by 1943, 246 § 1 and 1943, 402 § 1, respectively; section revised, 1945, 701 § 4; paragraph in line 12 revised, 1959, 320 § 1; paragraph in line 15 revised, 1957, 142; paragraph in line 19 revised, 1959, 320 § 2; paragraph in line 22 revised, 1949, 397; 1956, 294; 1958, 583 § 1; paragraph added at end, 1949, 765 § 1; same paragraph stricken out, 1958, 583 § 2; paragraph added at end, 1949, 779 § 1; 1956, 438 § 1; 652 § 1. (See 1932, 282 § 4; 1943, 246 § 2; 402 § 2; 1949, 765 § 2; 779 § 2; 1956, 438 § 2; 652 § 2.)

SECT. 5 amended, 1935, 405 § 2; 1936, 244 § 3; 1939, 238 § 14; revised, 1941, 402 § 3; amended, 1945, 355; 701 § 4A; 1948, 387 § 2; 1950, 397; 1951, 26; amended, 1954, 298. (See 1948, 387 § 1.)

SECT. 5A added, 1937, 414 § 2 (relative to the employment by certain municipal officers of persons to serve in a confidential capacity).

SECT. 6, first sentence revised, 1949, 430; sentence added at end, 1932, 260; same sentence amended, 1939, 238 § 15.

SECT. 6A added, 1935, 228 (dispensing with educational requirements as a condition of taking certain civil service examinations).

SECT. 7 revised, 1939, 397.

SECT. 8 amended, 1939, 238 § 16; revised, 1939, 396; 1945, 703 § 3; second paragraph revised, 1959, 318; paragraph added at end, 1962, 547.

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; two sentences added at end, 1962, 743 § 2; second paragraph revised, 1957, 46; fourth paragraph revised, 1951, 41 § 2; fifth paragraph revised, 1954, 376; paragraph inserted after fifth paragraph, 1962, 236; 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; 1962, 743 §§ 4, 5, 7.)

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; revised, 1962, 274.

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; 1962, 510; 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; first paragraph amended, 1962, 743 § 3. (See 1962, 743 §§ 6, 7.)

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 (b), second sentence revised, 1962, 205; 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; 1962, 776. (See 1955, 407 § 3; 1956, 629 § 3.)

SECT. 45 amended, 1934, 249 § 2; revised, 1945, 667 § 2; amended, 1955, 407 § 2. (See 1955, 407 § 3.)

SECT. 45A added, 1934, 190 (providing a method of avoiding multiplicity of petitions for judicial review to determine seniority rights in the classified labor service); amended, 1941, 166.

SECT. 45B added, 1941, 135 (requiring clerks of district courts to furnish certain information to the director of civil service); amended, 1945, 667 § 3.

SECT. 46 amended, 1932, 282 § 2; revised, 1934, 249 § 1; amended, 1941, 257; repealed, 1945, 667 § 4.

SECT. 46A revised, 1959, 569 § 5.

SECT. 46B amended, 1939, 238 § 45; repealed, 1945, 667 § 4.

SECTS. 46C and 46D added, 1933, 320 (providing for the reinstatement of certain municipal officers and employees).

SECT. 46C amended, 1934, 84; 1936, 66; revised, 1938, 297 § 1; amended, 1939, 238 § 46; revised, 1945, 704 § 8; amended, 1947, 373 § 2.

SECT. 46D repealed, 1945, 704 § 7.

SECT. 46E added, 1934, 207 (providing that a leave of absence of less than six months shall not be deemed a separation from the classified civil service in certain cases); first paragraph revised, 1945, 703 § 7; amended, 1951, 37; paragraph added at end, 1936, 297; same paragraph amended, 1939, 238 § 47; 1941, 136.

SECT. 46F added, 1935, 337 (providing for the reinstatement of members of the police force of the metropolitan district commission in certain cases); amended, 1939, 238 § 48; repealed, 1945, 704 § 7.

SECT. 46G added, 1935, 408 (relative to seniority rights in respect to the suspension and re-employment of persons in the classified civil service in certain cases); revised, 1938, 297 § 2; 1945, 704 § 9; amended, 1949, 170 § 2.

SECT. 46H added, 1936, 287 § 1 (providing for the reinstatement in the classified civil service of retired municipal officers and employees in certain cases of invalid retirement); amended, 1939, 238 § 49.

SECT. 46I added, 1945, 703 § 8 (providing for the establishment of re-employment lists of persons separated from the official or labor service otherwise than by resignation or discharge); amended, 1946, 60; revised, 1947, 12; first two sentences revised, 1960, 231 § 1; paragraph added at end, 1951, 420. (See 1960, 231 § 2.)

SECT. 46J added, 1946, 288 (relative to the right of civil service employees to petition the general court and to appear before committees thereof).

SECT. 46K added, 1952, 138 (authorizing civil service employees to petition their municipal government and to appear before committees thereof).

SECT. 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; section revised, 1962, 579 § 1. (See 1962, 579 §§ 2, 3.)

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); defini-

tion 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; first sentence amended, 1961, 409; revised, 1962, 548; 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; third subparagraph of paragraph (*h*) revised, 1959, 576 § 1A; 1960, 619 § 2; amended, 1961, 597 § 4; revised, 1962, 544 § 2; paragraph (*i*) added, 1946, 493 § 1; paragraph (*j*) added, 1946, 538 § 2; paragraph (*k*) added, 1959, 548 § 1; paragraph (*l*) added, 1961, 433; paragraph (*m*) added, 1962, 584; 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; 1962, 544 § 4.)

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; 1962, 81; 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; amended, 1962, 516 § 1; paragraph (b) amended, 1951, 809; 1958, 321 § 18. (See 1949, 491 § 2; 1951, 784 § 3; 1957, 661 § 4; 1962, 516 §§ 2, 3.)

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; 1962, 114 § 1; subdivision (3), paragraph (a) amended, 1958, 321 § 21; 1962, 114 § 2; subdivision (4), first paragraph amended, 1962, 391; 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), sentence inserted after third sentence, 1958, 669 § 3; last sentence revised, 1962, 682 § 1; subdivision (5) revised, 1956, 525. (See 1950, 783 § 2; 1962, 682 § 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; 1962, 544 § 3; paragraph added at end, 1962, 604. (See 1954, 627 §§ 65, 67; 1959, 576 § 2; 1960, 619 § 4; 1962, 544 § 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; section 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.

SECT. 94A added, 1962, 164 (presumption that certain diseases resulting in disability or death to fire fighters were suffered in line of duty).

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 (a) revised, 1962, 193 § 1; 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; paragraph (f) added, 1962, 647 § 1.

SECT. 3 revised, 1958, 355 § 1; amended, 1962, 193 § 2.

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. 10B added, 1962, 647 § 2 (directing the group insurance commission to negotiate policies of group general or blanket insurance providing hospital, surgical and medical benefits for elderly governmental retirees and their dependents).

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; 1962, 647 § 5.)

**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; revised, 1962, 193 § 3. (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. (See 1962, 647 § 6.)

SECT. 10 revised, 1962, 150, 647 § 4. (Governor declared said chapter 150 an emergency law, effective April 9, 1962.)

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); first two paragraphs revised, 1962, 383.

SECT. 11B added, 1962, 647 § 3 (authorizing certain political subdivisions to appropriate funds for payment of group general or blanket insurance providing hospital, surgical and medical insurance for certain elderly governmental retirees).

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. 26, third sentence revised, 1962, 226.

SECT. 31, second paragraph amended, 1962, 458.

SECT. 59 amended, 1956, 378.

SECT. 61, paragraph added at end, 1962, 242.

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.

SECT. 129 revised, 1962, 263 § 1.

SECT. 132A added, 1962, 263 § 2 (preserving certain rights of the National Lancers).

### Chapter 34. — Counties and County Commissioners.

SECT. 1 revised, 1933, 278 § 2.

SECT. 4 amended, 1935, 257 § 1; revised, 1939, 31 § 1. (See 1935, 257 § 12.)

SECT. 5, schedule revised, 1943, 102 § 1; 1949, 193 § 1, 767 § 1; 1951, 743 § 3. (See 1943, 102 § 2; 1949, 193 § 2, 767 § 2; 1951, 743 §§ 4-6.)

SECT. 7 amended, 1935, 257 § 2; last sentence stricken out, 1939, 31 § 2. (See 1935, 257 § 12.)

SECT. 9F added, 1958, 626 § 3 (providing that meetings of county boards and commissions be open to the public); second paragraph revised, 1960, 437 § 2.

SECT. 12 revised, 1935, 257 § 3. (See 1935, 257 § 12.)

SECT. 14, last sentence amended, 1947, 58.

SECT. 16 revised, 1947, 449 § 1. (See 1947, 449 § 7.)

SECT. 17 revised, 1932, 74; third sentence stricken out and two sentences inserted, 1949, 797; sentence inserted before last sentence, 1949, 481 § 3; affected, 1939, 452 § 7; section revised, 1951, 479.

SECT. 19 amended, 1935, 257 § 4. (See 1935, 257 § 12.)

SECT. 23 added, 1932, 297 (authorizing counties to receive certain gifts); revised, 1950, 162 § 2; second sentence revised, 1954, 126 § 2.

#### **Chapter 35. — County Treasurers, State Supervision of County Accounts and County Finances.**

For legislation enabling counties to secure the benefits provided by the federal government to assist them in public works projects, see 1945, 74; 1947, 526. [For prior legislation, see 1933, 366; 1934, 21; 1935, 404; 1936, 64, 83, 414; 1937, 159; 1938, 50, 82; 1939, 423; 1941, 639; 1943, 58.]

Provisions relative to travel allowance of county employees using certain cars on official business, 1933, 322 § 4; 1939, 452 § 2; 1941, 528 § 3; 1943, 465 § 3; 1945, 550 § 3; 1946, 348 § 3.

Provisions relative to expenses incurred for meals by county employees, 1939, 452 § 3; 1941, 528 § 2; 1943, 465 § 2; 1945, 550 § 2; 1946, 348 § 2.

For legislation increasing the salaries of justices, clerks and probation officers of district courts, probation officers of the superior court, trial justices and county commissioners, see 1946, 348 § 4.

SECT. 2 revised, 1945, 289.

SECT. 3 revised, 1932, 56; sentence added at end, 1939, 109 § 2.

SECT. 11 amended, 1943, 65; revised, 1950, 659 § 1; first sentence revised, 1962, 40.

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).

SECTS. 39G and 39H added, 1962, 232 § 1 (permitting the use of facsimile seals by counties and the use of facsimile signatures and countersignatures upon their bonds, notes and certificates of indebtedness).

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; sentence inserted after second sentence, 1962, 62; sentence added at end, 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.

SECTS. 20-22 repealed, 1962, 413.

#### 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 (32) revised, 1962, 580 § 2; 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 (authorizing towns to appropriate money for the purpose of establishing and maintaining a conservation commission); amended, 1959, 208; clause (52) added, 1958, 390 (authorizing towns to appropriate money for the control of diseases of epidemic proportions); clause (53) added, 1960, 236 (authorizing cities and towns to appropriate money for the acquisition and maintenance of tidal marshes and estuaries as reservations); clause (54) added, 1962, 672 § 1 (authorizing cities and towns to appropriate money for participation with the water resources commission in developing water resources). (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; revised, 1962, 463; third paragraph revised, 1957, 404 § 2.

SECT. 6B revised, 1957, 213; 1962, 484.

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); first sentence amended, 1962, 338 § 16; 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).

SECT. 22E added, 1962, 796 (authorizing cities and towns to lease the space above municipal parking lots).

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); revised, 1962, 485 § 1. (See 1962, 485 § 2.)

SECT. 41C added, 1962, 485 § 1 (relative to the discontinuance of the fluoridation of a public water supply system).

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. 5, last sentence revised, 1962, 340.

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; section revised, 1962, 201 § 1; sentence added at end, 1962, 327.

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; 1962, 201 § 2.

SECT. 18, first sentence revised, 1962, 203; fifth sentence revised, 1962, 387; two sentences added at end, 1960, 326; same two sentences stricken out and three sentences inserted, 1962, 212.

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; 1962, 233 § 1.

SECT. 13A added, 1932, 289 § 5 (provisions relative to bonds of city clerks); revised, 1962, 233 § 2. [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. 19F added, 1962, 386 (providing that certain city clerks shall be paid additional compensation for serving as clerks of the city council).

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; revised, 1962, 207 § 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; paragraph inserted after first paragraph, 1962, 313.

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; 1962, 207 § 2.

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. 91, first sentence revised, 1962, 89.

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; first paragraph stricken out and three paragraphs inserted, 1962, 580 § 1; paragraph added at end, 1957, 342. (See 1950, 412 § 2.)

SECT. 100A amended, 1933, 318 § 4; 1934, 291 § 3; 1945, 391 § 1; 1949, 128. (See 1933, 318 §§ 8, 9; 1934, 291 § 6; 1945, 391 § 3.)

SECT. 100B added, 1953, 628 § 1 (providing for the indemnification by cities and towns of certain retired police officers and fire fighters for certain hospital, medical and surgical expenses); 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. 108F added, 1962, 520 (establishing a minimum annual compensation for fire fighters 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; amended, 1962, 321 § 2. (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.

SECT. 7 revised, 1962, 157.

**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, 1954, 67.

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; 1962, 165 § 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. 9B added, 1962, 165 § 2 (providing that Plan F may be submitted to the voters either at biennial state elections or at regular city elections).

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, 1958, 513 § 2; 1959, 448 § 7.

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; amended, 1962, 607 § 1.

SECT. 6A amended, 1962, 607 § 2. 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; 1962, 380; 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 (7B) added, 1962, 672 § 2; 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; 1962, 672 § 3. (See 1952, 123 § 3.)

SECT. 8A added, 1939, 108 § 1 (providing for submitting to the voters of certain cities the question of approving or disapproving orders authorizing the issue of bonds, notes or certificates of indebtedness for certain purposes). (See 1939, 108 § 2.)

SECT. 9 amended, 1941, 376; 1946, 384 § 1; first paragraph amended, 1950, 169; paragraph added at end, 1947, 298 § 5.

SECT. 10 amended, 1936, 224 § 6; 1939, 24 § 1; 1946, 329; second sentence revised, 1950, 51; section revised, 1952, 56; second sentence revised, 1959, 99. (See 1936, 224 §§ 11, 12.)

SECT. 11 amended, 1936, 224 § 7. (See 1936, 224 §§ 11, 12.)

SECT. 12 amended, 1936, 224 § 8; repealed, 1946, 358 § 16. (See 1936, 224 §§ 11, 12.)

SECT. 13 revised, 1946, 358 § 17; paragraph added at end, 1948, 5.

SECT. 13A added, 1943, 61 § 2 (relative to the incurring of liabilities by districts prior to the annual appropriations).

SECT. 16, first sentence stricken out and two sentences inserted, 1956, 98; last sentence stricken out, 1936, 224 § 10. (See 1936, 224 §§ 11, 12.)

SECT. 16A added, 1957, 58 § 1 (authorizing the use of facsimile counter-signatures on bonds, notes and certificates of indebtedness issued by certain cities).

SECTS. 16B and 16C added, 1962, 232 § 2 (permitting the use of facsimile seals by cities, towns or districts and the use of facsimile signatures and countersignatures upon their bonds, notes and certificates of indebtedness).

SECT. 17 amended, 1946, 358 § 18; revised, 1962, 607 § 3.

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; 1962, 246.

SECT. 54 amended, 1933, 200; 1946, 358 § 24; revised, 1948, 194 § 1; 1949, 243; amended, 1953, 83; 1954, 47; sentence inserted after first sentence, 1962, 257.

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; revised, 1962, 377.

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; amended, 1962, 338 § 17.

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. — Infirmarys.

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. 57C added, 1962, 291 (permitting time off without loss of pay for delegates to certain conventions of fire fighters).

SECT. 57D added, 1962, 517 (providing that fire fighters and others in certain cities and towns be granted an additional day off duty or an additional day's pay when required to work on certain legal holidays).

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); sentence added at end, 1962, 345.

#### **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; first sentence revised, 1962, 437 § 1; second sentence amended, 1954, 627 § 19; four sentences added at end of first paragraph, 1961, 582 § 1; same four sentences stricken out, 1962, 437 § 2; 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); stricken out and sections 1A and 1B inserted, 1962, 437 § 3.

SECT. 2 amended, 1933, 254 § 3; revised, 1945, 310; sentence added at end, 1962, 437 § 4. (See 1933, 254 § 66.)

SECT. 3 amended, 1933, 254 § 4; revised, 1943, 453 § 11; sentence added at end, 1962, 437 § 5. (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; first sentence revised, 1962, 437 § 6; 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. 19, first sentence revised, 1962, 260.

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; first sentence stricken out and two sentences inserted, 1962, 437 § 7; sentence inserted before last sentence, 1948, 42; last sentence revised, 1962, 437 § 8.

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; sentence added at end, 1962, 437 § 9.

SECT. 30, first sentence amended, 1943, 453 § 23; section revised, 1947, 34 § 7; sentence added at end, 1962, 437 § 10.

SECT. 32 amended, 1933, 254 § 10; sentence added at end, 1962, 437 § 11. (See 1933, 254 § 66.)

SECT. 33, paragraph added at end, 1945, 246; revised, 1946, 160; 1962, 437 § 12.

SECT. 34 amended, 1933, 254 § 11; sentence added at end, 1962, 437 § 13. (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; 1943, 453 § 24; 1955, 67 § 3; 1962, 437 § 14. (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; sentence added at end, 1962, 437 § 15. (See 1933, 254 § 66; 1938, 440 § 23.)

SECT. 38 revised, 1943, 453 § 26; third sentence revised, 1962, 437 § 16.

SECT. 39 amended, 1938, 440 § 15. (See 1938, 440 § 23.)

SECT. 40, sentence inserted after second sentence, 1962, 437 § 17.

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; 1962, 437 § 18.

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; 1962, 265.

SECT. 42B added, 1959, 332 (providing for registration sessions in certain factories and mills); sentence added at end, 1962, 437 § 19.

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; first sentence revised, 1962, 437 § 20.

SECT. 45 revised, 1943, 108; 1945, 715 § 7; first sentence revised, 1962, 437 § 21.

SECT. 46 revised, 1945, 715 § 8; 1962, 437 § 22.

SECT. 47 revised, 1945, 715 § 9.

SECT. 48, first sentence revised, 1962, 437 § 23.

SECT. 49 revised, 1962, 437 § 24.

SECT. 50 amended, 1938, 440 § 17; 1945, 378; revised, 1962, 511 § 2. (See 1938, 440 § 23; 1962, 511 § 5.)

SECT. 51 revised, 1962, 511 § 3.

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. 58A added 1962, 437 § 25 (relative to the preparation of lists of persons qualified to vote for electors of president and vice-president).

SECT. 59 revised, 1962, 437 § 26.

SECT. 60, first sentence revised, 1962, 437 § 27.

SECT. 61 amended, 1937, 21 § 1; paragraph inserted after first paragraph, 1962, 437 § 28.

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. 9A added, 1962, 249 § 1 (regulating the issuance of nomination papers for use in city and town primaries and elections, and limiting the number of such papers obtainable).

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; two sentences added at end, 1962, 249 § 2.

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; 1962, 758; seventh paragraph revised, 1961, 261; 1962, 272. (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. 38A added, 1962, 375 (providing for a biennial count of the enrolled and unenrolled voters of the commonwealth).

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. 58, sentence added at end, 1962, 249 § 3.

SECT. 59, fifth sentence stricken out and two sentences inserted, 1962, 269 § 1.

SECT. 60 revised, 1962, 269 § 2.

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; two sentences inserted after first sentence, 1962, 437 § 29.

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; first two paragraphs revised, 1962, 266; first paragraph amended, 1962, 437 § 30.

SECT. 13 amended, 1934, 158 § 3; 1943, 411 § 4; fourth sentence revised, 1962, 437 § 31.

SECT. 14 amended, 1943, 411 § 5.

SECT. 15, sentence added at end, 1961, 335.

SECT. 16, paragraph added at end, 1962, 437 § 32.

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; 1962, 437 § 33; paragraph added at end, 1946, 537 § 5. (See 1946, 537 § 12.)

SECT. 24, sentence inserted after first sentence, 1962, 437 § 34; 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; revised, 1962, 437 § 35.

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; sentence inserted after first sentence, 1962, 437 § 36; last sentence amended, 1962, 376.

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, first paragraph revised, 1962, 437 § 37; 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; last sentence revised, 1962, 437 § 38.

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; 1962, 358.

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; sentence added at end, 1962, 437 § 39.

SECT. 53 amended, 1945, 64; first sentence revised, 1962, 437 § 40.

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; third sentence revised, 1962, 437 § 41.

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. 85, paragraph inserted after first paragraph, 1962, 437 § 42.

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; 1962, 267 § 1; 1961, 209; 1962, 267 § 2; 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.

SECTS. 103B-103Q added, under caption ABSENT VOTING FOR FEDERAL SERVICE PERSONNEL, 1962, 511 § 1. (See 1962, 511 § 5.)

SECT. 104 amended, 1934, 39 § 6.

SECT. 105, first paragraph amended, 1952, 39 § 3; 1959, 133; revised, 1959, 155 § 1; second and third sentences revised, 1962, 437 § 43; fifth sentence stricken out, 1961, 304; second paragraph revised, 1947, 95; 1962, 437 § 44; fourth paragraph amended, 1938, 341 § 7; stricken out, 1960 434 § 1.

SECT. 107 revised, 1943, 411 § 22; amended, 1946, 93; third sentence revised, 1962, 437 § 45.

SECT. 109 amended, 1943, 411 § 23; 1962, 343.

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; sentence added at end, 1962, 437 § 46.

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; 1962, 264; 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. — Disclosure of Campaign Expenditures and Contributions and Election Inquests (former title, 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.**

**New title inserted, 1962, 444 § 1.**

**The following references are to chapter 55, as so inserted:**

SECT. 1 revised, 1962, 444 § 2.

SECT. 3 revised, 1962, 444 § 3.

SECT. 4, first sentence stricken out and three sentences inserted, 1954, 287; sentence inserted after first sentence, 1962, 444 § 4.

SECT. 6, first sentence revised, 1962, 518; third and fourth sentences stricken out and six sentences inserted, 1962, 444 § 5.

SECT. 8 revised, 1962, 444 § 6.

SECT. 11, first paragraph revised, 1954, 644.

SECT. 13, paragraph inserted after first paragraph, 1954, 530.

SECT. 16 amended, 1954, 272; revised, 1962, 444 § 7.

SECT. 17 revised, 1962, 444 § 8.

SECT. 19 amended, 1962, 444 § 9.

SECT. 20, first sentence revised, 1954, 223; section revised, 1962, 444 § 10.

SECT. 21 revised, 1962, 444 § 11.

SECT. 22 amended, 1962, 444 § 12.

SECT. 27 amended, 1962, 444 § 13.

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; 1962, 315 § 1.

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, under caption, 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, under caption, 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; revised, 1962, 439; 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 revised, 1962, 666 § 1; 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 revised, 1962, 666 § 2; clause Twenty-second B added, 1959, 233 § 1 (see 1959, 233 § 2); clause revised, 1962, 666 § 3; clause Twenty-second C added, 1962, 666 § 4; clause Twenty-third amended, 1932, 114 § 4; revised, 1947, 647; 1949, 534 § 2; 1962, 281; 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; 1962, 644 § 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, two sentences added, 1948, 576; last four sentences of first paragraph revised, 1951, 798 § 7; second sentence amended, and third sentence revised, 1953, 654 § 29; fourth sentence revised, 1955, 143; two paragraphs inserted after first paragraph, 1955, 202 § 1; paragraph added at end, 1938, 175 § 2; 1949, 104 § 1. Temporarily affected, 1954, 43. (See 1951, 798 § 8; 1952, 359; 1953, 119; 1955, 202 § 2.)

SECT. 23C added, 1952, 578 § 1 (providing for separate school tax rates); first paragraph revised, 1954, 460 § 1; "School percentage" defined, 1954, 460 § 2.

SECT. 25, first sentence revised, 1950, 257; amended, 1953, 654 § 30; sentence added at end, 1949, 104 § 2.

SECT. 27 amended, 1936, 118 § 2. (See 1936, 118 § 3.)

SECT. 29, last three sentences revised, 1933, 254 § 34. (See 1933, 254 § 66.)

SECT. 33 amended, 1933, 254 § 35; first sentence revised, 1954, 459 § 2. (See 1933, 254 § 66.)

SECT. 38A added, 1952, 614 § 2 (relative to the valuation for taxation of natural gas or petroleum pipe lines); amended, 1953, 654 § 31. (See 1952, 614 § 3.)

SECT. 39 amended, 1933, 254 § 36; 1939, 451 § 22; revised, 1953, 468, 654 § 32; 1955, 344 § 1. (See 1933, 254 § 66; 1955, 344 § 3.)

SECT. 40 amended, 1953, 654 § 33.

SECT. 41 amended, 1933, 254 § 37; 1953, 654 § 34. (See 1933, 254 § 66.)

SECT. 42 amended, 1953, 654 § 35.

SECT. 43, first sentence revised, 1948, 112 § 1.

SECT. 45 amended, 1933, 254 § 38; first sentence revised, 1948, 112 § 2; form appended to section amended, 1933, 254 § 39. (See 1933, 254 § 66.)

SECT. 47 amended, 1933, 254 § 40. (See 1933, 254 § 66.)

SECT. 48 revised, 1947, 84.

SECT. 49 amended, 1933, 254 § 41; first sentence revised, 1948, 112 § 3; section revised, 1955, 245 § 1. (See 1933, 254 § 66; 1955, 245 § 2.)

SECT. 50 revised, 1948, 112 § 4.

SECT. 54 revised, 1954, 444 § 1. (See 1954, 444 § 5.)

SECT. 57 amended, 1933, 151 § 1; revised, 1933, 254 § 42; 1935, 158 § 1; amended, 1937, 203 § 1; revised, 1938, 330 § 1; 1941, 258 § 1; first two sentences revised, 1947, 522 § 1; first sentence revised, 1949, 265 § 1; fourth and fifth sentences stricken out and three sentences inserted, 1947, 99 § 1; sentence added at end, 1949, 278 § 1. (See 1933, 151 § 2, 254 § 66; 1935, 158 § 2; 1937, 203 § 2; 1938, 330 § 2; 1947, 99 § 2, 522 § 2; 1949, 265 § 2, 278 § 2.)

SECT. 59, sentence added at end, 1933, 165 § 1; section revised, 1933, 254 § 43, 266 § 1; 1934, 136 § 2; amended, 1935, 187 § 1; revised, 1939, 250 § 1; first sentence revised, 1943, 166 § 1; 1945, 621 § 4; 1946, 199 § 1.

(See 1933, 254 § 66, 266 § 2; 1934, 136 § 3; 1935, 187 § 2; 1946, 199 § 2; 1949, 277; 1950, 165.) Temporarily affected, 1953, 568.

SECT. 60 revised, 1941, 209; 1945, 620.

SECT. 61, last sentence revised, 1933, 165 § 2.

SECT. 61A added, 1935, 276 § 2 (providing for adequate discovery in proceedings for tax abatement).

SECT. 63 amended, 1943, 79.

SECT. 64, first paragraph amended, 1933, 130 § 1; second paragraph amended, 1935, 218 § 2; section revised, 1937, 400 § 6; 1938, 478 § 1; first sentence amended, 1939, 31 § 6; first paragraph revised, 1945, 621, § 5; second paragraph amended, 1939, 366 § 2; 1943, 248; revised, 1956, 544. (See 1937, 400 §§ 1-5, 7.)

SECT. 65 amended, 1933, 130 § 2, 167 § 1; revised, 1938, 478 § 2; 1939, 31 § 7; first sentence revised, 1945, 621 § 6.

SECT. 65A added, 1932, 218 § 1 (providing that the sale or taking of real property for payment of unpaid taxes thereon shall not prejudice proceedings for the abatement of such taxes); revised, 1933, 325 § 18. (See 1932, 218 § 2; 1933, 325 § 19.)

SECT. 65B added, 1938, 478 § 3 (relative to appeals to the appellate tax board from the refusal of assessors to abate certain taxes on real estate); revised, 1945, 621 § 7.

SECT. 65C added, 1953, 476 § 1 (providing for late entry of certain appeals to the appellate tax board). (See 1953, 476 § 2.)

SECT. 65D added, 1956, 452 § 1 (relative to certain appeals filed with the appellate tax board). (See 1956, 452 § 2.)

SECT. 69 amended, 1935, 218 § 3; 1939, 366 § 3.

SECT. 70A added, 1945, 351 § 1 (regulating the procedure after abatement of a local tax, assessment, rate or charge).

SECT. 73 amended, 1933, 254 § 44; 1953, 654 § 36; stricken out, 1955, 344 § 2. (See 1933, 254 § 66; 1955, 344 § 3.)

SECT. 74 amended, 1933, 254 § 45; 1939, 24 § 3; 1945, 137. (See 1933, 254 § 66.)

SECT. 75 amended, 1934, 104; first sentence revised, 1946, 339.

SECT. 77 revised, 1945, 333.

SECT. 78 amended, 1941, 258 § 5.

SECT. 79 amended, 1938, 150 § 1; last sentence revised, 1946, 251 § 2. (See 1946, 251 § 3.)

SECT. 83 amended, 1933, 254 § 46; 1939, 24 § 4; revised, 1958, 490 § 2. (See 1933, 254 § 66; 1958, 490 § 3.)

SECT. 84 amended, 1933, 254 § 47. (See 1933, 254 § 66.)

SECT. 85 amended, 1933, 254 § 48; repealed, 1945, 271. (See 1933, 254 § 66.) Affected, 1941, 609.

SECT. 86 amended, 1933, 254 § 49. (See 1933, 254 § 66.)

#### Chapter 60. — Collection of Local Taxes.

SECT. 1, third paragraph revised, 1933, 164 § 1; last two paragraphs amended, 1943, 37 § 1.

SECT. 3 revised, 1933, 254 § 50; sentence inserted after first sentence, 1954, 444 § 2; amended, 1941, 258 § 2; 1943, 37 § 2; sentence inserted after third sentence, 1943, 166 § 2. (See 1933, 254 § 66; 1954, 444 § 5.)

SECT. 3A added, 1934, 136 § 1 (requiring that certain information relative to abatement or exemptions be included in tax bills); amended, 1936,

156; revised, 1943, 166 § 3, 564 § 1 (providing that additional information be included in certain tax bills issued subsequent to the termination of the present war); sentence added at end, 1952, 578 § 2; section revised, 1954, 444 § 3. (See 1934, 136 § 3; 1943, 564 § 2; 1949, 277; 1954, 444 §§ 4, 5.)

SECT. 3B added, 1935, 322 § 2 (relative to the suspension of payment of certain assessments payable by certain persons entitled to exemption from local taxes).

SECT. 4 revised, 1939, 342 § 5.

SECT. 5 revised, 1933, 168 § 2; amended, 1941, 258 § 3; last sentence revised, 1955, 474 § 1.

SECT. 13, sentence added at end, 1937, 143 § 5; section revised, 1939, 44; 1941, 308.

SECT. 15, first paragraph amended, 1934, 151 § 2; 1935, 252 § 1; section revised, 1943, 179; 1952, 398; amended, 1955, 474 § 2; clause 2 revised, 1958, 306 § 1; clauses 9 and 10 revised, 1958, 306 § 2. (See 1958, 306 § 3.)

SECT. 15A added, 1935, 252 § 2 (further regulating charges and fees for the collection of poll taxes); revised, 1948, 386; 1959, 152.

SECT. 16 revised, 1933, 168 § 1; amended, 1933, 254 § 51. (See 1933, 168 § 4, 254 § 66.)

SECT. 18 repealed, 1932, 54 § 1.

SECT. 22 revised, 1933, 254 § 52; first sentence revised, 1947, 278; affected, 1933, 308. (See 1933, 254 § 66.)

SECT. 22A added, 1941, 573 § 1 (relative to bills for taxes on parcels of real estate and payments on account thereof). (See 1941, 573 § 2.)

SECT. 23 revised, 1932, 197 § 1; fourth sentence revised, 1952, 388; two sentences added at end, 1943, 478 § 3; fifth sentence amended, 1954, 487 § 2A; section revised, 1958, 537; last sentence amended, 1960, 421 § 1. (See 1954, 487 § 3.)

SECT. 34, first sentence amended, 1947, 313.

SECT. 35 revised, 1938, 150 § 2; 1946, 251 § 1. (See 1946, 251 § 3.)

SECT. 37 amended, 1933, 254 § 53, 325 § 1; 1934, 131 § 2; revised, 1934, 169; amended, 1935, 269; 1936, 146; last sentence revised, 1941, 84 § 1; section revised, 1943, 478 § 1. (See 1933, 254 § 66; 1934, 131 § 3; 1941, 84 § 2.)

SECT. 37A added, 1943, 478 § 2 (relative to the continuance of local tax liens during the existence of legal impediments to sales or takings thereunder); third sentence amended, 1960, 421 § 2.

SECT. 38 amended, 1933, 254 § 54, 325 § 2. (See 1933, 254 § 66, 325 § 21.)

SECT. 39 amended, 1933, 325 § 3.

SECT. 42 revised, 1933, 164 § 2.

SECT. 43, last sentence revised, 1932, 54 § 2; section amended, 1935, 183, 236.

SECT. 45 amended, 1933, 325 § 4; 1937, 209; 1938, 339 § 1.

SECT. 46, paragraph added at end, 1934, 131 § 1.

SECT. 48 amended, 1933, 325 § 5. (See 1933, 325 § 20.)

SECT. 50 revised, 1933, 325 § 6; amended, 1935, 414 § 1; 1936, 93 § 2; amended, 1941, 319 § 1. (See 1935, 414 § 4; 1941, 319 §§ 3, 4.)

SECT. 50A added, 1934, 154 § 2 (providing for protect on 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; paragraph inserted after fifth paragraph, 1962, 644 § 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; third sentence revised, 1962, 231 § 2; sixth sentence revised, 1957, 375; ninth sentence revised, 1959, 371 § 1. (See 1954, 373 § 2; 1959, 371 § 2; 1962, 231 § 4.) Affected by 1962, 727.

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 nonresidents); 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; first paragraph amended, 1962, 596 § 1; 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; revised, 1962, 576 § 1; 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; 1962, 576 § 2.)

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, first sentence amended, 1962, 117 § 1; 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; third sentence amended, 1962, 117 § 2. (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, under caption, 1952, 262 (defining the term "received" as relates to income); revised, 1956, 597 § 1; subsection (b), first paragraph revised, 1962, 596 § 2. (See 1956, 597 § 2; 1962, 596 § 3.)

SECT. 62 added, under caption, 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; paragraph defining "Taxable year" revised, 1962, 613 § 1. (See 1933, 327 § 7.)

SECT. 2 amended, 1933, 327 § 2; 1939, 451 § 25; 1941, 509 § 3; 1953, 654 § 49; first two sentences stricken out and three sentences inserted, 1962, 613 § 2. 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; 1962, 613 §§ 5, 6.)

SECT. 3 amended, 1933, 254 § 58; 1934, 323 § 5; 1945, 161 § 2; 1953, 654 § 50; 1955, 611 § 1; revised, 1962, 613 § 3. (See 1933, 254 § 66; 1934, 323 § 11.)

SECT. 4 amended, 1939, 368; 1941, 509 § 4; revised, 1962, 613 § 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; paragraph (y) added, 1962, 778 § 17. (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; 1948, 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; para-

graph 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 3 stricken out, 1962, 756 § 1; 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 4 stricken out, 1962, 756 § 1; paragraph 5 revised, 1933, 327 § 3; paragraph 6 revised, 1956, 550 § 3; paragraphs 7-12 added, 1962, 756 § 2. (See 1933, 58 § 5, 327 § 7; 1934, 237 § 2; 1947, 622 § 5; 1956, 550 § 13; 1958, 679 § 3; 1961, 450 § 2.)

SECT. 30A added, 1962, 756 § 3 (relative to the determination of the rate of tax on certain corporate property). (See 1962, 756 § 12.)

SECT. 31 repealed, 1962, 756 § 4.

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; 1962, 756 § 5. (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; second paragraph stricken out, 1962, 756 § 6. (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; amended, 1962, 560 § 1; last two paragraphs stricken out, 1962, 756 § 7. (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; 1962, 756 § 8. (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; second paragraph stricken out, 1962, 756 § 9. (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. 42C added, 1962, 560 § 2 (relative to the taxation of corporations dealing exclusively in securities on their own behalf). (See 1962, 560 § 4.)

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; section revised, 1962, 557 § 1; third and fifth sentences amended, 1962, 756 § 18. (See 1935, 473 § 7; 1936, 362 § 8; 1960, 548 § 11; 1962, 557 § 5.)

SECT. 45 amended, 1933, 195 § 1; revised, 1935, 473 § 5; amended, 1943, 395; 1950, 505; first sentence revised, 1955, 549 § 2; section revised, 1962, 557 § 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; section revised, 1962, 557 § 3.

SECT. 47 stricken out, 1953, 654 § 60.

SECT. 48 revised, 1935, 473 § 1; 1956, 379 § 1; first sentence revised, 1962, 557 § 4. (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; subdivisions (4)-(11) stricken out and subdivisions (4)-(7) inserted, 1962, 475 § 1. (See 1951, 641 §§ 18, 19; 1956, 555 §§ 3, 4; 1957, 629 § 2; 1962, 475 § 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; first sentence amended, 1951, 641 § 13; revised, 1962, 560 § 3. (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, 1951, 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; third sentence amended, 1962, 715 § 3. (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.

SECT. 13 revised, 1962, 715 § 4.

**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; section revised, 1962, 491 § 1. (See 1962, 491 § 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; 1939, 454 § 22; 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 nonresident 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; first sentence revised, 1962, 427 § 3. (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. 51 revised, 1962, 750 § 2.

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); third paragraph amended, 1962, 750 § 3.

**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, 353, 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; amended, 1962, 503 § 1; paragraph inserted after first paragraph, 1951, 551; paragraph added at end, 1945, 541 § 1; amended, 1962, 505. (See 1956, 585 § 2; 1962, 503 § 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; 1962, 336. (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 amended, 1962, 750 § 4; sentence inserted after fifth sentence, 1953, 290; sentence added at end, 1960, 405.

SECTS. 32 and 33 added, under caption, 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; first sentence amended, 1962, 11; second sentence amended, 1962, 301 § 1.

SECT. 2 amended, 1938, 246 § 1; revised, 1949, 468; 1952, 282.

SECT. 3 amended, 1962, 301 § 2.

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; amended, 1962, 729 § 1; three paragraphs inserted after first paragraph, 1962, 729 § 2.

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 (a) revised, 1962, 232 § 3; clause (c) revised, 1955, 65; clause (d) revised, 1955, 65; 1956, 243; 1961, 380; clause (e) revised, 1962, 232 § 4.

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; 1962, 28.

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; 1962, 594 § 1; last sentence stricken out, 1962, 519. (See 1945, 727 § 2; 1946, 527 §§ 2, 3; 1959, 602 § 2; 1962, 594 § 2.)

SECT. 41 revised, 1947, 597 § 1; sentence added at end, 1950, 283; section revised, 1953, 372; amended, 1956, 132 § 1.

SECT. 41A added, 1962, 277 (providing for leaves of absence to public school teachers for study or research).

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; paragraph added at end, 1962, 708.

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. 46J added, 1962, 555 (providing for joint special education programs for emotionally disturbed children).

SECT. 47 revised, 1935, 199; 1950, 658; 1951, 411 § 1; amended, 1952, 316 § 1; revised, 1954, 271; third sentence amended, 1962, 301 § 3; fourth sentence revised, 1959, 113; 1962, 301 § 4.

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. 6 revised, 1962, 410.

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; five paragraphs added at end, 1962, 553. (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. 25 revised, 1962, 419 § 2.

SECT. 26 revised, 1962, 419 § 3.

SECT. 28 revised, 1939, 501 § 6; amended, 1945, 158 § 6.

SECT. 30 amended, 1937, 41; revised, 1962, 419 § 4.

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; 1962, 419 § 5.

SECT. 31B added, 1960, 481 (relative to athletic and other organizations of county agricultural school pupils); first sentence revised, 1962, 419 § 5A.

SECT. 33 revised, 1962, 419 § 6.

SECT. 35, second sentence revised, 1956, 455; section revised, 1962, 419 § 7.

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); revised, 1962, 419 § 7A.

SECT. 36 revised, 1962, 419 § 8.

SECT. 37 revised, 1962, 419 § 9.

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); three paragraphs added at end, 1962, 499 § 2.

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); revised, 1962, 258.

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.

**For prior changes see Table of Changes contained in Acts and Resolves of 1961.**

SECTS. 1-15 stricken out and sixteen sections inserted, 1962, 648 § 1. (See 1962, 648 §§ 3, 4, 5.)

**The following references are to sections 1 to 15, as so inserted:**

SECT. 2 amended, 1962, 787 § 2.

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).

SECTS. 31 and 32 stricken out and sections 31, 32 and 32A added, 1962, 648 § 2 (relative to the administration of the University of Massachusetts).

SECT. 33 added, 1962, 621 (establishing scholarships for students of agriculture and others at the University of Massachusetts).

SECTS. 34-36 added, under caption, 1962, 787 § 3 (establishing a medical school within 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; three paragraphs added at end, 1962, 499 § 1. (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; section revised, 1962, 797 § 1. (See 1943, 251 § 4; 1962, 797 § 2.)

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. 2, first sentence revised, 1962, 234.

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; amended, 1962, 610.

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. 7I added, 1962, 587 (authorizing the advancement of funds by the department of public works in furtherance of agreements with railroad corporations which provide for relocation or other work on property of such corporations).

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 inserted after second paragraph, 1962, 603 § 2; 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. 11A added, 1962, 589 (authorizing agents and employees of county commissioners to enter upon private property for the purpose of making reconnaissances, surveys, soundings, inspections and examinations).

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); third sentence stricken out and three sentences inserted, 1962, 346. (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; 1962, 160.

#### **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; fourth sentence stricken out and two sentences inserted, 1962, 225.

**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; second sentence of said paragraph revised, 1962, 231 § 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; 1962, 231 § 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; 1962, 19 § 1; paragraph added at end, 1941, 282. (See 1962, 19 § 2.)

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; seventh sentence (as so appearing) revised, 1962, 116, 395 § 1; same sentence stricken out and two sentences inserted, 1962, 709 § 1; 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 inserted after first paragraph, 1962, 132; paragraph added at end of section, 1941, 443. (See 1932, 123 § 2; 1954, 570 § 2; 1959, 618 § 2; 1962, 395 § 3, 709 § 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; amended, 1962, 395 § 2.

SECT. 7B, clause (1) revised, 1950, 502 § 2; clause (4) revised, 1962, 515 § 1; 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; first sentence stricken out and four sentences inserted, 1962, 687; fourth sentence revised, 1960, 604; last paragraph stricken out, 1960, 582. (See 1948, 399 § 3, 619 §§ 2, 3; 1955, 488 § 3.)

SECT. 8A added, 1962, 515 § 2 (regulating the licensing of operators of school buses).

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); amended, 1962, 734.

SECT. 10 amended, 1935, 219; second sentence stricken out and two sentences inserted, 1948, 130; second sentence revised, 1962, 501; 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; amended, 1962, 338 § 18; paragraph added at end, 1955, 135; amended, 1962, 338 § 19.

SECT. 18A added, 1962, 409 § 1 (authorizing the commonwealth, the metropolitan district commission, and cities and towns to adopt rules regulating the use of ways by pedestrians and for the non-criminal disposition of violations thereof). (See 1962, 409 § 2.)

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; first sentence amended, 1956, 389 § 2; 1961, 523 § 2; revised, 1962, 228; last sentence of said paragraph revised, 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, 1962, 786 § 1; sentence added at end 1955, 386 § 1; revised, 1955, 751 § 1; 1956, 404; 1962, 786 § 2; second paragraph amended, 1960, 454; 1961, 233 § 1; second sentence of said paragraph amended, 1962, 338 § 20; revised, 1962, 420 § 1, 786 § 3; third paragraph, second and third sentences revised, 1955, 386 § 2; fourth sentence revised, 1962, 786 § 4; fourth paragraph revised, 1961, 233 § 2; paragraph inserted after said paragraph, 1961, 233 § 3; revised, 1961, 455 § 6; 1962, 338 § 21; same paragraph stricken out, 1962, 786 § 5; paragraph added at end, 1954, 302. (See 1934, 368 § 2; 1949, 425 § 4; 1953, 249 §§ 2, 3; 1955, 751 § 2; 1962, 338 § 24, 786 § 8.)

SECT. 20B added, 1960, 810 (relative to the crossing of certain ways by pedestrians).

SECTS. 20C and 20D added, 1962, 786 § 6 (relative to the non-criminal disposition of parking violations). (See 1962, 786 § 8.)

SECT. 21 amended, 1936, 406; 1954, 669; revised, 1961, 422 § 1; amended, 1962, 254, 394 § 1.

SECT. 22, paragraph inserted after first paragraph, 1962, 261; 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; amended, 1962, 394 § 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); revised, 1962, 23.

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; first paragraph revised, 1962, 700, 789 § 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; paragraph added at end, 1962, 415.

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 in-

serted, 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; 1962, 573; 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; amended, 1962, 603 § 1. (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; 1954, 126 § 3. (See 1935, 459 § 5.)

SECT. 34E revised, 1949, 571 § 5.

SECT. 34F revised, 1949, 571 § 6.

SECT. 34H, first paragraph amended, 1933, 119 § 4; second paragraph amended, 1948, 39; second paragraph stricken out and two paragraphs inserted, 1960, 332; paragraph inserted after third paragraph, 1933, 119 § 5. (See 1933, 119 § 6.)

SECT. 34I revised, 1949, 571 § 7.

SECT. 34J, sentence added at end, 1959, 282 § 5.

SECT. 34K added, 1960, 360 (relative to the cancellation of compulsory motor vehicle liability insurance).

SECTS. 35-43 and 44-50 inc. (inserted by 1935, 418 § 2, as amended) and sect. 43A (inserted by 1938, 417 § 9) stricken out and new sections 35-52 inserted, 1939, 393 § 3 (further revising the laws relative to aviation). (See 1939, 393 §§ 4-6.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to sections 35 to 52, as so inserted:

SECT. 35, paragraph defining "Airport" amended, 1941, 537 § 1; paragraph inserted after said paragraph, 1941, 537 § 2; paragraph defining "Landing field" amended, 1941, 537 § 3; two paragraphs added at end, 1941, 537 § 4; section revised, 1946, 507; "Navigable Air Space" defined, 1947, 292.

SECTS. 35A-35D added, 1960, 756 § 1 (limiting the height of certain structures within the approaches to certain airports). (See 1960, 756 § 2.)

SECTS. 36-38 repealed, 1946, 583 § 2. (See G. L. 6 §§ 57-59. See also 1946, 583 §§ 1, 4.)

SECT. 39, first paragraph revised, 1941, 695 § 13; section revised, 1946, 583 § 3; first paragraph revised, 1948, 637 § 10. (See 1946, 583 § 5; 1948, 637 §§ 4-9, 13, 663 § 4.)

SECTS. 39A-39F added, 1946, 607 § 1 (relative to a state airport plan).

SECT. 39A, paragraph added at end, 1953, 524 § 1.

SECT. 39B, paragraph inserted after first paragraph, 1948, 505.

SECT. 39C revised, 1949, 762 § 1. (See 1949, 762 § 2.)

SECT. 39D repealed, 1948, 637 § 11. (See 1948, 637 §§ 4-9, 13.)

SECT. 39F revised, 1947, 593 § 4; paragraph added at end, 1953, 524 § 2. (See 1953, 524 § 3.)

SECT. 39G added, 1947, 593 § 5 (making certain provisions of law relating to airports in municipalities applicable to airports in counties).

SECT. 40 revised, 1946, 582 § 1; paragraph added at end, 1949, 60; revised, 1955, 189; two paragraphs added at end, 1956, 337.

SECTS. 40A-40I inserted, 1941, 537 § 5 (relative to protecting the approaches to publicly owned airports).

SECT. 40A, fifth sentence amended, 1950, 421.

SECT. 41 revised, 1946, 582 § 2.

SECT. 42 amended, 1941, 537 § 6.

SECT. 43 revised, 1946, 582 § 3.

SECT. 44 amended, 1941, 537 § 7.

SECT. 45 amended, 1941, 537 § 8; revised, 1947, 319.

SECT. 49A added, 1949, 115 § 1 (relative to court records of cases involving violations of aeronautical laws, rules and regulations); amended, 1953, 319 § 12. (See 1953, 319 §§ 39, 40.)

SECTS. 49B-49T added, 1955, 666 § 1 (requiring owners and operators of aircraft involved in accidents to provide security for payment of damages in certain cases). (See 1955, 666 § 2.)

SECTS. 50A-50L added, under caption, 1948, 637 § 3 (relative to the management of state-owned airports). (See 1948, 637 §§ 4-9, 13, 663 § 4.)

SECT. 50C, paragraph added at end, 1951, 672 § 1. (See 1951, 672 §§ 2, 3.)

SECT. 50D, first sentence amended, 1949, 762 § 3; first paragraph amended, 1955, 452; paragraph inserted after first paragraph, 1958, 275.

SECT. 50F, sentence added at end, 1948, 663 § 2; third paragraph revised, 1949, 763. (See 1948, 663 §§ 4, 5; 1949, 745 § 2.)

SECT. 50H, sentence added at end, 1948, 663 § 3. (See 1948, 663 §§ 4, 5.)

SECT. 51 stricken out, 1946, 613 § 1.

SECTS. 51A-51B added, 1946, 582 § 4 (relative to the supervision of state airports by airport managers and to the leasing thereof); repealed, 1948, 637 § 11. (See 1948, 637 §§ 4-9, 13.)

SECTS. 51C-51L added, 1946, 613 § 1 (relating to the acquisition, establishment, maintenance, operation and regulation of airports by the commonwealth and the cities and towns thereof).

SECT. 51C repealed, 1948, 637 § 11. (See 1948, 637 §§ 4-9, 13.)

SECT. 51E, sentence inserted after first sentence, 1948, 481; second and third sentences revised, 1947, 70; last sentence stricken out and five sentences inserted, 1947, 593 § 1.

SECT. 51F revised, 1949, 769 § 1.

SECT. 51H revised, 1949, 769 § 2.

SECT. 51I revised, 1947, 593 § 2.

SECT. 51K revised, 1947, 593 § 3.

SECT. 51M added, 1947, 332 (prohibiting the granting of exclusive franchises for transportation of persons at airports publicly owned or controlled, or constructed wholly or partly with public funds).

SECT. 51N added, 1947, 501 (authorizing municipalities to establish, maintain and operate airports as joint enterprises).

#### Chapter 90A. — The Highway Safety Act.

**New chapter inserted, 1953, 570 § 1.**

SECT. 1 revised, 1954, 425; amended, 1960, 522 § 1. (See 1960, 522 § 2.)

Caption preceding section 5 stricken out, 1960, 390.

SECTS. 5 and 6 repealed, 1960, 390.

SECT. 7, first sentence amended, 1956, 646; section repealed, 1960, 390.

SECT. 7A added, 1955, 417 (relative to the assessment of points under highway safety act and merit rating system); repealed, 1960, 390.

SECT. 8 repealed, 1960, 390.

SECT. 8A added, 1956, 178 (providing that no points shall be charged against an owner or licensed operator before final disposition of an appeal in court); repealed, 1960, 390.

SECTS. 9 and 10 repealed, 1960, 390.

SECT. 11 repealed, 1956, 201 § 1. (See 1956, 201 § 2.)

SECTS. 12-15, 17 repealed, 1956, 51 § 1.

SECT. 16 amended, 1956, 51 § 2; repealed, 1960, 390.

#### Chapter 90B. — Motorboats and Other Vessels.

**New chapter inserted, 1960, 275 § 2.**

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.

SECT. 13, sentence added at end, 1962, 250.

#### Chapter 90C. — Procedure against violators of Motor Vehicle Laws.

**New chapter inserted, 1962, 789 § 2. (See 1962, 789 § 3.)**

**Chapter 91. — Waterways.**

SECT. 5A added, 1962, 715 § 5 (relative to the promotion and development of marine fisheries of the commonwealth).

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; 1962, 723 § 1. (See 1943, 543 §§ 1A, 3; 1945, 587 § 5; 1947, 575 §§ 3-6; 1949, 494; 1962, 723 §§ 11, 12.)

SECT. 13 amended, 1950, 518 § 2.

SECT. 17, paragraph added at end, 1945, 693 § 1.

SECT. 25 revised, 1962, 723 § 2.

SECT. 25A added, 1962, 723 § 3 (relating to fiscal year charges to the metropolitan water district fund).

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; first paragraph amended, 1962, 723 § 4; fourth and fifth paragraphs revised, 1961, 221. (See 1945, 587 §§ 4, 5; 1962, 723 §§ 11, 12.)

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; first sentence amended, 1962, 723 § 5; second sentence amended, 1962, 723 § 6; paragraph added at end, 1962, 723 § 7.

SECT. 26B repealed, 1962, 723 § 8.

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; 1962, 723 § 9. (See 1945, 279; 1959, 612 § 10; 1962, 723 § 12.)

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. 82, last sentence revised, 1962, 723 § 10.

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; 1962, 670 § 1.

SECT. 24A added, 1949, 711 § 2 (relative to licenses for the conduct of collection agencies); revised, 1962, 670 § 2.

SECTS. 24B and 24C added, 1962, 670 § 3 (further regulating collection agencies).

SECT. 25 amended, 1962, 670 § 4.

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 (defining "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; definition of "sausage" or "sausage meat" revised, 1962, 243; 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" revised, 1959, 468 § 1; 1960, 45 § 1; definition of "Stabilizer" revised, 1954, 664 § 1; "Sugar" defined, 1954, 664 § 2; "Whey powder" defined, 1959, 468 § 2.

SECT. 65H revised, 1957, 356 § 5.

SECT. 65I revised, 1957, 356 § 6.

SECT. 65J, second paragraph revised, 1937, 341 § 1.

SECT. 65L, subdivision (c) amended, 1937, 341 § 2; section revised, 1957, 356 § 7.

SECT. 65M revised, 1957, 356 § 8.

SECT. 65N revised, 1957, 356 § 9.

SECT. 65O revised, 1957, 356 § 10.

SECT. 65P, paragraph (f) added at end, 1937, 341 § 3; revised, 1957, 356 § 11.

SECT. 65Q revised, 1957, 356 § 12.

SECT. 66A added, 1945, 109 (making certain laws relative to cold storage warehouses inapplicable to locker plants, so called).

SECT. 73A added, under caption, 1959, 423 (regulating the storage and transportation of frozen food).

SECT. 74 revised, 1933, 329 § 5; repealed, 1941, 598 § 2.

SECT. 74A added, 1933, 329 § 6 (definition of "fish"); repealed, 1941, 598 § 2.

SECTS. 75 and 76 repealed, 1933, 329 § 7.

SECT. 77, first sentence stricken out, 1933, 329 § 8; repealed, 1941, 598 § 2.

SECT. 77A added, 1934, 216 (regulating the importation of fresh swordfish).

SECT. 78 revised, 1933, 329 § 9; repealed, 1941, 598 § 2.

SECT. 78A added, 1933, 329 § 10 (prohibiting certain misrepresentations in the sale of lobsters); repealed, 1941, 598 § 2.

SECT. 79 repealed, 1933, 329 § 7.

SECT. 80 repealed, 1941, 598 § 2.

SECT. 81 revised, 1933, 329 § 11; 1939, 491 § 10; repealed, 1941, 598 § 2. (See 1939, 491 § 12.)

SECT. 82 repealed, 1941, 598 § 2.

SECT. 83 revised, 1933, 329 § 12; repealed, 1941, 598 § 2.

SECT. 85 amended, 1939, 261 § 7.

SECT. 86, two sentences added at end, 1955, 415.

SECT. 88A revised, 1933, 329 § 13; repealed, 1941, 598 § 2.

SECT. 88B added, 1936, 176 (requiring that shucked scallops and quahaugs in the shell be sold only by weight).

SECT. 90A added, 1935, 369 (relative to the sale and distribution of eggs).

SECT. 90B added, 1938, 404 (establishing standard sizes in connection with the sale and distribution of eggs); revised, 1951, 266.

SECTS. 90C-90E added, 1962, 393 § 1 (providing for the establishment by the commissioner of agriculture of grades of eggs sold at retail). (See 1962, 393 § 2.)

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); amended, 1962, 181.

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.)

SECT. 139C, definition of "commissioner" revised, 1962, 396 § 1. (See 1962, 396 § 2.)

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.

The following references are to sections 270-277, as so inserted:

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); first sentence amended, 1962, 92; section revised, 1962, 206.

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, 1950, 515 § 1; paragraph (1) amended, 1962, 531 § 1; 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; amended, 1962, 531 § 2.

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.)**

Caption preceding section 11 revised, 1962, 521 § 2.

SECT. 18 amended, 1962, 521 § 3.

SECT. 19 amended, 1962, 521 § 4.

SECT. 20 amended, 1962, 521 § 5.

SECT. 21 amended, 1962, 521 § 6.

SECTS. 21A-21C added, under caption, 1962, 521 § 7 (regulating the application of pesticides).

#### **Chapter 95. — Measuring of Leather.**

SECT. 1 amended, 1939, 261 § 18.

#### **Chapter 96. — Measurement of Lumber.**

SECT. 11A added, 1945, 145 (adopting the international log rule as standard for determining the board feet content of saw logs).

#### **Chapter 97. — Surveying of Land.**

SECTS. 3-6 stricken out and section 3 inserted, 1956, 182 § 1. (See 1956, 182 § 2.)

SECTS. 8-13 added, 1941, 47 (defining and authorizing the use of a system of plane co-ordinates for designating and stating positions of points on the surface of the earth within the commonwealth).

#### **Chapter 98. — Weights and Measures.**

SECT. 1 amended, 1939, 261 § 19.

SECT. 12, second paragraph revised, 1948, 373.

SECT. 14A amended, 1936, 73.

SECT. 15 revised, 1953, 259 § 1. (See 1953, 259 § 2.)

SECT. 20 amended, 1934, 373 3; revised, 1957, 356 § 13.

SECT. 21 amended, 1934, 373 4; revised, 1957, 356 § 14.

SECT. 22 amended, 1939, 261 19A; revised, 1941, 59; amended, 1953, 86.

SECT. 28A added, 1950, 425 (regulating the sealing and testing of meters used for measuring liquefied petroleum gas).

SECT. 29, caption preceding section revised, 1941, 490 § 20; paragraph added at end, 1945, 273.

SECT. 30 repealed, 1935, 60 § 2.

SECT. 32 amended, 1935, 60 § 3; first sentence revised, 1960, 213.

SECT. 34 amended, 1955, 190.

SECT. 37 amended, 1936, 72.

SECT. 41 amended, 1941, 462.

SECT. 42 amended, 1955, 185; revised, 1960, 447 § 1.

SECT. 46A added, 1960, 447 § 2 (providing for the proper calibration and inspection of bulk milk tank containers).

SECT. 56, paragraph ( $b\frac{1}{2}$ ) added, 1934, 98 (establishing fees for sealing certain liquid-measuring meters); section revised, 1937, 74; paragraph ( $b\frac{1}{2}$ ) added, 1937, 305 § 1; section revised, 1949, 34 § 1; paragraph ( $j$ ) revised, 1955, 184; 1960, 447 § 3. (See 1937, 305 § 2; 1949, 34 § 2.)

SECT. 56A added, 1941, 60 (relative to the location of scales and other weighing devices used in weighing food sold at retail by weight).

#### **Chapter 99. — The Metric System of Weights and Measures.**

SECT. 1 amended, 1939, 261 20.

SECT. 3 amended, 1939, 261 21.

SECT. 4 amended, 1939, 261 22.

**Chapter 100. — Auctioneers.**

- SECT. 1, paragraph added at end, 1936, 209 § 1.  
SECT. 2 revised, 1941, 81; 1948, 550 § 11; 1949, 297 § 3.  
SECT. 5 amended, 1932, 156 § 1.  
SECT. 6 revised, 1948, 550 § 12; 1949, 297 § 4.  
SECT. 14 revised, 1932, 156 § 2; 1948, 550 § 13; 1949, 297 § 5.  
SECT. 16 revised, 1932, 156 § 3.  
SECTS. 18-21 added, 1936, 209 § 2 (relative to bankruptcy auctions and other auctions of similar type and relative to certain fraudulent practices at auctions).  
SECT. 18 revised, 1948, 550 § 14; 1949, 297 § 6.

**Chapter 101. — Transient Vendors, Hawkers and Pedlers.**

- SECT. 1, paragraph inserted before first paragraph, 1941, 490 § 21; second paragraph revised, 1936, 218; section revised, 1958, 146.  
SECT. 2 amended, 1948, 372; 1957, 243; revised, 1959, 218.  
SECT. 3 amended, 1939, 261 § 23; 1941, 490 § 22; second sentence revised, 1948, 493 § 1. (See 1948, 493 § 5.)  
SECT. 5 amended, 1933, 254 § 64. (See 1933, 254 § 66.)  
SECT. 6A added, 1938, 85 (providing that applications for transient vendors' licenses shall contain irrevocable power of attorney for service of process, and providing for services of process under authority thereof).  
SECT. 15 amended, 1937, 214; revised, 1937, 333; 1955, 757 § 11.  
SECT. 16 revised, 1935, 42; amended, 1937, 130.  
SECT. 19 amended, 1934, 114; 1937, 73.  
SECT. 22 amended, 1961, 293 § 1; sentence added at end, 1948, 493 § 2. (See 1948, 493 § 5.)  
SECT. 22A added, 1962, 541 (further regulating certain hawkers and pedlers).  
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; first paragraph revised, 1962, 159.

**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 106 inserted, 1957, 765 § 1. (See 1957, 765 §§ 17-21.)

The following references are to chapter 106, as so inserted:

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, 580 § 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 (*i*<sup>1</sup>/<sub>2</sub>) 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. 4E added, 1962, 706 (authorizing the department of public health to combat mental retardation in certain children).

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; 1962, 719 § 1. (See 1962, 719 §§ 2-4.)

SECT. 59, sentence added at end, 1959, 497; section revised, 1962, 719 § 1. (See 1962, 719 §§ 2-4.)

SECTS. 60-62 revised, 1962, 719 § 1.

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. 63 amended, 1962, 598 § 3, 546 § 2.

SECT. 64 amended, 1962, 546 § 3.

SECT. 65 revised, 1951, 562 § 1; 1952, 270 § 1; 1957, 460; amended, 1962, 546 § 4. (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; repealed, 1962, 598 § 4.

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 PRE-MATURELY 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; amended, 1962, 546 § 5.

SECT. 69H revised, 1957, 459 § 3; amended, 1962, 546 § 6.

SECT. 69I, last sentence revised, 1957, 459 § 4; amended, 1962, 546 § 7.

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.**

**The following references are to sections 79-83B, as so inserted:**

**SECT. 82**, fourth sentence revised, 1962, 769 § 1.

**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; last sentence revised, 1962, 769 § 2. (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 lab-

oratories); 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; 1962, 578.

SECT. 12 amended, 1948, 129 § 7.

SECT. 12A, first sentence amended, 1943, 41; revised, 1962, 407.

SECT. 12B added, 1962, 217 (exempting registered physicians from civil liability for emergency care or treatment rendered at the scene of an accident to persons injured in motor vehicle accidents).

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; revised, 1962, 695.

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; section revised, 1962, 94.

SECT. 60D revised, 1953, 558 § 2. (See 1953, 558 § 4.)

SECT. 60E, paragraph added at end, 1953, 558 § 3.

SECT. 60F revised, 1957, 679 § 2. (See 1957, 679 §§ 4, 5.)

SECTS. 60K-60M added, 1945, 265 § 1 (further regulating the practice of architecture); stricken out and sections 60K-60O inserted, 1957, 679 § 3. (See 1957, 679 §§ 4, 5.)

SECT. 64 amended, 1954, 681 § 9. (See 1954, 681 §§ 20, 22.)

SECTS. 66-73 stricken out, and new sections 66-73 inserted, 1934, 339 § 2.

SECT. 69 revised, 1949, 463.

SECT. 70 revised, 1948, 550 § 20.

SECT. 72 amended, 1938, 434 § 1. (See 1938, 434 § 4.)

SECT. 73 amended, 1938, 434 § 2. (See 1938, 434 § 4.)

SECT. 73A added, 1937, 287 § 1 (regulating advertising in connection with the sale of eyeglasses, lenses or eyeglass frames). (See 1937, 287 § 2.)

SECT. 73B added, 1938, 434 § 3 (further regulating optometrists with respect to premises where practice may be carried on and to the sharing of their fees). (See 1938, 434 § 4.)

SECTS. 73C-73L added, under caption, 1955, 688 § 2 (relative to registering and licensing dispensing opticians).

SECT. 73G amended, 1956, 164.

SECTS. 74-81 stricken out, and new sections 74-81C added, 1941, 620 § 3. (See 1941, 620 §§ 1, 4-12.)

SECT. 74, third sentence amended, 1948, 108; 1953, 350 § 4; section revised, 1959, 415 § 1; amended, 1960, 693 § 8. (See 1959, 415 § 5.)

SECT. 74A, third sentence amended, 1951, 87; section revised, 1953, 350 § 5; 1959, 415 § 2; amended, 1960, 693 § 9. Affected, 1956, 371; 1957, 539, 595 §§ 6, 7. (See 1953, 350 §§ 13, 14; 1959, 415 § 5.)

SECT. 74B revised, 1953, 350 § 6.

SECT. 75 revised, 1953, 350 § 7; amended, 1960, 693 § 10.

SECT. 76 revised, 1953, 350 § 8.

SECT. 77 amended, 1957, 595 § 1. (See 1957, 595 § 8.)

SECT. 80 revised, 1957, 595 § 2. (See 1957, 595 § 8.)

SECT. 80A revised, 1953, 350 § 9; 1957, 595 § 3. (See 1957, 595 §§ 7, 8; 1958, 354 §§ 1-4.)

SECT. 80B added, 1957, 595 § 4 (defining "Professional Nursing"). (See 1957, 595 § 8.)

SECT. 81 revised, 1953, 350 § 10; 1957, 595 § 5. (See 1957, 595 §§ 6, 7, 8; 1958, 354 §§ 1-4.)

SECT. 81A revised, 1953, 350 § 11; amended, 1960, 693 § 11.

SECT. 81B revised, 1953, 350 § 12; amended, 1960, 693 § 12.

SECT. 81C amended, 1960, 693 § 13.

SECTS. 81A-81Q inserted under caption "REGISTRATION OF PROFESSIONAL ENGINEERS AND OF LAND SURVEYORS", 1941, 643 § 2. (See 1941, 643 §§ 3-5.)

SECT. 81A, as so inserted, amended and renumbered 81D, 1941, 722 § 9A.

SECT. 81D revised, 1958, 584 § 2.

SECT. 81L amended, 1941, 722 § 9B.

SECTS. 81B-81Q, inclusive, inserted by 1941, 643 § 2, renumbered 81E-81T, inclusive, 1941, 722 § 9C.

SECT. 81E revised, 1958, 584 § 3.

SECT. 81J revised, 1958, 584 § 4. (See 1958, 584 §§ 11-13.)

SECT. 81K revised, 1958, 584 § 5.

SECT. 81L, paragraph inserted after first paragraph, 1958, 584 § 6.

SECT. 81M revised, 1958, 584 § 7. (See 1958, 584 §§ 11-13.)

SECT. 81N revised, 1960, 472 § 1. (See 1960, 472 § 2.)

SECT. 81P, paragraph inserted after second paragraph, 1958, 584 § 8.

SECT. 81R revised, 1958, 584 § 9.

SECT. 81T revised, 1958, 584 § 10. (See 1958, 584 §§ 11-13.)

SECTS. 82-87, and caption before said section 82, stricken out, and new sections 82-87 inserted, under caption "REGISTRATION OF EMBALMERS AND FUNERAL DIRECTORS", 1936, 407 § 3. (See 1936, 407 §§ 5-8.)

SECT. 82, definition of "Apprentice" inserted, 1945, 596 § 1; definition of "Funeral directing", revised, 1939, 160 § 1.

SECT. 83, third paragraph amended, 1939, 160 § 4; section revised, 1945, 596 § 2; 1948, 491.

SECT. 85 amended, 1941, 232.

SECT. 87 amended, 1937, 13; 1939, 160 § 2.

SECTS. 82-87 stricken out and sections 82-84, 84A, 85-87 inserted, 1954, 653 § 2. (See 1954, 653 §§ 3, 5, 6, 7.)

SECT. 83, seventh paragraph revised, 1956, 295.

SECT. 85A added, 1958, 528 (authorizing the board of registration in embalming and funeral directing to enter into reciprocal agreements with other states).

SECT. 87B amended, 1953, 510 § 2; 1960, 721.

SECTS. 87F-87S. See 1937, 184.

SECT. 87F, paragraph contained in lines 4-9 revised, 1934, 260 § 1; "Instructor" and "Apprentice" defined, 1948, 579 § 1.

SECT. 87H, four sentences added at end, 1934, 260 § 2; section amended, 1936, 314 § 1; second paragraph amended, 1937, 94; same paragraph revised, 1941, 619 § 1; 1950, 319; amended, 1954, 355; section revised, 1958, 295. (See 1941, 619 § 2.)

SECT. 87I amended, 1936, 314 § 2; revised, 1948, 579 § 2; sixth and seventh sentences stricken out and four sentences inserted, 1958, 292.

SECT. 87K, paragraph added at end, 1936, 314 § 3.

SECT. 87M amended, 1936, 314 § 4.

SECT. 87O amended, 1933, 149 § 2. (See 1933, 149 § 3.)

SECT. 87P amended, 1934, 260 § 3; sentence inserted after second sentence, 1958, 287; two sentences added at end, 1950, 61; paragraph added at end, 1950, 440 § 1. (See 1950, 440 § 2.)

SECT. 87R amended, 1936, 314 § 5.

SECT. 87S, sentence added at end, 1952, 362.

SECTS. 87T-87JJ added, under caption "REGISTRATION OF HAIRDRESSERS", 1935, 428 § 2. (See 1935, 428 §§ 6, 7.)

SECT. 87T, definition of "Apprentice" stricken out and definition of "Instructor" added, 1941, 626 § 1; definition of "Shop" revised, 1941, 626 § 2; section revised, 1943, 565 § 1.

SECT. 87U amended, 1937, 385 § 2; revised, 1941, 626 § 3; amended, 1949, 345; 1958, 85.

SECT. 87V amended, 1937, 385 § 3; revised, 1941, 626 § 4; 1943, 565 § 2; 1950, 540 § 1; second sentence revised, 1957, 503 § 1. (See 1950, 540 § 3; 1953, 307; 1957, 503 § 3.)

SECT. 87W amended, 1937, 385 § 4; revised, 1941, 626 § 5; 1943, 565 § 3; first paragraph revised, 1950, 540 § 2; 1959, 343; sentence added at end of second paragraph, 1946, 550 § 2; 1951, 253. (See 1950, 540 § 3; 1953, 307.)

SECT. 87X revised, 1941, 626 § 6; 1943, 565 § 4; 1951, 273.

SECT. 87Y revised, 1949, 579.

SECT. 87Z amended, 1937, 385 § 5; revised, 1943, 565 § 5; paragraph added at end, 1953, 274; revised, 1955, 435; paragraph added at end, 1955, 333.

SECT. 87AA revised, 1941, 626 § 7; 1943, 565 § 6; paragraph added at end, 1953, 537 § 1; 1960, 462.

SECT. 87BB amended, 1937, 385 § 6; revised, 1943, 565 § 7; first paragraph amended, 1960, 442 § 1; second paragraph revised, 1960, 442 § 2.

SECT. 87CC revised, 1941, 626 § 8; 1943, 565 § 8; schedule revised, 1951, 427; sentence added, 1953, 537 § 2; schedule revised, 1954, 501; amended, 1959, 388 § 1; revised, 1960, 717; first paragraph amended, 1948, 347; fourth paragraph amended, 1960, 716.

SECT. 87DD revised, 1943, 565 § 9.

SECT. 87EE revised, 1937, 385 § 7.

SECT. 87GG revised, 1941, 626 § 9; 1943, 565 § 10; third sentence stricken out and two sentences inserted, 1953, 291; same sentences stricken out and four sentences inserted, 1955, 434; sentences added at end, 1946, 550 § 3.

SECT. 87II amended, 1937, 385 § 8; revised, 1941, 626 § 10; 1943, 565 § 11.

SECT. 87JJ revised, 1941, 626 § 11; 1943, 565 § 12.

SECT. 87KK added, 1951, 509 (relative to notification of examination dates to applicants for registration); amended, 1955, 193; two sentences added at end, 1957, 503 § 2.

SECTS. 87LL-87OO added, under caption, 1957, 673 § 2 (relative to the registration of sanitarians). (See 1957, 673 § 3.)

SECTS. 87PP-87DDD added, under caption, 1957, 726 § 2 (relative to the registration of real estate brokers and salesmen). (See 1957, 726 §§ 3, 5, 7.)

SECT. 87PP, paragraph defining "non-resident" revised, 1962, 775 § 1. (See 1962, 775 § 3.)

SECT. 87SS, first paragraph revised, 1962, 775 § 2. (See 1962, 775 § 3.)

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. 3, first paragraph revised, 1962, 431.

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); paragraph inserted after second paragraph, 1962, 469; paragraph added at end, 1962, 561.

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).

SECT. 9 added, 1962, 563 (providing domiciliary facilities for women veterans at the Soldiers' Home in Massachusetts).

**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; revised, 1962, 244. (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; revised, 1962, 556 § 1; 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. 3 revised, 1962, 556 § 2.

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; 1962, 411; 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; 1962, 653; 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; paragraphs 1, 3 and 4 revised, 1962, 597 § 1. (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 assist-



ance); 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; eighth sentence amended, 1962, 412. (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.)

SECT. 30, paragraph 3 revised, 1962, 597 § 2.

#### **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, first sentence amended, 1962, 535; 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 non-criminal fines upon juveniles for violation of the motor vehicle laws). (See 1957, 194 § 2.)

SECT. 59, second paragraph stricken out, 1941, 648 § 1.

SECT. 60 stricken out and new sections 60 and 60A inserted, 1938, 174 § 1 (relative to the use of information and records in cases of waywardness or delinquency).

SECT. 60 amended, 1948, 310 § 6.\*

SECT. 61 amended, 1948, 310 § 7.\*

SECT. 63 revised, 1932, 95 § 1.

SECT. 64 revised, 1956, 731 § 2.

SECT. 65 amended, 1932, 95 § 2.

SECT. 66 revised, 1941, 648 § 2; 1943, 244 § 2; amended, 1960, 353 § 2.

SECT. 67 amended, 1941, 648 § 3; revised, 1943, 244 § 2; 1955, 609 § 1.

SECT. 68 revised, 1943, 244 § 2; 1948, 310 § 8\*; 1955, 609 § 2; amended, 1956, 269.

SECTS. 68A-68C added, 1955, 609 § 3 (relating to the detention of wayward and delinquent children and juvenile offenders).

\* See 1948, 310 §§ 30, 31.

SECT. 69 revised, 1943, 244 § 2.

SECT. 69A added, 1948, 310 § 9 (providing that courts and certain public officers and authorities shall make available to the youth service board information relative to cases committed to said board).\*

SECT. 72 amended, 1947, 235; revised, 1948, 310 § 10\*; amended, 1949, 595.

SECT. 73 revised, 1945, 202; amended, 1948, 310 § 11.\*

SECT. 74 amended, 1933, 196 § 1; revised, 1948, 310 § 12; amended, 1960, 353 § 3.\*

SECT. 75 amended, 1933, 196 § 2; revised, 1948, 310 § 13; amended, 1960, 353 § 4.\*

SECT. 76 revised, 1948, 310 § 14.\*

SECT. 77 revised, 1948, 310 § 15.\*

SECT. 79 amended, 1948, 310 § 16\*; 1953, 319 § 15. (See 1953, 319 §§ 39, 40.)

SECT. 80 revised, 1948, 310 § 17.\*

SECT. 81 amended, 1948, 310 § 18.\*

SECT. 82 amended, 1948, 310 § 19.\*

SECT. 83 revised, 1948, 310 § 20.\*

**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 in-

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\*See 1948, 310 §§ 30, 31.

stitutions under management of the Youth Service Board). (See 1953, 619 § 2.)

SECT. 14 amended, 1954, 685 § 2.

SECT. 22 amended, 1956, 731 § 3.

**Chapter 121. — Powers and Duties of the Department of Public Welfare, and the Massachusetts Hospital School.**

SECT. 3 revised, 1952, 602 § 11.

SECT. 4A added, 1941, 630 § 3 (relative to information concerning recipients of old age assistance and aid to dependent children); revised, 1945, 240 § 2.

SECT. 6 amended, 1941, 351 § 11; 1948, 310 § 25; 1956, 436 § 1; repealed, 1958, 613 § 4. (See 1948, 310 §§ 30, 31.)

SECT. 7 amended, 1941, 351 § 12; revised, 1941, 404; amended, 1948, 310 § 26; revised, 1952, 602 § 12; second sentence stricken out, 1958, 613 § 5. (See 1948, 310 §§ 30, 31.)

SECT. 8 repealed, 1960, 313 § 3.

SECT. 8A added, 1935, 311 § 2 (relative to funds received by the 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; 1962, 643 § 1; 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; amended, 1962, 115, 764 § 1.

SECT. 26Q, last sentence revised, 1950, 105 § 2; paragraph added at end, 1961, 188 § 2; amended, 1962, 764 § 2.

SECT. 26S, second paragraph amended, 1958, 571; revised, 1962, 784.

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.)

SECT. 26EEE, second paragraph, sentence inserted after first sentence, 1962, 643 § 1A.

SECT. 26FFF, clauses (b) and (c) stricken out and clauses (b), (c) and (d) inserted, 1962, 643 § 2. (See 1962, 643 § 4.)

SECTS. 26GGG and 26HHH added, under caption, 1960, 776 § 9 (providing financial assistance for non-federally aided commercial or industrial redevelopment projects).

SECT. 26HHH revised, 1962, 643 § 3.

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 second sentence, 1962, 564; 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; 1962, 632.

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. 3, sentence added at end, 1962, 569.

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; 1962, 142. (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; two sentences inserted after third sentence, 1962, 400.

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; revised, 1962, 558; 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, 490 § 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; amended, 1962, 255.

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; same paragraph stricken out and three paragraphs inserted, 1962, 715 § 6.

SECT. 2A added, 1962, 715 § 7 (establishing the marine fisheries fund).

SECT. 13, third paragraph revised, 1949, 566 § 2.

SECT. 15A added, 1945, 281 (providing for reciprocal enforcement of laws relating to marine fisheries).

SECT. 17A added, 1962, 715 § 8 (relating to the management of 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).

SECT. 101 repealed, 1962, 222.

SECT. 104 revised, 1962, 715 § 9.

**Chapter 131. — Powers and Duties of the Division of Fisheries and Game  
(former title, Games and Inland Fisheries).**

**Chapter stricken out, and new chapter 131 (with new title) inserted, 1941,  
599 § 2. (See 1941, 599 §§ 5-7.)**

**For prior changes see Table of Changes contained in Acts and Resolves of  
1952.**

**The following references are to chapter 131, as so inserted:**

SECT. 1, definition of "Birds" revised, 1941, 663 § 1; definition of "Coastal waters" inserted, 1954, 92; definition of "Green pelt" inserted, 1948, 615 § 1; definition of "Loaded shotgun or rifle" inserted, 1945, 83; definition of "Mammals" revised, 1941, 663 § 2; definition of "Trap" inserted, 1948, 615 § 2; revised, 1950, 136. (See 1941, 663 § 3.)

SECT. 3A added, 1945, 548 § 1 (establishing the inland fisheries and game fund). (See 1945, 548 § 3.)

SECT. 5 amended, 1947, 245 § 1; first paragraph amended, 1957, 688 § 1A; revised, 1959, 498; paragraph added at end, 1947, 245 § 2.

SECT. 6 revised, 1948, 302 § 1; first sentence amended, 1949, 545; fourth sentence stricken out, 1955, 209; next to last sentence revised, 1953, 218 § 1. (See 1953, 218 § 2.)

SECT. 7 revised, 1954, 457 § 1; first paragraph revised, 1957, 688 § 1B; fourth paragraph amended, 1957, 688 § 1C. (See 1954, 457 § 2.)

SECT. 8, last paragraph of clause (1) revised, 1943, 265; amended, 1950, 233; section revised, 1951, 405 § 1; eighth paragraph of clause (1) revised, 1952, 454 § 1; sixth paragraph of clause (2) revised, 1952, 305 § 1; section revised, 1959, 333 § 1; last paragraph of clause (1) revised, 1959, 466. (See 1951, 405 § 2; 1952, 454 § 2; 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; last sentence revised, 1962, 379.

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; 1962, 145.

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; revised, 1962, 171.

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 wild-life refuges situated therein); repealed, 1945, 12.

SECT. 98 revised, 1956, 254 § 2.

SECT. 101 revised, 1943, 100.

SECT. 101A added, 1946, 334 (penalizing the use of certain firearms for hunting purposes).

SECT. 103, paragraph (2) amended, 1946, 333; tenth paragraph revised, 1951, 429.

SECT. 105, first paragraph amended, 1959, 243.

SECT. 105A added, 1950, 424 (relative to the breeding and raising of mink).

SECT. 107, fifth paragraph amended, 1957, 350 § 1; next to last paragraph revised, 1948, 327; amended, 1957, 350 § 2; last paragraph revised, 1957, 350 § 3.

SECT. 109 revised, 1959, 244; 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. 112B and 112C added, 1962, 620 (authorizing the director of the division of fisheries and game to issue permits for commercial shooting preserves).

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 a Common Day of Rest and Legal Holidays (former title, Observance of the Lord's Day and Legal Holidays).**

**Title changed, 1960, 312 § 2; 1962, 616 § 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.

SECT. 37, first paragraph revised, 1962, 438.

**Chapter stricken out and new chapter 136 inserted, 1962, 616 § 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. 16D added, 1962, 478 § 1 (prohibiting the granting of licenses for the sale of alcoholic beverages in bowling alleys). (See 1962, 478 § 2.)

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; repealed, 1962, 333.

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; revised, 1962, 436.

SECT. 34 amended, 1935, 440 § 34; revised, 1936, 171; 1937, 424 § 5; amended, 1943, 542 § 15; 1962, 354.

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; fourth paragraph revised, 1962, 500; 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; first sentence revised, 1962, 286.

SECT. 90E added, 1962, 523 (providing a criminal penalty for charging a greater rate of interest than is allowed by the law governing the financing of certain home mortgages).

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; 159, 136 § 1; revised, 1962, 795 § 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. 103 revised, 1962, 351 § 1.

SECT. 108 revised, 1957, 765 § 6. (See 1957, 765 § 21.)

SECT. 110, first sentence amended, 1962, 351 § 2; third sentence amended, 1959, 136 § 2; 1956, 689 § 5; section revised, 1962, 795 § 2. (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); revised, 1962, 795 § 3. (See 1956, 689 § 9; 1962, 795 § 4.)

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 fire-arms); 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; section revised, 1962, 35 § 1. (See 1934, 320 § 34; 1962, 35 § 2.)

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; revised, 1962, 98. (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-188D 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; section revised, 1962, 582 § 1. (See 1962, 582 §§ 3, 4.)

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; 1962, 582 § 2. (See 1948, 629 § 2; 1962, 582 §§ 3, 4.)

#### 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; second sentence revised, 1962, 488; 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 "Day care services for children" inserted, 1962, 720 § 1; 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; 1962, 72. (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. 3Q added, 1962, 630 § 1 (authorizing the department of public safety to promulgate rules and regulations for the safety of persons and the prevention of fire in convalescent or nursing homes and rest homes). (See 1962, 630 § 2.)

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; 1962, 720 § 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; amended, 1962, 720 § 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; 1962, 288.

SECT. 70 revised, 1957, 257; 1959, 439 § 2.

SECTS. 71A-71C added, 1945, 626 § 1 (providing for the licensing of persons engaged in the construction and maintenance of elevators and escalators). (See 1945, 626 § 2.)

SECT. 71A revised, 1957, 637 § 1.

SECT. 71B, second sentence stricken out, 1956, 474; section revised, 1957, 637 § 2.

SECT. 71C revised, 1957, 637 § 3.

SECT. 71D added, 1946, 495 (providing that persons engaged in certain work in the construction and maintenance of elevators and escalators need

not be licensed as elevator constructors, maintenance men or repairmen); revised, 1957, 637 § 4.

SECT. 71E added, 1956, 475 (relative to the inspection, regulation and operation of moving stairways); revised, 1957, 637 § 4A.

SECT. 71F added; 1957, 637 § 5 (relative to the licensing of persons engaged in the construction of elevators, moving stairways and dumb-waiters).

SECT. 74 revised, 1941, 553 § 1. (See 1941, 553 § 9.)

SECT. 75 revised, 1941, 553 § 2; amended, 1950, 112. (See 1941, 553 § 9.)

SECT. 76 revised, 1941, 553 § 3. (See 1941, 553 § 9.)

SECTS. 77 and 78 repealed, 1941, 553 § 4. (See 1941, 553 § 9.)

SECT. 79 revised, 1941, 553 § 5. (See 1941, 553 § 9.)

SECT. 80 repealed, 1941, 553 § 4. (See 1941, 553 § 9.)

SECT. 82 amended, 1941, 553 § 6. (See 1941, 553 § 9.)

SECT. 85 amended, 1941, 553 § 7; revised, 1955, 44. (See 1941, 553 § 9.)

SECT. 86 amended, 1941, 553 § 8. (See 1941, 553 § 9.)

SECT. 89 added, 1955, 152 § 1 (relative to the storage, distribution and exhibition of certain nitrate motion picture film).

#### **Chapter 145. — Tenement Houses in 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 inserted after first sentence, 1962, 139; 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; section revised, 1962, 27 § 1. (See 1953, 207 § 2; 1962, 27 § 2.)

SECT. 50 amended, 1935, 67; 1951, 36; revised, 1962, 574 § 1.

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; two sentences inserted after second sentence, 1962, 574 § 2.

SECT. 67 revised, 1941, 525 § 1; amended, 1946, 180; revised, 1951, 393; 1952, 175. (See 1941, 525 § 2.)

SECT. 68 stricken out, 1953, 319 § 22. (See 1953, 319 §§ 39, 40.)

**Chapter 147. — State and Other Police, and Certain Powers and Duties of the Department of Public Safety.**

SECT. 1A added, 1947, 668 § 1 (relative to the policing of reservations of the United States of America). (See 1947, 668 § 2.)

SECT. 4B added, 1939, 116 (providing that local police authorities and district attorneys be furnished with information relative to certain persons charged with or convicted of sex crimes, so called, upon their release or discharge from certain institutions); revised, 1954, 246.

SECT. 4C added, 1955, 771 § 2 (relative to the functions and duties of the criminal information bureau); subdivision (d) added, 1956, 365.

SECT. 8A added, 1938, 296 (authorizing the carrying of certain weapons by sheriffs, deputy sheriffs and special sheriffs, and certain officers in the department of correction); revised, 1939, 174.

SECT. 10 amended, 1934, 23.

SECT. 10A added, 1949, 148 (authorizing the appointment as special police officers of employees of the Port of Boston Authority).

SECT. 10B added, 1953, 536 (authorizing the appointment as special police officers of certain employees of the department of mental health).

SECT. 10C added, 1956, 231 (authorizing the appointment as special police officers of certain employees of the department of public health).

SECT. 10D added, 1957, 349 (providing for the appointment of employees of the Massachusetts Turnpike Authority as special police officers).

SECT. 10E added, 1957, 731 (providing for the appointment as special police officers of employees of the Soldiers' Home in Holyoke and the Soldiers' Home in Massachusetts).

SECTS. 13B and 13C added, under caption, 1939, 419 § 2 (providing for the ultimate abolition of reserve police forces in certain cities and towns).

SECT. 16A added, 1937, 85 § 1 (providing for one day off in every seven days for police officers in certain cities and towns); revised, 1938, 426 § 1.

SECT. 16B added, 1938, 426 § 2 (providing for one day off in every six days for police officers of certain cities and towns).

SECT. 16C added, 1951, 346 § 1 (providing for a five day work week for police officers in certain cities and towns).

SECT. 17 amended, 1937, 85 § 2; 1938, 426 § 3; 1951, 346 § 2; sentence added at end, 1954, 325; 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; section revised, 1962, 318.

SECTS. 17B and 17C added, 1956, 349 (providing for a forty hour week for police officers of certain cities and towns and compensation for over-time service).

SECT. 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. 17E added, 1962, 321 § 1 (providing for the payment of overtime compensation owed to a police officer at the time of his death or retirement).

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.**

**The following references are to sections 22-30, as so inserted:**

SECT. 23, clause 10 added, 1962, 361.

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; last sentence stricken out, 1962, 456.

SECT. 5A added, 1962, 636 (prohibiting the use of a certain type of space heater in buildings used for human habitation).

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. 25A added, 1962, 688 § 1 (prohibiting the sale or installation of secondhand space heaters and secondhand portable stoves in buildings used for human habitation).

SECT. 25B added, 1962, 688 § 2 (prohibiting the use of space heaters in buildings used for human habitation).

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. 27B added, 1962, 337 (prohibiting piling snow on fire hydrants so as to conceal the same or cover their outlets).

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, first sentence revised, 1962, 168 § 1, 338 § 22; second sentence revised, 1961, 397; last sentence amended, 1957, 172. (See 1962, 168 §§ 2, 3, 338 §§ 23, 24.)

#### 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; 1962, 26.

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 "buildings used for industrial purposes" or "industrial establishments" revised, 1962, 102; 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; 1962, 710; 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; first and second paragraphs revised, 1962, 696. (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; amended, 1962, 748. (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.**

**The following references are to sections 44A-44L, as so inserted:**

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, second sentence amended, 1962, 645; 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; paragraph added at end, 1962, 107 § 2. (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; last sentence revised, 1962, 452.

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; amended, 1962, 60.

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; sentence inserted after first sentence, 1962, 107 § 1.

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; 1962, 253. (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); sentence added at end, 1962, 504.

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.

SECT. 1 revised, 1962, 443 § 1.

SECT. 3 revised, 1962, 443 § 2.

SECT. 5, first paragraph revised, 1962, 443 § 3.

**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; revised, 1962, 134 § 1; amended, 1962, 134 § 4. (See 1949, 777 §§ 2, 4; 1955, 762 § 4; 1956, 740 § 4; 1958, 620 § 3; 1962, 134 §§ 7, 8, 9.)

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 (9) revised, 1962, 155; clause (11) amended, 1961, 576 § 1; clause (18) added, 1962, 153. (See 1961, 576 § 2.)

SECT. 1B added, 1962, 371 (providing criminal and other penalties for failure to pay statutory overtime rates of compensation).

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. 5, last sentence amended, 1962, 479.

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; 1962, 134 § 2; amended, 1962, 134 § 5; paragraph added at end, 1956, 681. (See 1952, 558 § 5; 1955, 762 § 4; 1956, 185, 740 § 4; 1958, 616 § 2; 1959, 551 § 2; 1962, 134 §§ 7, 8, 9.)

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 (1) revised, 1962, 86; paragraph (2) revised, 1949, 777 § 3; 1952, 558 § 12; amended, 1955, 762 § 3; revised, 1956, 740 § 3; amended, 1958, 620 § 2; revised, 1962, 134 § 3; amended, 1962, 341, 134 § 6. (See 1949, 777 §§ 2, 4; 1955, 762 § 4; 1956, 740 § 4; 1958, 620 § 3; 1962, 134 §§ 7, 8, 9.)

SECT. 20, first sentence amended, 1962, 399 § 1, 399 § 2. (See 1962, 399 § 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 (x) defining "American aircraft", added, 1962, 414 § 1; 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 (g) amended, 1947, 433; section revised, 1961, 393 § 1; subsection (g) amended, 1962, 414 § 2; subsection (j) revised, 1962, 414 § 3. (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; sentence added at end of same paragraph, 1962, 468 § 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; 1962, 468 § 2.)

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; 1962, 476. (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; revised, 1962, 627; 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; section revised, 1962, 471 § 1. (See 1962, 471 § 2.)

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. 52D, paragraph added at end, 1962, 342.

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; amended, 1962, 162. (See 1958, 52 § 2.)

#### **Chapter 155. — General Provisions relative to Corporations.**

SECT. 1 revised, 1935, 297 § 1; 1962, 750 § 5. (See 1935, 297 § 3; 1962, 750 §§ 73, 74.)

SECT. 2 amended, 1962, 750 § 6.

SECT. 2A added, 1955, 490 (to provide for the certification and recording of evidence of the incorporation of church or cemetery corporations); amended, 1962, 750 § 7.

SECT. 2B added, 1958, 441 (relative to the approval of certain proposed corporations); revised, 1962, 750 § 8.

SECT. 6, sentence added at end, 1949, 105.

SECT. 9 amended, 1938, 327 § 1; revised, 1943, 295; first sentence revised, 1953, 32; section revised, 1962, 750 § 9. (See 1938, 327 § 2.)

SECT. 10 amended, 1933, 11; third sentence revised, 1943, 549 § 4; fifth sentence revised, 1957, 698 § 2; section revised, 1962, 750 § 10.

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. 18 revised, 1962, 133.

SECT. 22, paragraph added at end, 1953, 185; same paragraph revised, 1954, 50.

SECT. 23 amended, 1962, 750 § 11.

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; revised, 1962, 750 § 12.

SECT. 51A added, 1958, 204 (providing for the distribution of the assets of certain corporations upon petition to the supreme judicial or superior courts); amended, 1962, 750 § 13.

SECT. 56, first sentence revised, 1939, 456 § 2; 1953, 31; section revised, 1962, 750 § 14.

#### Chapter 156. — Business Corporations.

SECT. 1 revised, 1962, 750 § 15.

SECT. 3 amended, 1962, 750 § 16.

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; 1962, 750 § 17.

SECT. 12, form of certificate revised, 1932, 67; section revised, 1959, 327 § 1; 1962, 750 § 18. (See 1959, 327 § 2.)

SECT. 16 amended, 1962, 750 § 19.

SECT. 17 amended, 1962, 750 § 20.

SECT. 24 revised, 1961, 211 § 1; 1962, 750 § 21. (See 1961, 211 § 3.)

SECT. 29 revised, 1961, 211 § 2; 1962, 750 § 22. (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. 43 amended, 1962, 750 § 23.

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; amended, 1962, 750 § 24; last paragraph amended, 1959, 180 § 1.

SECT. 46B, third paragraph amended, 1962, 750 § 25; paragraph contained in lines 102-108 revised, 1943, 405 § 1; 1947, 543 § 1; sixth paragraph amended, 1959, 180 § 2.

SECT. 46D amended, 1962, 750 § 26; 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. 47 revised, 1962, 467 § 1; amended, 1962, 750 § 27. (See 1962, 467 § 3.)

SECT. 48 revised, 1961, 202; amended, 1962, 750 § 28.

SECT. 49 revised, 1941, 276; first sentence revised, 1948, 118; section revised, 1962, 467 § 2. (See 1962, 467 § 3.)

SECT. 50 amended, 1962, 750 29.

SECT. 52 amended, 1962, 750 30.

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, 1962, 750 § 31; 1957, 698 § 5.

SECT. 8 amended, 1962, 750 § 32.

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. 1 amended, 1962, 750 § 33.

SECT. 9 revised, 1962, 750 § 34.

SECT. 33 amended, 1962, 750 35.

SECT. 36 amended, 1962, 750 36.

SECT. 37 amended, 1962, 750 37.

SECT. 38 amended, 1962, 750 38.

SECT. 39 amended, 1962, 750 39.

SECT. 41 amended, 1962, 750 40.

SECT. 42 amended, 1962, 750 41.

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; sentence added at end, 1962, 362.

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. 6B added, 1962, 626 (establishing a maximum charge for towing away motor vehicles during snow removal operations).

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. 29 amended, 1962, 750 § 42.

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. 1 revised, 1962, 154.

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. 12 amended, 1962, 750 43.

SECT. 13 amended, 1962, 750 44.

SECT. 14 amended, 1962, 750 45.

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.

For temporary legislation authorizing banks and other lending institutions to offer relief to certain mortgagors whose taxes have been increased as a result of a general re-assessment of real estate, see 1962, 332 §§ 1, 2.

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; second sentence stricken out and two sentences inserted, 1962, 46; 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. 51B added, 1962, 460 (authorizing banks to invest in corporations or associations formed for the purpose of furnishing information to them).

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. 56A added, 1962, 339 (authorizing banks to accept and disburse insurance premiums relating to educational savings programs).

SECT. 57 added, 1961, 465 (authorizing certain banking 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. 1, definition of "deposit book" revised, 1962, 169 § 1.  
SECT. 5, first two paragraphs revised, 1957, 1 § 1. (See 1957, 1 § 7.)  
SECT. 10, first paragraph, provision (2) revised, 1962, 163 § 1; second paragraph, first sentence revised, 1962, 163 § 2. (See 1962, 163 § 3.)  
SECT. 11, fourth sentence revised, 1959, 61.  
SECT. 12, first sentence revised, 1962, 74.  
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.  
SECTS. 22A and 22B added, 1962, 169 § 2 (authorizing the establishment of new types of deposit accounts).  
SECT. 23 revised, 1956, 244 § 1.  
SECT. 25, last sentence of paragraph 1 revised, 1960, 232.  
SECT. 26, first sentence revised, 1962, 169 § 3; paragraph 1 amended, 1962, 169 § 4.  
SECT. 27 amended, 1962, 169 § 5.  
SECT. 34, paragraph 3, first sentence revised, 1958, 131; amended, 1962, 50 § 1; last sentence revised, 1960, 804 § 2.  
SECT. 35, first sentence amended, 1960, 804 § 3; paragraph 3, first sentence amended, 1962, 50 § 2; paragraph 4 amended, 1956, 194 § 1; first two sentences revised, 1962, 50 § 3; paragraph 5 amended, 1956, 194 § 2; third sentence amended, 1962, 50 § 4; paragraph 6, fifth sentence amended, 1962, 50 § 5; paragraph 7 revised, 1961, 327; paragraph 8 amended 1960, 256; paragraph 11 revised, 1960, 289; paragraph 13 added, 1960, 804, § 3.  
SECT. 36, paragraph 4, first two sentences revised, 1962, 50 § 6.  
SECT. 37, first sentence revised, 1956, 689 § 7; section revised, 1960, 272. (See 1956, 689 § 9.)  
SECT. 37A added, 1962, 67 (authorizing savings banks to make certain loans guaranteed by the Massachusetts Higher Education Assistance Corporation).  
SECT. 38, paragraph 3 amended, 1961, 493 § 16; 1962, 169 § 6; paragraph 7 added, 1960, 257.  
SECT. 40, first sentence amended, 1962, 169 § 7; second sentence revised, 1956, 88; paragraph added at end, 1962, 169 § 8.  
SECT. 41, paragraph 1 revised, 1962, 44.  
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. 53, paragraph 2, sentence added at end, 1962, 80 § 1.  
SECT. 60, paragraph 1 amended, 1962, 169 § 9; paragraph 2 revised, 1959, 89.  
SECT. 60A added, 1962, 169 § 10 (relative to the payment of dividends on special notice account deposits and on systematic savings account deposits).  
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, subparagraph 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, 1962, 750 § 46; 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; 1962, 125 § 1; subsection 5 amended, 1956, 34; 1962, 125 § 2; 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); revised, 1962, 124.

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 2, first sentence revised, 1962, 218; 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; sentence added at end, 1962, 80 § 2.

SECT. 31, first paragraph amended, 1956, 38; 1962, 110.

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. 42, second paragraph stricken out, 1962, 109.

SECT. 48, last paragraph revised, 1958, 105.

SECT. 49, first and second paragraphs revised, 1956, 246.

SECT. 50, fourth and fifth paragraphs revised, 1962, 750 § 47.

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; 1962, 536; 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. 13, third paragraph revised, 1962, 268 § 1.

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; revised, 1962, 268 § 2; 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; sentence inserted after first sentence, 1962, 73; 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; section revised, 1962, 344.

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; first paragraph of subdivision (A) amended, 1959, 158 § 1; second paragraph of subdivision (A) revised, 1958, 133; 1959, 158 § 2; 1962, 275 § 1; 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 3 of subdivision (A) revised, 1962, 275 § 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 revised, 1949, 286 § 2; 1962, 268 § 3.

SECT. 26A added, 1962, 127 (requiring the preservation of credit union records for a period of six years).

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.**

**The following references are to chapter 172, as so inserted:**

SECT. 1, definition of "Deposit book" or "pass book" revised, 1962, 151.

SECT. 9 amended, 1962, 750 § 48.

SECT. 48, clause 8 amended, 1962, 238.

SECT. 61 revised, 1962, 105.

#### 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; revised, 1962, 392 § 2.

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; 1962, 202 § 1.

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; 1962, 202 § 2.

SECT. 54, clause (a $\frac{1}{2}$ ) added, 1946, 471 § 6; clause (c) revised, 1961, 168 § 4; 1962, 202 § 5; 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, first paragraph amended, 1941, 365 § 1; second paragraph amended, 1962, 57. (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, 1962, 397; paragraph inserted after first paragraph, 1956, 315; revised, 1957, 453 § 2; amended, 1962, 392 § 3; 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. 93E, first sentence revised, 1962, 202 § 3.

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. 99A added, 1962, 418 (relating to fire insurance policies).



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 2, paragraph (a) amended, 1962, 634 § 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)<sub>1/2</sub> 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; 1962, 634 § 2. (See 1954, 275 §§ 4, 5.)

SECT. 1. 0A 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. 110C added, 1962, 392 § 1 (authorizing joint action by insurance companies in underwriting a single group policy of health insurance insuring persons sixty-five years of age and over and their spouses).

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, 1953, 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; 1962, 509. (See 1935, 459 § 5.)

SECT. 113D, first paragraph revised, 1933, 119 § 2; first sentence of same paragraph revised, 1962, 178 § 1; 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; 1962, 178 § 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; 1962, 119 § 1; 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; amended, 1962, 119 § 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; sentence inserted after first sentence, 1962, 474 § 1.

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; two sentences added at end, 1962, 474 § 2. (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. 153 revised, 1962, 202 § 4. (See 1962, 202 § 6.)

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).

SECTS. 193F-193H added, 1962, 426 (relative to the filing of policy forms for the approval of the commissioner of insurance).

**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, 511 (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 176E. — Dental Service Corporations.**

**New chapter inserted, 1962, 714.**

**Chapter 176F. — Optometric Service Corporations.**

**New chapter inserted, 1962, 774.**

**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; amended, 1962, 750 § 49. (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; amended, 1962, 750 § 50.

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; sentence inserted after first sentence, 1962, 77.

SECT. 8 repealed, 1947, 559 § 3.

SECT. 10 amended, 1932, 180 § 37; revised, 1937, 151 § 1; 1943, 549 § 6; 1947, 559 § 4; amended, 1962, 750 § 51; last sentence revised, 1957, 698 § 15.

SECT. 11 revised, 1937, 151 § 2; 1947, 559 § 5; amended, 1962, 750 § 52; seventh sentence revised, 1957, 698 § 16; amended, 1962, 750 § 52.

SECTS. 11A and 11B added, 1962, 472 (providing for the dissolution of corporations constituting public charities).

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. 16 amended, 1962, 750 § 53.

SECT. 17, first sentence revised, 1947, 559 § 6; second sentence amended, 1962, 750 § 54.

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. 17C added, 1962, 175 (authorizing pay-roll deductions on account of dues to associations of public school teachers).

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. 1 amended, 1962, 750 § 55. (See 1962, 750 §§ 73, 74.)

SECT. 3 revised, 1943, 459 § 4; amended, 1946, 342 § 1; last sentence revised, 1949, 54; 1955, 611 § 6; section revised, 1962, 750 § 56.

SECT. 3A amended, 1962, 750 § 57.

SECT. 4, paragraph added at end, 1946, 342 § 2; section revised, 1962, 750 § 58.

SECT. 5 amended, 1962, 750 § 59.

SECT. 6 amended, 1962, 750 § 60.

SECT. 12 amended, 1953, 351.

SECT. 13 amended, 1962, 750 § 61.



- SECT. 18 amended, 1962, 750 § 62.  
SECT. 19 amended, 1962, 750 § 63.  
SECT. 21 amended, 1962, 750 § 64.  
SECT. 22 amended, 1962, 750 § 65.  
SECT. 23 amended, 1952, 315; 1957, 698 § 18; revised, 1962, 750 § 66.

**Chapter 182. — Voluntary Associations and Certain Trusts.**

- SECT. 1 amended, 1954, 254 § 1; 1962, 750 § 67.  
SECT. 2 revised, 1948, 550 § 39; amended, 1962, 750 § 68.  
SECT. 2A amended, 1962, 750 § 69.  
SECT. 3 amended, 1945, 649 § 1.  
SECT. 4 amended, 1945, 649 § 2; 1962, 750 § 70.  
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.)  
SECT. 56 added, 1962, 551 § 1 (relative to the anticipatory repayment of certain notes secured by a mortgage of real estate). (See 1962, 551 § 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 ( $j\frac{1}{2}$ ) 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); clause (n) added, 1962, 722 § 1 (relative to the causes and matters transferred from the supreme judicial court); 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. 59 revised, 1962, 389.

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.)

SECT. 22, sentence added at end, 1962, 273.

**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, 540 § 3; amended, 1962, 248 § 1.

SECT. 6A added, 1962, 248 § 2 (providing that certain unclaimed dividends or distributions due in liquidations shall be presumed abandoned).

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; clause (c) amended, 1962, 271 § 1; clause (l) added, 1962, 271 § 2.  
 SECT. 2, subsection (a) amended, 1962, 271 § 3.  
 SECT. 3 amended, 1962, 271 § 4.  
 SECT. 4, subsection (e) amended, 1962, 271 § 5; subsection (j) added, 1962, 271 § 6.

#### **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. 21A added, 1962, 481 § 1 (further defining trust income). (See 1962, 481 §§ 2, 3.)

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; two paragraphs added at end, 1962, 52.

#### **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. 22, sentence added at end, 1962, 433.

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; 1962, 83.

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. 4A added, 1962, 722 § 2 (relative to the transfer of causes and matters between the supreme judicial and other courts).

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; 1962, 721.

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; revised, 1962, 722 § 3.

SECT. 1B amended, 1962, 722 § 4.

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. 32 repealed, 1962, 722 § 5.

SECT. 32A added, 1962, 567 § 1 (authorizing the transfer of certain equity proceedings for disposition in probate courts).

SECT. 38 repealed, 1958, 65 § 2.

#### Chapter 215. — Probate Courts.

SECT. 3, first sentence amended, 1962, 567 § 2, 722 § 6; 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; amended, 1962, 304. (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 § 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

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\* Void for non-acceptance.

"*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; 1962, 595; 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; sentence added at end, 1962, 722 § 7. (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; sentence added at end, 1962, 722 § 8. (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. 60, first sentence amended, 1962, 722 § 9.

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; 1962, 455. (See 1935, 71 § 2; 1946, 264 § 2; 1953, 138 § 2; 1955, 633 § 2.)

SECT. 63 revised, 1935, 341.

SECT. 65, last sentence stricken out, 1949, 621.

SECT. 75 revised, 1946, 609 § 1; 1951, 749 § 1; 1955, 748 § 1; 1962, 680 § 1. (See 1946, 609 § 3; 1951, 749 § 2A; 1954, 347, 527; 1955, 748 §§ 1A, 1B, 2; 1962, 680 §§ 2, 3.)

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

\* Void for non-acceptance.

§§ 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; revised, 1962, 725; amended, 1962, 761 § 1; paragraph (2), salary schedule revised, 1962, 423 § 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; 1962, 423 §§ 4, 5, 761 § 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); revised, 1962, 366 § 1. (See 1960, 565 § 2; 1962, 366 § 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; 1962, 312.

SECT. 91 revised, 1947, 469 § 2. (See 1947, 469 §§ 4, 5.)

SECT. 91A added, 1947, 469 § 3 (relative to establishing salaries of official stenographers and compensation of additional stenographers and temporary stenographers of the superior court in the county of Suffolk). (See 1947, 469 §§ 4, 5.)

SECT. 93 amended, 1945, 515; revised, 1951, 559; 1955, 733 § 6; amended, 1960, 743 § 1.

SECT. 94, first sentence amended, 1932, 180 § 39; section revised, 1946, 262 § 2; amended, 1947, 290 § 2; revised, 1948, 183 § 2; fourth sentence revised, 1949, 221; section revised, 1949, 774 § 2; amended, 1960, 743 § 2; 1962, 781 § 1, 781 § 2. (See 1946, 262 §§ 4, 5; 1949, 774 § 5; 1962, 781 § 3.)

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; last paragraph revised, 1962, 750 § 71. (See 1945, 306 § 2; 1962, 750 § 74.)

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; first paragraph amended, 1962, 306 § 1. (See 1947, 506 §§ 3, 3A; 1949, 427 § 11; 1958, 238 § 10; 1962, 306 § 2.)

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; 1962, 370. (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 to the superior court of an action of tort arising out of the operation of a motor vehicle); amended, 1937, 133 § 1; revised, 1938, 338 § 1; first paragraph amended, 1941, 203 § 1; second paragraph amended, 1941, 203 § 2; section repealed, 1943, 296 § 3. (See 1934, 387 § 5; 1937, 133 § 2; 1938, 338 § 2; 1941, 203 § 3; 1943, 296 § 6.)

SECT. 102B added, 1954, 616 § 3 (relative to the removal to the superior court of an action of tort arising out of the operation of a motor vehicle); repealed, 1958, 369 § 2. (See 1954, 616 § 5; 1958, 369 § 4.)

SECT. 102C added, 1958, 369 § 3 (authorizing the transfer of certain actions at law from the superior court to a district court); first paragraph

amended, 1962, 305; 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; 1962, 287. (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 231B. — Contribution among Joint Tortfeasors.**

New chapter inserted, 1962, 730 § 1. (See 1962, 730 §§ 2, 3.)

#### **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. 20A added, 1962, 372 (providing that certain communications to priests, rabbis, ministers and Christian Science practitioners be privileged).

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; first sentence revised, 1962, 90.

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. 6A added, 1962, 283 (authorizing reclamation districts to provide insurance to indemnify its employees against liability for injuries or property damage).

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 sub-contractors 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. 12D added, 1962, 309 (providing for rebates in certain instalment payment transactions).

SECT. 13 revised, 1939, 509 § 1; amended, 1941, 285; revised, 1957, 765 § 13. (See 1957, 765 §§ 18, 21.)

SECT. 13A added, 1935, 348 § 1 (regulating conditional sales of motor vehicles); revised, 1939, 509 § 1; repealed, 1957, 765 § 2. (See 1935, 348 § 2; 1957, 765 § 21.)

SECT. 13B added, 1935, 396 (relative to certain contracts of conditional sale of household or personal effects); amended, 1957, 765 § 14. (See 1957, 765 §§ 18, 21.)

SECTS. 13C and 13D added, 1937, 315 (relative to contracts of conditional sale of household furniture or other household or personal effects except jewelry).

SECT. 13C revised, 1938, 367.

SECT. 13C and 13D stricken out, and new sections 13C-13G inserted, 1939, 509 § 2.

SECT. 13C revised, 1957, 765 § 15. (See 1957, 765 §§ 18, 21.)

SECTS. 13D-13F repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 13G revised, 1957, 160, 765 § 16. (See 1957, 765 §§ 18, 21.)

SECT. 13H added, 1941, 468 (relative to conditional sales of textile and other machinery, seats for theatres and other places of public assembly,

and parts, accessories, appliances and equipment therefor); repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 15 revised, 1948, 550 § 46.

SECT. 25A added, 1950, 326 § 9 (relative to liens on trailer coaches for certain charges).

SECT. 26 amended, 1950, 326 § 10.

SECT. 27 amended, 1950, 326 § 11.

SECT. 31 revised, 1950, 326 § 12.

SECT. 31D added, 1945, 607 (creating a lien in favor of certain persons performing work upon, or storing articles of clothing or household goods); revised, 1960, 285; third sentence revised, 1962, 642.

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 lienec).

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. 17 revised, 1962, 293.

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; paragraph added at end, 1962, 514.

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. 10 repealed, 1962, 285 § 1.

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. 6 repealed, 1962, 285 § 2.

SECT. 7 repealed, 1962, 285 § 2.

SECT. 8 repealed, 1962, 285 § 2.

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. 31 repealed, 1962, 285 § 2.

SECT. 33 repealed, 1962, 285 § 2.

SECT. 34 added, 1957, 76 (prohibiting the marking of the body of a person under eighteen years of age by means of tattooing); revised, 1962, 214.

#### 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. 116 repealed, 1962, 172.

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. 134 repealed, 1962, 285 § 3.

SECT. 136 repealed, 1962, 285 § 3.

SECT. 139 revised, 1961, 73 § 4.

#### Chapter 268. — Crimes against Public Justice.

SECT. 1A amended, 1947, 106.

SECT. 7 repealed, 1962, 779 § 3. (See 1962, 779 § 4.)

SECT. 8 repealed, 1962, 779 § 3. (See 1962, 779 § 4.)

SECT. 8A repealed, 1962, 779 § 3. (See 1962, 779 § 4.)

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. 9 repealed, 1962, 779 § 3. (See 1962, 779 § 4.)

SECT. 9A added, 1962, 633 (prohibiting the sale of tickets to, or the solicitation of contributions for, testimonial dinners and like functions for certain public officers and employees).

SECTS. 10-12 repealed, 1962, 779 § 3. (See 1962, 779 § 4.)

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; 1962, 747. (See 1955, 770 §§ 117, 123.)

SECT. 33 amended, 1935, 440 § 44; 1941, 71; 1945, 400 § 7.

SECT. 37 amended, 1955, 770 § 89; repealed, 1962, 779 § 3. (See 1955, 770 §§ 117, 123; 1962, 779 § 4.)

SECT. 38 repealed, 1962, 779 § 3. (See 1962, 779 § 4.)

**Chapter 268A. — Conduct of Public Officials and Employees (former title, Code of Ethics).**

**New chapter inserted, 1961, 610 § 1.**

**Chapter stricken out and new chapter 268A (with new title) inserted, 1962, 779 § 1. (See 1962, 779 §§ 2, 4.)**

**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).

SECT. 17 added, 1962, 367 (prohibiting the disposal of household garbage and refuse in trash barrels placed on highways for the convenience of the traveling public).

**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); revised, 1962, 440.

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).

SECT. 48 added, 1962, 91 (regulating advertisements and contracts of schools or persons offering civil service courses).

**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; 1962, 224.

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. 37 repealed, 1962, 285 § 4.

SECT. 40A added, 1962, 317 (prohibiting the sale, delivery or possession of alcoholic beverages in public school buildings or on any premises used for public school purposes).

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. 80A revised, 1962, 106.

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. 97 repealed, 1962, 285 § 4.

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.

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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); amended, 1962, 328.

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 pre-

liminary 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. 68, second sentence revised, 1962, 356.

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.

SECT. 27 revised, 1962, 480.

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; revised, 1962, 310 § 1. (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. 29B added, 1962, 262 § 1 (authorizing a defendant in a district court to withdraw a plea of guilty before sentence is imposed if he was not represented by counsel when such plea was entered).  
SECT. 29C added, 1962, 310 § 2 (extending the power of the superior court to revoke or revise sentences).  
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; second paragraph amended, 1962, 453.

#### 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; revised, 1962, 48. (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

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OFFICE OF THE SECRETARY, BOSTON, October 3, 1962.

I hereby certify that the acts and resolves contained in this volume are true copies of the originals on file in this department.

I further certify that the table of changes in general laws and the index have been prepared, and are printed as an appendix to this edition of the laws, under the direction of the Committees on Rules of the two branches of the General Court, in accordance with the provisions of section 51 of chapter 3 of the General Laws.

KEVIN H. WHITE,  
*Secretary of the Commonwealth.*

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