ACTS

AND

RESOLVES

PASSED BY THE

General Court of Massachusetts

IN THE YEAR

1963

TOGETHER WITH

TABLES SHOWING CHANGES IN THE STATUTES, ETC.

PUBLISHED BY

KEVIN H. WHITE

Secretary of the Commonwealth



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ACTS AND RESOLVES

OF

MASSACHUSETTS

1963

☞ The General Court, which was chosen November 6, 1962, assembled on Wednesday, the second day of January, 1963, for its first annual session.

The oaths of office were taken and subscribed by His Excellency ENDICOTT PEABODY and His Honor FRANCIS X. BELLOTTI, on Thursday, the third day of January, in the presence of the two Houses assembled in convention.

ACTS.

Chap. 1. AN ACT AUTHORIZING THE COMMISSIONER OF LABOR AND INDUSTRIES TO SUSPEND THE OPERATION OF CERTAIN LABOR LAWS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, 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-five, 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 28, 1963*

Chap. 2. AN ACT VALIDATING CERTAIN AMENDMENTS TO THE ZONING BY-LAWS OF THE TOWN OF HUDSON.

Be it enacted, etc , as follows:

SECTION 1. The action taken by the town of Hudson at its annual town meeting held on March fifth, nineteen hundred and sixty-two, in voting to amend its zoning by-laws, as described in Articles 22, 23, 24 and 25 of the warrant for said meeting, is hereby validated and confirmed, notwithstanding the failure to comply with the provisions of section six of chapter forty A of the General Laws, relative to notice of hearings on changes in zoning by-laws.

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

Approved January 30, 1963.

Chap. 3. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SEVENTY FOR LUCIEN O. LAPRADE, INCUMBENT OF THE OFFICE OF COLLECTOR OF TAXES OF THE TOWN OF EASTHAMPTON.

Be it enacted, etc., as follows:

SECTION 1. Lucien O Laprade, incumbent of the office of collector of taxes of the town of Easthampton, 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 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-three, entitled 'An Act providing tenure of office until age seventy for Lucien O. Laprade, incumbent of the office of collector of taxes of the town of Easthampton', 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, 1963.*

Chap. 4. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SEVENTY FOR WALTER S ZAIK, INCUMBENT OF THE OFFICE OF TOWN TREASURER OF THE TOWN OF EASTHAMPTON

Be it enacted, etc., as follows:

SECTION 1. Walter S. Zaik, incumbent of the office of town treasurer of the town of Easthampton, 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 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-three, entitled 'An Act providing tenure of office until age seventy for Walter S Zaik, incumbent of the office of town treasurer of the town of Easthampton', 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, 1963.*

Chap. 5. AN ACT CHANGING THE METHOD OF FILLING VACANCIES IN TOWN MEETING MEMBERSHIP IN THE TOWN OF SHREWSBURY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 553 of the acts of 1953 is hereby amended by striking out section 11 and inserting in place thereof the following section: — *Section 11. Vacancies.* — In the event of any vacancy in the full number of elected town meeting members from any precinct the vacancy shall be filled until the next annual town election from the list of defeated candidates for town meeting member from that precinct in the order of their recorded vote in the preceding town election The defeated candidate having the highest number of recorded votes, and who otherwise qualifies, shall be deemed elected until all vacancies are filled The town clerk shall forthwith on the occurrence of any vacancy notify such defeated candidate of his election and shall secure his written

acceptance of his election. Failure to obtain such a written acceptance within ten days shall constitute a declination, and the town clerk shall thereupon notify whichever of the defeated candidates who are eligible and willing to serve and who received the next highest number of votes at such election until all vacancies are filled

In the event of a tie vote among such defeated candidates, and if there are fewer vacancies than such candidates whose votes are tied, the town clerk shall call together the town meeting members of the precinct where the vacancy occurs and they shall by majority vote of those members present, and by ballot, elect one of such defeated candidates to fill said vacancy

In the event there are no such defeated candidates, eligible and willing to serve, the town clerk shall call together the town meeting members of the precinct who shall elect by majority vote of those members present, and by ballot, any registered voter of the precinct to fill said vacancy

At such meetings a majority of such members shall constitute a quorum, and they shall elect from their own number a chairman and clerk. The clerk shall forthwith file with the town clerk a certificate of such election 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 provisions of those sections of this act respecting the election and qualification of elected town meeting members.

SECTION 2 This act shall take effect upon its acceptance by the town of Shrewsbury. *Approved February 4, 1963.*

Chap. 6. AN ACT PROVIDING THAT THE MODERATOR OF THE TOWN OF SHREWSBURY SHALL BE ELECTED FOR A TERM OF THREE YEARS.

Be it enacted, etc., as follows:

SECTION 1. Section 12 of chapter 553 of the acts of 1953 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence — A moderator shall be elected, for a term of three years, by the registered voters of the town by ballot at every third annual town election and shall serve as the moderator of all town meetings except as otherwise provided by law until his successor is elected and qualified.

SECTION 2. This act shall take effect upon its acceptance by the town of Shrewsbury in the current year and shall first apply to the moderator elected in the year nineteen hundred and sixty-four.

Approved February 4, 1963

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 666 of the acts of 1962 is hereby amended by adding at the end the following section. —

Section 6 Application for abatement or exemption, as provided in sections one, two, three and four of taxes levied in the year nineteen hundred and sixty-two may be made not later than October first, nineteen hundred and sixty-three, notwithstanding any provision of law to the contrary. *Approved February 4, 1963.*

Chap. 8. AN ACT AUTHORIZING THE TOWN OF HADLEY TO CONSTRUCT AND OPERATE A SYSTEM OR SYSTEMS OF SEWERAGE DISPOSAL.

Be it enacted, etc , as follows:

SECTION 1. The town of Hadley, hereinafter called the town, may lay out, construct, maintain and operate a system or systems of common sewers for a part or the whole of its territory, with such connections and other works as may be required for a system or systems of sewerage and sewage treatment and disposal, and may construct such sewers in said town as may be necessary.

SECTION 2 The town may make and maintain, in any way therein where common sewers are constructed, such connecting sewers within the limits of such way as may be necessary to connect any estate which abuts upon the way.

SECTION 3. The town may, at the meeting when this act is accepted, vote that the selectmen shall act as a board of sewer commissioners. If the town does not so vote at said meeting, the town shall elect by ballot, at any town meeting not later than the second annual meeting after the commencement of construction hereunder of a system or systems of sewerage and sewage disposal, a board of three sewer commissioners, who shall be citizens of the town, to hold office, if elected at an annual meeting, one until the expiration of one year, one until the expiration of two years, and one until the expiration of three years, from such annual town meeting, and until their successors are qualified, or, if elected at a special meeting, one until the expiration of one year, one until the expiration of two years, and one until the expiration of three years from the next succeeding annual town meeting, and until their successors are qualified, and thereafter, at each annual town meeting when the term of a member expires, the town shall elect one member of the board to serve for three years and until his successor is qualified. Any selectman shall be eligible to election to said board. In either case, whether the town votes that its selectmen shall act as a board of sewer commissioners, or elects a board of sewer commissioners, the town may at any time thereafter, by any or all the methods permitted by general law, provide for the election of a board of three sewer commissioners, or that the selectmen may act as a board of sewer commissioners, as the case may be.

SECTION 4. Said board of sewer commissioners, acting for and on behalf of said town, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, water rights, rights of way or easements, public or private, in said town, necessary for accomplishing any purpose mentioned in this act, and may construct such sewers under or over any bridge, railroad, railway, boulevard or other public way, or within the location of any rail-

road, and may enter upon and dig up any private land, public way or railroad location, for the purpose of laying such sewers and of maintaining and repairing the same, and may do any other thing proper or necessary for the purposes of this act; provided, that they shall not take in fee any land of a railroad corporation, and that they shall not enter upon or construct any sewer within the location of any railroad corporation except at such time and in such manner as they may agree upon with such corporation, or, in case of failure to agree, as may be approved by the department of public utilities.

SECTION 5. Until the board of sewer commissioners has first been elected as provided in this act or the selectmen have first been authorized by vote to act as such board, as the case may be, but not in any event later than the second annual meeting after the commencement of the work of construction authorized hereby, the town may carry on such work by a duly authorized committee of the town The committee shall serve without pay and shall have all the powers and authority given to the board of sewer commissioners in this act or by general law. Whenever the phrase "said board of sewer commissioners" or "said board" hereinafter occurs, it shall mean and include the board of sewer commissioners, the selectmen acting as such or the committee of the town provided for in this section, as the case may be

SECTION 6. Any person injured in his property by any action of said board of sewer commissioners under this act may recover damages from said town under said chapter seventy-nine.

SECTION 7. The town shall, by vote, determine whether it shall pay the whole or a portion of the cost of said system or systems of sewerage and sewage disposal and if a portion, what proportion If the town votes to pay less than the whole cost, in providing for the payment of the remaining portion of the cost of said system or systems the town may avail itself of any or all of the methods permitted by General Laws, and the provisions of said General Laws relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments, to liens therefor and to interest thereon, shall apply to assessments made under this act, except that interest shall be at the rate of four per cent per annum At the same meeting at which it determines that any portion of the cost is to be borne by the town, it may by vote determine by which of such methods the remaining portion of said cost shall be provided for. The collector of taxes of said town shall certify the payment or payments of such assessments, or apportionments, thereof to the sewer commissioners, or to the selectmen acting as such, who shall preserve a record thereof

SECTION 8. For the purpose of paying the necessary expenses and liabilities incurred under this act, the town may from time to time, within five years after the passage of this act, borrow such sums as may be necessary, not exceeding, in the aggregate, four hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words Hadley Sewerage Loan, Act of 1963 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 Hadley, if there be any, and if not, then in some newspaper published in the county of Hampshire, and shall not take effect until such publications have been made

SECTION 13. No act shall be done under authority of the preceding sections except in the making of surveys and other preliminary investigations, until the plan for said system or systems of sewerage and sewage disposal has been approved by the state department of public health

SECTION 14. This act shall take full effect upon its acceptance by vote of a majority of the voters of said town voting thereon at an annual town meeting or a special town meeting called for the purpose within four years after its passage, but not otherwise No expenditure shall be made and no liability incurred hereunder until such acceptance

Approved February 4, 1963.

Chap. 9. AN ACT PERMITTING THE ADMISSION OF STUDENTS FROM OUTSIDE THE COMMONWEALTH TO CERTAIN PUBLIC SCHOOLS THEREIN.

Be it enacted, etc , as follows:

Chapter 71 of the General Laws is hereby amended by inserting after section 6 the following section: —

Section 6A. Any city, town, or regional school district, acting through its school committee, may, if the school committee finds it has adequate space, accept in any of its schools, including vocational schools, any pupil who resides outside the commonwealth and may contract with the parent or guardian of the pupil, or, if the school committee of the

city or town where the child resides, is authorized by law to so contract, with such school committee, for the admission of the pupil into its school system and for a tuition charge which shall in no case be less than the average expense per pupil in such school for the period of attendance.

Approved February 4, 1963.

Chap. 10. AN ACT PLACING THE POSITION OF PATROLMAN IN THE POLICE DEPARTMENT OF THE TOWN OF DRACUT UNDER THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

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

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

Approved February 4, 1963.

Chap. 11. AN ACT ABOLISHING THE BOARD OF PARK COMMISSIONERS AND THE PLAYGROUND COMMISSION OF THE TOWN OF MARBLEHEAD AND ESTABLISHING THEREIN A RECREATION AND PARK COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, there shall be in the town of Marblehead a recreation and park commission of five members who shall be elected by the registered voters of the town and who shall serve for terms of one year

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

SECTION 3. The town of Marblehead may, at a regular or special town meeting, transfer the care, custody, management and control of

any or all other playgrounds, parks, reservations and recreational facilities of the town, with the exception of recreational facilities under the jurisdiction of the school department, to the recreation and park commission established under section one

SECTION 4. This act shall take effect upon its passage

Approved February 6, 1963.

Chap. 12. AN ACT ESTABLISHING A DEPARTMENT OF PUBLIC WORKS IN THE TOWN OF BROOKLINE EXERCISING THE POWERS OF CERTAIN OTHER DEPARTMENTS AND TOWN OFFICES

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general law, special law or by-law, there shall be established in the town of Brookline a department of public works, hereinafter called the department, which shall be under the supervision and control of a commissioner of public works, hereinafter called the commissioner. The selectmen shall appoint and may remove, when in their judgment the public interest so requires, and may fix the compensation of, the commissioner, who shall be specially fitted by education, training and experience to perform the duties of his office He shall be appointed in April of each year for a term of one year from the first day of May following and until the qualification of his successor He shall not be subject to the civil service laws and rules. During his tenure he shall hold no elective office nor shall he engage in any other business or occupation Any vacancy in such office shall be filled by appointment by the selectmen for the remainder of the unexpired term. He may appoint such employees, other than directors of divisions, as the exercise and performance of his powers, rights and duties may require, subject to available appropriations.

He shall establish within the department the following divisions. — highway, engineering, sewer, sanitation and water.

Except as herein otherwise provided, all employees of the department shall be subject to the civil service laws and rules

SECTION 2. The selectmen shall appoint and fix the compensation of directors of such divisions of the department as the selectmen determine require directors of divisions Such directors shall serve under the direction of the commissioner. Such directors shall be appointed annually for the term of one year and until the qualification of their respective successors and they shall not be subject to the civil service laws and rules. Any director may be removed by the selectmen when in their judgment the public interest so requires and any vacancy in such office may be filled by appointment by the selectmen for the remainder of the unexpired term

SECTION 3 The following offices and the following board, to wit: — superintendent of streets, town engineer, superintendent of the water department, and the water board, are hereby abolished and all the powers and duties vested by general law, special law or by-law in said offices and board are hereby transferred to the department of public works, established by section one of this act

No existing contract or liability shall be affected by such abolition and the commissioner shall in all respects be the lawful successor to the offices and board so abolished.

All persons employed by or under the supervision of the offices and board abolished by this act shall upon said first day of May be transferred to the department. All such transfers of employees shall be made without loss of pay, and without change of their rating, seniority, retirement or pension rights or any other privileges under any provision of law or by-law

SECTION 4 The selectmen may establish an advisory board to the water division and may at any time thereafter abolish the same Said advisory board shall consist of three members to be appointed by the selectmen to serve for terms of three years The compensation, if any, of members of said advisory board shall be such as the selectmen may from time to time determine.

SECTION 5 This act shall be submitted to the voters of the town of Brookline for acceptance at an annual town meeting within two years of the passage of this act, 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 such meeting — "Shall an act passed by the General Court in the year nineteen hundred and sixty-three entitled 'An Act establishing a department of public works in the town of Brookline exercising the powers of certain other departments and town offices', 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, 1963

Chap. 13. AN ACT ESTABLISHING A PARK AND RECREATION COMMISSION IN THE TOWN OF BROOKLINE.

Be it enacted, etc , as follows·

SECTION 1. Notwithstanding the provisions of any general law, special law or by-law, there shall be in the town of Brookline a park and recreation commission, hereinafter called the commission, consisting of seven members to be appointed by the selectmen

The selectmen shall initially appoint two members for terms of one year, two for terms of two years, and three for terms of three years, respectively, from the first Monday of May next following such appointment and until the qualification of their respective successors. Thereafter as the term of office of any member expires the selectmen shall annually, before the first Monday of May, appoint his successor for a term of three years from the first Monday of May A vacancy in the commission shall be filled in like manner for the remainder of the unexpired term The members of the commission shall serve without compensation

SECTION 2 Upon the initial appointment and qualification of the members of said commission, the board of park commissioners and the recreation commission in said town shall be abolished, the terms of office of the members of said board and of said commission shall terminate, and all the powers, duties and trusts conferred or imposed by law on said board of park commissioners and on said recreation commission shall be transferred to, and exercised by, the commission established under section one

SECTION 3 All employees of the board of park commissioners and of the recreation commission shall, upon the initial appointment and

qualification of the members of the commission, be transferred to and become employees of, the park and recreation commission, without loss of pay, seniority, retirement or pension rights, or any other privileges.

SECTION 4. The incumbent superintendent of the park department and the incumbent superintendent of recreation shall, upon the initial appointment and qualification of the members of the commission, and thereafter, have such duties and responsibilities as the commission may assign and impose, without loss of pay and without loss of rights under the laws and rules relating to civil service. Upon the cessation or failure of either or both of said incumbents to serve, the commission may appoint a director of parks and recreation, hereinafter called the director, and not more than two division heads who shall have such powers and responsibilities as the commission may assign or impose. Said director and division heads shall not be subject to the civil service laws and rules, but shall be appointed annually by the commission for a term of one year and until the qualification of their respective successors, and may be removed at any time by the commission when, in the judgment of the commission, the public interest so requires, and any vacancy from any cause may be filled by appointment by the commission for the remainder of the unexpired term

SECTION 5 No contracts or liabilities existing at the time of the initial appointment and qualification of the members of the commission shall be affected thereby, but said commission shall be in all respects and for all purposes whatsoever the lawful successor to the board of park commissioners and the recreation commission

SECTION 6. This act shall be submitted to the voters of the town of Brookline for acceptance at an annual town meeting within two years of the passage of this act, 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 such meeting. — "Shall an act passed by the General Court in the year nineteen hundred and sixty-three, entitled 'An Act establishing a park and recreation commission in the town of Brookline', 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, 1963*

Chap. 14. AN ACT PROVIDING LIFE TENURE FOR EDWARD F. BERRY, INCUMBENT OF THE OFFICE OF TAX COLLECTOR OF THE TOWN OF RANDOLPH

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Edward F Berry, incumbent of the office of tax collector of the town of Randolph 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 Randolph 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-three, entitled 'An Act providing life tenure for Edward F. Berry,

incumbent of the office of tax collector of the town of Randolph', 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, 1963.*

Chap. 15. AN ACT AUTHORIZING THE TOWN OF HARDWICK TO SELL SURPLUS WATER TO INHABITANTS OF SAID TOWN.

Be it enacted, etc , as follows:

Notwithstanding the provisions of section thirty-nine A of chapter forty of the General Laws, the town of Hardwick may sell surplus water from its artesian wells to the inhabitants of said town.

Approved February 6, 1963.

Chap. 16. AN ACT FURTHER REGULATING THE TIME WITHIN WHICH NOMINATION PAPERS FOR TOWN MEETING MEMBERS OF THE TOWN OF READING MAY BE FILED.

Be it enacted, etc., as follows:

Chapter 7 of the acts of 1943 is hereby amended by striking out section 5 and inserting in place thereof the following section. — *Section 5* Nomination of candidates for town meeting members to be elected under this act shall be made by nomination papers, which shall bear no political designation, shall be signed by not less than ten voters of the precinct in which the candidate resides, and shall be filed with the town clerk at least twenty-eight days before the election; provided, that any town meeting member may become a candidate for re-election by giving written notice thereof to the town clerk at least thirty-five days before the election. No nomination papers shall be valid in respect to any candidate whose written acceptance is not thereon or attached thereto when filed *Approved February 6, 1963*

Chap. 17. AN ACT EXTENDING THE TIME FOR ACCEPTANCE OF 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:

Chapter 130 of the acts of 1962 is hereby amended by striking out section 2 and inserting in place thereof the following section: — *Section 2* This act shall be submitted to the voters of the town of Wayland 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 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 thereupon take full effect, but not otherwise. *Approved February 6, 1963.*

Chap. 18. AN ACT RELATIVE TO KOSCIUSZKO CIRCLE IN THE CITY OF BOSTON.

Be it enacted, etc , as follows:

SECTION 1 The first paragraph of section 2 of chapter 645 of the acts of 1951, as amended by section 1 of chapter 649 of the acts of 1958, is hereby further amended by striking out, in lines 10 and 12, the word "Columbia" and inserting in place thereof, in each instance, the word: — Kosciuszko.

SECTION 2 When used in any statute, ordinance, by-law, rule or regulation the phrase "Columbia circle" shall mean Kosciuszko Circle.

Approved February 6, 1963.

Chap. 19. AN ACT ESTABLISHING AN ALTERNATE SCHEDULE OF MINIMUM ANNUAL COMPENSATION FOR POLICE OFFICERS IN CERTAIN CITIES AND TOWNS.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by inserting after section 108F, inserted by chapter 520 of the acts of 1962, the following section: —

Section 108G Notwithstanding the provisions of any general or special law to the contrary, the minimum annual compensation of each regular police officer of the police department of any city or town which accepts the provisions of this section shall be not less than the following:

For the first year of service fifty-five hundred dollars.

For the second year of service six thousand dollars

For the third and each succeeding year of service sixty-three hundred dollars.

Approved February 7, 1963.

Chap. 20. AN ACT RELATIVE TO THE TERM OF OFFICE OF M GEORGE NORWOOD AS A MEMBER OF THE HOUSING BOARD OF THE TOWN OF NORTH ANDOVER.

Be it enacted, etc , as follows:

SECTION 1. The election of M George Norwood as a member of the housing board of the town of North Andover on March fifth, nineteen hundred and sixty-two is in all respects ratified, confirmed and validated, and he shall be deemed to have been elected for one year, for the balance of an unexpired term, notwithstanding that the warrant for said election and the ballots used at said election stated that the person to be elected to said office was to be elected for a term of five years

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

Approved February 11, 1963.

Chap. 21. AN ACT RELATIVE TO THE HEIGHT OF BUILDINGS IN THE CITIES OF EVERETT AND SPRINGFIELD.

Be it enacted, etc., as follows:

Section 2 of chapter 143 of the General Laws, as most recently amended by chapter 72 of the acts of 1962, is hereby further amended

by striking out the last sentence and inserting in place thereof the following sentence: — This section shall not apply to the cities of Boston, Newton, Cambridge, Worcester, Everett and Springfield.

Approved February 11, 1963

Chap. 22. AN ACT FURTHER REGULATING THE REPORTING OF BIRTHS OF CHILDREN BORN WITH CONGENITAL DEFORMITIES OR BIRTH INJURIES.

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 46 of the General Laws is hereby amended by striking out the third paragraph, added by section 1 of chapter 326 of the acts of 1939.

SECTION 2 Section 26 of said chapter 46 is hereby amended by striking out the third sentence, inserted by section 2 of said chapter 326.

SECTION 3. Chapter 111 of the General Laws is hereby amended by inserting after section 67D the following section: —

Section 67E. Within ten days after the date of birth in the commonwealth of any child with a congenital deformity or a birth injury which may lead to an incapacity or disability, the hospital wherein such birth occurred shall report such congenital deformity or injury to the department on a form to be furnished by said department. The contents of such report shall be solely for the use of the department and such report shall not be open to public inspection or constitute a public record

Approved February 11, 1963.

Chap. 23. AN ACT AUTHORIZING THE DESTRUCTION OF CERTAIN HOSPITAL RECORDS.

Be it enacted, etc., as follows:

Section 70 of chapter 111 of the General Laws, as most recently amended by chapter 604 of the acts of 1957, is hereby further amended by striking out, in lines 15 to 17, inclusive, the words "and similar records kept prior to April twenty-fifth, nineteen hundred and five,", — and by adding at the end the following sentence: — Any such record or any part or portion thereof may be destroyed fifty-five years after the discharge or the final treatment therein of the patient to whom it relates.

Approved February 11, 1963.

Chap. 24. AN ACT PROVIDING FOR THE FILLING OF CERTAIN VACANCIES OCCURRING IN THE OFFICE OF SUPERINTENDENT OF SMITH'S AGRICULTURAL SCHOOL.

Be it enacted, etc., as follows:

Chapter 74 of the General Laws is hereby amended by striking out section 24, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 24* Smith's agricultural school, established under chapter one hundred and fifty-one of the Special Acts of nineteen hundred and eighteen, shall be maintained by the city of Northampton as a state aided approved vocational school under and subject to sections one to twenty-two, inclusive; provided,

that the superintendents of said school shall consist of the mayor and superintendent of schools of said city, ex officiis, and three other superintendents to be elected by said city at its city election by ballot, as provided in the will of Oliver Smith, and that said superintendents shall have the powers of local trustees elected under section three Upon the death or resignation of an elected superintendent of said school his successor shall be chosen by the city council and the remaining superintendents in joint convention, who shall serve until the next city election. *Approved February 11, 1963*

Chap. 25. AN ACT FURTHER DEFINING THE ELIGIBILITY OF CERTAIN PERSONS FOR APPOINTMENT OR EMPLOYMENT UNDER THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

Section 17 of chapter 31 of the General Laws is hereby amended by striking out clause (2), as appearing in chapter 76 of the acts of 1939, and inserting in place thereof the following clause —

(2) a violation of any provision of said chapter ninety relating to motor vehicles which constitutes a misdemeanor, other than one relating to parking; *Approved February 11, 1963.*

Chap. 26. AN ACT CLARIFYING THE PROVISIONS OF LAW RELATIVE TO SUSPENSIONS AND NOTICE TO CERTAIN CIVIL SERVICE EMPLOYEES

Be it enacted, etc., as follows:

Paragraph (*e*) of section 43 of chapter 31 of the General Laws, as most recently amended by section 2 of chapter 569 of the acts of 1959, is hereby further amended by inserting after the word "reinstated" in line 7, after the word "forty-six A" in line 12, and after the word "service" in line 20, in each instance, the words. — by the appointing authority *Approved February 11, 1963*

Chap. 27. AN ACT INCREASING THE TIME WITHIN WHICH THE YD CLUB, BOSTON CHAPTER YANKEE DIVISION VETERANS' ASSOCIATION, CALLED THE YD CLUB OF BOSTON, MAY APPLY FOR A TRANSFER OF ITS ALL ALCOHOLIC BEVERAGES CLUB LICENSE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 698 of the acts of 1960 is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — Said licensee may apply to the licensing board of the city of Boston for a transfer of the license to another location, and in the event that a suitable location is not available which is approved by said board, said license shall be reserved for the licensee until such time as a suitable location is approved but in no event shall said license be reserved for a period longer than six years from the passage of this act.

SECTION 2 This act shall, upon its passage, take effect as of October tenth, nineteen hundred and sixty-two. *Approved February 11, 1963*

Chap. 28. AN ACT PLACING THE POSITIONS OF THE REGULAR OR PERMANENT MEMBERS OF THE POLICE FORCE OF THE TOWN OF BELLINGHAM UNDER THE CIVIL SERVICE LAWS.

Be it enacted, etc , as follows:

SECTION 1 The positions of the regular or permanent members of the police force of the town of Bellingham shall, upon the effective date of this act, be subject to the civil service laws and rules relative to police officers in towns, and the tenure of office of any incumbent thereof shall be unlimited, subject, however, to said laws. The incumbent of each such position on said effective date shall be subjected by the division of civil service to a qualifying examination for such position, 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 Bellingham at the annual town meeting in the year nineteen hundred and sixty-four 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-three, entitled 'An Act placing the positions of the regular or permanent members of the police force of the town of Bellingham 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 11, 1963

Chap. 29. AN ACT RELATIVE TO THE QUARANTINE OF CERTAIN DISEASED ANIMALS.

Be it enacted, etc , as follows:

Section 21 of chapter 129 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "isolated", in line 3, the words: — for at least ten days.

Approved February 11, 1963.

Chap. 30. AN ACT PROVIDING LIFE TENURE FOR RUSSELL L. SCAHILL, INCUMBENT OF THE OFFICE OF CHIEF OF THE FIRE DEPARTMENT OF THE TOWN OF IPSWICH

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Russell L. Scahill, incumbent of the office of chief of the fire department of the town of Ipswich, 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 for acceptance to the voters of the town of Ipswich at the 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 for the election of town officers at said meeting: — "Shall an act passed by the General Court in the year nineteen hundred and sixty-three, entitled 'An Act

providing life tenure for Russell L. Scahill, incumbent of the office of chief of the fire department of the town of Ipswich', be accepted?" If a majority of the votes in answer to said question is in the affirmative this act shall thereupon take full effect, but not otherwise.

Approved February 11, 1963.

Chap. 31. AN ACT AUTHORIZING THE TOWN OF HOLDEN TO BORROW MONEY BEYOND ITS DEBT LIMIT FOR THE PURPOSE OF AUGMENTING ITS SEWERAGE SYSTEM.

Be it enacted, etc., as follows:

For the purpose of paying necessary expenses and liabilities incurred in augmenting and supplementing its system of sewerage collection and disposal, and for the purpose of removing pollution from the Wachusett watershed area of the metropolitan district commission and city of Worcester and for the purpose of carrying out an agreement with the commonwealth acting through its metropolitan district water supply commission dated August thirty-first, nineteen hundred and thirty-eight, entered into under the authority of chapter three hundred and seventy-five of the acts of nineteen hundred and twenty-six, chapter three hundred and twenty-one of the acts of nineteen hundred and twenty-seven, chapter two hundred and sixty-two of the acts of nineteen hundred and thirty-two, and chapter four hundred and sixty of the acts of nineteen hundred and thirty-eight, as amended by chapter five hundred and one of said year, the town of Holden 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, two million dollars, and may issue bonds or notes therefor, which shall bear on their face, the words Holden Sewerage Loan, Act of 1963 Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates Indebtedness incurred under this act shall be in excess of the statutory limit but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

Approved February 13, 1963.

Chap. 32. AN ACT PLACING THE OFFICE OF FIRST ASSISTANT CITY CLERK OF THE CITY OF WORCESTER UNDER THE CIVIL SERVICE LAWS AND RULES.

Be it enacted, etc., as follows:

SECTION 1. The office of first assistant city clerk of the city of Worcester shall, upon the effective date of this act, be subject to the civil service laws and rules. An open competitive examination shall be held for said office which examination shall be restricted to males who have been domiciled in said city for six months next preceding the date of filing application for such examination. Upon the establishment of an eligible list, and receipt of a requisition from the city council of said city to fill such office, names shall be certified in accordance with said laws and rules to the said city council for its appointment thereto.

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

Approved February 18, 1963.

Chap. 33. AN ACT ESTABLISHING THE MONTACHUSETTS REGIONAL INDUSTRIAL DEVELOPMENT COMMISSION.

Be it enacted, etc , as follows:

There is hereby established the Montachusetts Regional Industrial Development Commission, consisting of the mayors and the chairmen of the industrial commissions of the cities of Fitchburg, Gardner and Leominster and the chairmen of the selectmen of the towns of Ashburnham, Boylston, Clinton, Lunenburg, Sterling and Westminster.

Said cities and towns may appropriate money for the purposes of said commission and said commission may accept contributions for said purposes from any source.

Said commission shall promote and develop the industrial resources of the region comprising said cities and towns, shall conduct researches into industrial conditions, shall seek to co-ordinate the activities of unofficial bodies organized for said purposes, and may advertise, prepare, print and distribute books, maps, charts and pamphlets which in its judgment will further the purposes for which it is created It may appoint such employees as it may deem necessary who shall not be subject to chapter thirty-one of the General Laws.

Approved February 18, 1963.

Chap. 34. AN ACT PROHIBITING THE POSSESSION OF CERTAIN WEIGHING AND MEASURING DEVICES WHICH HAVE BEEN ALTERED FOR FRAUDULENT PURPOSES.

Be it enacted, etc., as follows:

Section 52 of chapter 98 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — Whoever uses a weighing or measuring device after refusing permission to a sealer to test it or has in his possession any weighing or measuring device that has been altered for fraudulent purposes since last adjusted and sealed shall be punished by a fine of not less than fifty nor more than one hundred dollars. *Approved February 18, 1963.*

Chap. 35. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF DUKES COUNTY TO PARTICIPATE IN THE MENTAL HEALTH PROGRAM ESTABLISHED IN SAID COUNTY BY THE DEPARTMENT OF MENTAL HEALTH.

Be it enacted, etc., as follows:

The county commissioners of the county of Dukes County are hereby authorized to participate in establishing and maintaining mental health services provided by the department of mental health in said county, and to expend for such purpose such sums as may be included in appropriation acts for said county. *Approved February 18, 1963.*

Chap. 36. AN ACT SAFEGUARDING FLOOR OPENINGS IN INDUSTRIAL ESTABLISHMENTS.

Be it enacted, etc., as follows:

Chapter 149 of the General Laws is hereby amended by striking out section 129, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 129.* The openings of hoistways, hatchways and well holes upon every floor of an industrial establishment shall be protected by sufficient trap doors or self-closing hatches, or by such other safeguards as an inspector directs; and any such openings shall be kept so protected or so safeguarded at all times, except when in actual use, by the occupant of the building having the use and control of the same, or by the owner of the building having such control. *Approved February 18, 1963.*

Chap. 37. AN ACT RELATIVE TO THE DELIVERY OF COUNTY NOTES.

Be it enacted, etc., as follows:

Chapter 35 of the General Laws is hereby amended by striking out section 39B, inserted by chapter 488 of the acts of 1949, and inserting in place thereof the following section: — *Section 39B.* Whenever a county determines to borrow money otherwise than by the issue of bonds, the treasurer thereof shall make notes for the amount of the proposed loan, and shall use one or more, in serial order, of the forms provided for in section thirty-nine A, with the blank spaces properly filled in. County notes shall be signed by the treasurer thereof, and a majority of the county commissioners shall countersign and approve each note in the presence of the clerk of the courts, who shall certify to the fact on the face thereof and affix thereon the county seal, unless the facsimile of such seal is engraved or printed thereon. The treasurer of the county, after making a record of the transaction in accordance with section thirty-nine A, shall forward, with the fee required by section thirty-nine E, every such note to the director, with a copy of said record and a copy of the vote authorizing the loan, certified by the clerk of the courts, and a certification by said clerk that the person whose signature appears upon the note as treasurer was the duly authorized treasurer of the county when such signature was made, and that the persons whose signatures appear upon the note as those of a majority of the county commissioners were duly qualified as such when such signatures were made; and the treasurer of such county shall furnish such other information with reference to the financial condition of the county as the director may require to enable him properly to certify the note. If upon examination the note appears to the director to have been duly issued in accordance with the vote of the county commissioners authorizing it, or in accordance with an act of the general court, and to have been signed by the duly qualified officials of the county, he shall so certify and shall thereupon return the note by registered mail to the treasurer of such county or shall deliver it in hand to such treasurer or to his duly authorized agent, but, under such regulations as he may prescribe, if so authorized by the county treasurer, with the approval of the county commissioners, the director may deliver a certified note to the payee thereof or deliver it to a bank or trust company to be credited to the

account of such treasurer He may certify to the issue of the note on any date not earlier than five days prior to the date of issue appearing on the note, if the other conditions of this chapter have been complied with. He shall not certify a note payable on demand nor shall he certify any note unless the laws relating to county indebtedness have been complied with, or if it appears that the proceeds of the note are not to be used for the purpose specified in the vote authorizing the loan for which the note is issued. *Approved February 18, 1963.*

Chap. 38. AN ACT REQUIRING DOORS OF EGRESS IN INDUSTRIAL ESTABLISHMENTS TO BE FREE FROM OBSTRUCTIONS.

Be it enacted, etc , as follows:

Section 126 of chapter 149 of the General Laws is hereby amended by striking out the second and third sentences, as appearing in chapter 528 of the acts of 1945, and inserting in place thereof the following two sentences — No inside or outside door of any other building, other than a dwelling house, wherein any person is employed, which door shall have been determined by the department of public safety, upon the written request of the department, to be a means of such egress and escape shall, during business hours, be locked, bolted or fastened as aforesaid or obstructed in any manner which would not permit free egress. The owner, lessor or lessee, or any other person in charge, of a building or portion thereof any door of which shall be found locked, bolted or otherwise fastened or obstructed in any manner which would not permit free egress, contrary to any provision of this section shall be punished by a fine of not less than one hundred nor more than five hundred dollars or by imprisonment for not more than one year, or both. *Approved February 18, 1963.*

Chap. 39. AN ACT AUTHORIZING THE TOWN OF WAYLAND TO SUPPLY THE INHABITANTS OF THE TOWN OF NATICK WITH WATER.

Be it enacted, etc., as follows:

SECTION 1. The town of Wayland is hereby authorized to furnish from its water supply to the inhabitants of the town of Natick a supply of water for the use of the inhabitants of said town for domestic and other purposes and may contract with said inhabitants for such supply of water on such terms as may be determined and established by the board of public works of the said town of Wayland. Such contract may provide, among other things, that said town of Wayland, through said board of public works, shall have the right to assess to any inhabitant of the town of Natick to whom water is supplied under the authority of this section, the cost of extending such water supply to his land, which cost shall include the cost of the pipes and other material and of the labor in laying them and other expenses incidental thereto.

SECTION 2 The town of Wayland shall have such rights against any inhabitant of the town of Natick, to whom water is being supplied and whose bill for such services is not paid on or before its due date, as are set out and defined in sections forty-two A to forty-two F, inclusive, of chapter forty of the General Laws.

SECTION 3 This act shall take effect upon its acceptance by the town of Wayland. *Approved February 18, 1963.*

Chap. 40. AN ACT ESTABLISHING A HISTORIC DISTRICT COMMISSION FOR THE TOWN OF SUDBURY AND DEFINING ITS POWERS AND DUTIES, ESTABLISHING A HISTORIC DISTRICT THEREIN, AND PROVIDING FOR HISTORIC DISTRICT ZONING.

Be it enacted, etc., as follows:

SECTION 1 *Purpose.* — The purpose of this act is to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of buildings, places and districts of historic significance through the development and maintenance of appropriate settings for said buildings, places and districts and through the maintenance of said buildings, places and districts as sites and landmarks compatible with the historic tradition of the town of Sudbury.

SECTION 2 *Establishment of District* — There is hereby established in the town of Sudbury a historic district, bounded and described as follows:

OLD SUDBURY DISTRICT.

Beginning at a point on the southerly property line of Marion R Heath, said point being 300 feet easterly of the easterly side line of Concord Road; thence westerly along said line crossing Concord Road and continuing in same direction on land of Emmons 300 feet westerly of the westerly side line of Concord Road to a point, thence northerly 1600 feet, parallel to and 300 feet from the westerly side line of Concord Road to a point, thence in a northwesterly direction approximately 850 feet to a point approximately 170 feet easterly of the center line of the New York, New Haven and Hartford Railroad Co ; thence easterly 400 feet to a point 300 feet westerly of the westerly side line of Concord Road, thence northerly, parallel to and 300 feet westerly of the westerly side line of Concord Road to the southerly line of Morse Road; thence easterly on Morse Road 300 feet to Concord Road; thence southerly approximately 170 feet on Concord Road to a point; thence easterly crossing Concord Road and continuing on the northerly line of land of Warren to a point 300 feet easterly of the easterly side line of Concord Road; thence southerly approximately 1800 feet to a point parallel to and 300 feet from the easterly side line of Concord Road; thence southeasterly crossing Candy Hill Road and along the westerly side line of Candy Hill Lane 500 feet to a point; thence westerly, parallel to and 300 feet from the southerly line of Candy Hill Road to a point 300 feet easterly of the easterly side line of Concord Road; thence southerly, parallel to and 300 feet easterly of the easterly side line of Concord Road to a point 300 feet northerly of the northerly side line of Old Sudbury Road; thence southeasterly approximately 2300 feet parallel to and 300 feet from the northerly side line of Old Sudbury Road; thence northeasterly and southeasterly by a line 300 feet and parallel to Rice Road to a point 300 feet northerly of the northerly side line of Old Sudbury Road; thence easterly parallel to and 300 feet from the northerly side line of Old Sudbury Road to a point in the easterly property line of Fairbank; thence southerly crossing Old Sudbury Road on Fairbank line to a point 300 feet southerly of the southerly side line of Old Sudbury Road; thence northwesterly parallel to and 300 feet from the southerly side line of Old Sudbury Road to a point 300 feet easterly of the easterly side line of Concord Road; thence southerly crossing

Goodman's Hill Road parallel to and 300 feet easterly of the easterly side line of Concord Road to the point of beginning.

SECTION 3. *Definitions.* — As used in this act, the following words and terms shall have the following meanings: —

"Building", a combination of materials having a roof and forming a shelter for persons, animals or property.

"Building inspector", the building inspector of the town of Sudbury.

"Commission", the Historic District Commission established by section four.

"Erected", the word "erected" includes the words "built", "constructed", "reconstructed", "restored", "altered", "enlarged", and "moved"

"Exterior architectural feature", the architectural style and general arrangement of such portion of the exterior of a building or structure as is designed to be open to view from a public street, way or place including the kind, color and texture of the building materials of such portion and the type and style of all windows, doors, lights, signs and other fixtures appurtenant to such portion.

"Historic district", the district established by section two.

"Person", the word "person" includes an individual, a corporate or unincorporated organization or association and the town of Sudbury.

"Structure", a combination of materials, other than a building, sign or billboard, but including a stone wall.

SECTION 4. *Creation and Organization of Historic District Commission.* — A Historic District Commission in the town of Sudbury is hereby established which shall consist of five unpaid members who shall be residents and voters of the town and shall be appointed by the board of selectmen in the manner and for the terms of office as herein provided and until their successors are appointed and qualified: — one member shall be a registered architect, or, in the event that none is available to serve, a person who in the opinion of the board of selectmen by reason of his experience in the building trades is qualified, whose initial appointment shall be for the term of the remainder of the calendar year in which such appointment is made and one year thereafter; one member shall be appointed from two nominees of the Sudbury Historical Society whose initial appointment shall be for the term of the remainder of the calendar year in which such appointment is made and two years thereafter; one member shall be appointed from among the voters of the historic district, whose initial appointment shall be for the term of the remainder of the calendar year in which such appointment is made and three years thereafter; one member shall be appointed from two nominees of the conservation commission of the town of Sudbury whose initial appointment shall be for the term of the remainder of the calendar year in which such appointment is made and four years thereafter; and one member shall be appointed from two nominees of the commission on historic structures of the town of Sudbury, whose initial appointment shall be for the remainder of the calendar year in which such appointment shall be made and five years thereafter As the terms of office of said members shall expire, their successors shall be appointed in like manner for terms of five years All nominations for appointment of members of the said commission shall be submitted to the board of selectmen by letter which shall contain a statement of the qualifications of the nominees. Vacancies in the membership of the commission shall be filled by appoint-

ment for the unexpired term from nominees of the commission who nominated the member who shall have vacated his office. A member who shall absent himself from three consecutive meetings of the commission, without cause, shall be deemed to have vacated his office, and the secretary of the commission shall give notice thereof to the board of selectmen who shall thereupon proceed to fill the vacancy. The commission shall elect a chairman, vice-chairman and secretary from its membership In the case of absence of the chairman from any meeting, the vice-chairman shall preside

SECTION 5 *Limitations* — (*a*) No building or structure, except as provided under section six, shall be erected within the historic district unless and until an application for a certificate of appropriateness as to exterior architectural features which are subject to view from a public street, way or place shall have been filed with the commission and either a certificate of appropriateness or a certificate that no exterior architectural feature is involved, shall have been issued by the commission

(*b*) No building or structure within the historic district, except as provided in section six, shall be changed as to exterior color features which are subject to view from a public street, way or place unless and until an application for a certificate of appropriateness as to change in such color features shall have been filed with the commission and such certificate shall have been issued by the commission

(*c*) No building or structure within the historic district, except as provided under section six, shall be demolished or removed unless and until an application for a permit to demolish or remove the same shall have been filed with the commission, and such permit shall have been issued by the commission

(*d*) No occupational, commercial or other sign, except as provided under section six, and no billboard which is subject to view from a public street, way or place shall be erected or displayed within the historic district unless and until an application for a certificate of appropriateness shall have been filed with the commission, and such certificate shall have been issued by the commission In the case of any such sign or billboard erected or displayed prior to the effective date of this act, there shall be allowed a period of five years, subsequent to said effective date, in which to obtain such certificate.

(*e*) No landscaping feature which was considered in granting a certificate of appropriateness or permit for demolition or removal and referred to in such certificate or permit as a necessary condition to the granting of such approval shall be changed, except for ordinary maintenance

(*f*) Except in cases excluded by section six: —

(1) No permit shall be issued by the building inspector for any building or structure to be erected within the historic district, until a certificate of appropriateness or a certificate that no exterior architectural feature is involved has been issued under section nine

(2) No permit shall be issued by the building inspector for the demolition or removal of any building or structure within the historic district until a permit has been issued under said section nine.

SECTION 6. *Exclusions* — (*a*) Nothing in this act shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of any building or structure within the historic district;

nor shall anything in this act be construed to prevent landscaping changes except landscaping changes, involving more than ordinary maintenance, which relate to landscaping features considered in granting a certificate of appropriateness or permit for demolition or removal and referred to in such certificate or permit as a necessary condition to the granting of such approval; nor shall anything in this act be construed to prevent the erection, construction, reconstruction, restoration, alteration or demolition of any such feature which the building inspector shall certify is required by the public safety because of an unsafe or dangerous condition; nor shall anything in this act be construed to prevent the erection, construction, reconstruction, alteration or demolition of any such feature under a permit issued by the building inspector prior to the effective date of this act.

(*b*) The following structures and signs may be erected or displayed within the historic district without the filing of an application for, or the issuance of, a certificate of appropriateness: —

(1) Temporary structures or signs for use in connection with any official celebration or parade, or any charitable drive in the town; provided, that any such structure or sign shall be removed within three days following the termination of the celebration, parade or charitable drive for which said structure or sign shall have been erected or displayed Any other temporary structures or signs which the commission shall determine from time to time may be excluded from the provisions of section five without substantial derogation from the intent and purposes of this act.

(2) Real estate signs of not more than three square feet in area advertising the sale or rental of the premises on which they are erected or displayed.

(3) Occupational or other signs of not more than one square foot in area and not more than one such sign, irrespective of size, bearing the name, occupation or address of the occupant of the premises on which such sign is erected or displayed where such premises are located within a single residence district as defined in the zoning by-law of the town of Sudbury

(*c*) The exterior color of any building or structure within the historic district may be changed to white without the filing of an application for, or the issuance of, a certificate of appropriateness or to any color or any combination of colors which the commission shall determine from time to time may be used without substantial derogation from the intent and purposes of this act

SECTION 7. *Application to be filed with Commission.* — Excepting cases excluded by section six, any person who desires to erect, build, construct, reconstruct, restore, alter, move, demolish, remove or change the exterior color features of any building or structure now or hereafter within the historic district, or to erect or display within the historic district any sign or billboard for which a certificate of appropriateness is required under paragraph (*d*) of section five, shall file with the commission an application for a certificate of appropriateness or a permit for demolition or removal, as the case may be, together with such plans, elevations, specifications, material and other information drawn to scale, as shall be deemed necessary by the commission to enable it to make a determination on the application.

SECTION 8. *Meetings, Hearings, Time for making Determinations.* — Meetings of the commission shall be held at the call of the chairman and also when called in such other manner as the commission shall determine in its rules.

The commission shall determine promptly, and in all events within fourteen days, after the filing of an application for a certificate of appropriateness as to exterior architectural features, whether the application involves any such features If the commission determines that such application involves any exterior architectural features, the commission shall hold a public hearing on such application. The commission shall also hold a public hearing on all other applications required to be filed with it under this act, except that the commission may approve an application for a change in exterior color features without holding a hearing if it determines that the color change proposed is appropriate.

The commission shall fix a reasonable time for the hearing on any application and shall give public notice thereof by publishing notice of the time, place and purpose of the hearing in a local newspaper at least fourteen days before said hearing and also, within seven days of said hearing, mail a copy of said notice to the applicant, to the owners of all property deemed by the commission to be affected thereby as they appear on the most recent local tax list, to the planning board of the town, and to such other persons as the commission shall deem entitled to notice

As soon as convenient after such public hearing but in any event within forty-five days after the filing of the application, or within such further time as the applicant shall allow in writing, the commission shall make a determination on the application If the commission shall fail to make a determination within said forty-five days, or within such further time allowed by the applicant, the commission shall be deemed to have approved the application.

SECTION 9 *Powers, Functions and Duties of Commission* — The commission shall have the following powers, functions and duties: —

(*a*) It shall pass upon —

(1) The appropriateness of exterior architectural features of buildings and structures to be erected within the historic district wherever such features are subject to view from a public street, way or place

(2) The appropriateness of changes in exterior color features of buildings and structures within the historic district wherever such features are subject to view from a public street, way or place.

(3) The demolition or removal of any building or structure within the historic district The commission may refuse a permit for the demolition or removal of any building or structure of architectural or historic interest, the removal of which in the opinion of the commission would be detrimental to the public interest.

(4) The appropriateness of the erection or display of occupational, commercial or other signs and billboards within the historic district wherever a certificate of appropriateness for any such sign or billboard is required under paragraph (*d*) of section five.

In passing upon appropriateness, demolition or removal, the commission shall determine whether the features, demolition or removal, sign or billboard involved will be appropriate for the purposes of this act and, if it shall be determined to be inappropriate, shall determine whether, owing to conditions especially affecting the building, structure, sign or billboard involved, but not affecting the historic district

generally, failure to approve an application will involve a substantial hardship, financial or otherwise, to the applicant and whether such application may be approved without substantial detriment to the public welfare and without substantial derogation from the intent and purposes of this act If the commission determines that the features, demolition or removal, sign or billboard involved will be appropriate or, although inappropriate, owing to conditions as aforesaid, failure to approve an application will involve substantial hardship to the applicant and approval thereof may be made without substantial detriment or derogation as aforesaid, the commission shall approve the application; but if the commission does not so determine, the application shall be disapproved.

In passing upon appropriateness the commission shall consider, among other things, the historic value and significance of the site, building or structure, the general design, arrangement, texture, material and color of the features, sign or billboard involved, and the relation of such factors to similar factors of sites, buildings and structures in the immediate surroundings. The commission shall consider the appropriateness of the size and shape of the building or structure in relation to (*a*) the land area upon which the building or structure is situated, (*b*) the landscaping and planting features proposed by the applicant and (*c*) the neighboring sites, buildings or structures within the district. The commission shall also consider the applicable zoning and other by-laws of the town The commission shall not consider detailed designs, interior arrangement and other building features not subject to public view

In approving an application the commission may impose conditions which, if the certificate of appropriateness is acted upon, shall be binding upon the applicant, the owner of the property and his successors in title Prior to approving an application subject to conditions, the commission may notify the applicant of its proposed action and permit the applicant to express his opinion thereon.

The concurring vote of three members of the commission shall be necessary to make a determination in favor of the applicant on any matter upon which the commission is required to pass under this act.

(*b*) In the case of an approval by the commission of an application for a certificate of appropriateness or a permit for demolition or removal, or in the event an application is deemed approved through failure to make a determination within the time specified in section eight, the commission shall cause a certificate of appropriateness or a permit for demolition or removal, as the case may be, dated and signed by its chairman or vice-chairman, to be issued to the applicant.

(*c*) In the case of disapproval of an application for a certificate of appropriateness or a permit for demolition or removal, the commission shall cause a notice of its determination, dated and signed by its chairman or vice-chairman in the absence of the chairman to be issued to the applicant, setting forth therein the reasons for its determination, and, as to applications for a certificate of appropriateness, the commission may make recommendations to the applicant with respect to appropriateness of design, arrangement, texture, material, color and similar factors Prior to the issuance of any disapproval, the commission may notify the applicant of its proposed action accompanied by recommendations of changes in the applicant's proposal which, if made, would make the application acceptable to the commission. If within ten days of the

receipt of such a notice the applicant files a written modification of his application in conformity with the recommended changes of the commission, the commission shall cause a certificate of appropriateness or permit for demolition or removal, as the case may be, dated and signed by its chairman or vice-chairman in the absence of the chairman, to be issued to the applicant.

(*d*) In the case of a determination by the commission that an application for a certificate of appropriateness does not involve any exterior architectural feature, the commission shall cause a certificate of such determination, dated and signed by its chairman or vice-chairman in the absence of the chairman to be issued forthwith to the applicant.

(*e*) The commission shall keep a permanent record of its resolutions, transactions, and determinations, and may make such rules and regulations consistent with this act and prescribe such forms as it shall deem desirable and necessary.

(*f*) The commission shall file with the town clerk a notice of all determinations made by it, and approvals of applications through failure of the commission to make a determination within the time allowed under section eight, except that no notice of a determination that an application for a certificate of appropriateness does not involve any exterior architectural feature shall be filed.

(*g*) The commission may incur expenses necessary to the carrying on of its work within the amount of its appropriation

SECTION 10. *Appeals* — Any person aggrieved by a determination of the commission or by an approval of an application through failure of the commission to make a determination within the time allowed under section eight, whether or not previously a party to the proceeding, or any officer or board of the town may, within twenty days after the filing of a notice of such determination or approval with the town clerk, appeal to the superior court sitting in equity for the county of Middlesex The court shall hear all pertinent evidence and determine the facts and if, upon the facts so determined, such determination or approval is found to exceed the authority of the commission, the court shall annul such determination or approval and remand the case for further action by the commission. The remedies provided by this action shall be exclusive; but the parties shall have all rights of appeal and exception as in other equity cases. Costs shall not be allowed against the commission unless it shall appear to the court that the commission acted in bad faith or with malice in the matter from which the appeal was taken

Costs shall not be allowed against the party appealing from such determination or approval of the commission unless it shall appear to the court that said party acted in bad faith or with malice in making the appeal to the court

SECTION 11 *Enforcement* — Any person who violates any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than ten dollars nor more than five hundred dollars

The superior court sitting in equity for the county of Middlesex upon the petition of the board of selectmen shall have jurisdiction to enforce the provisions of this act and the determinations, rulings and regulations issued thereunder and may restrain by injunction violations thereof and issue such other orders for relief of violations as may be required.

SECTION 12. *Changes in Historic District* — The district established by section two may be enlarged or reduced and new districts may be created by a two-thirds vote at any regular or special town meeting called for the purpose. Prior to any such action, the planning board of the town shall hold a public hearing, duly advertised, thereon and shall report its recommendations to the town meeting.

SECTION 13. *Historic Zoning.* — The town of Sudbury by a two-thirds vote at any regular town meeting or at any special town meeting called for the purpose may enact additions, changes or amendments to its zoning by-laws to assist in carrying out the purpose of this act. Prior to any such enactment, the planning board of said town shall hold a public hearing, duly advertised, thereon and shall report its recommendations to the town meeting

SECTION 14. *Severability of Provisions.* — The provisions of this act shall be deemed to be severable; and in case any section, paragraph or part of this act shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair the validity of any other sections, paragraphs or parts of this act.

SECTION 15 This act shall take effect upon its acceptance by the town of Sudbury. *Approved February 18, 1963*

Chap. 41. AN ACT RELATIVE TO THE SEWAGE DISPOSAL SYSTEM OF THE TOWN OF LENOX.

Be it enacted, etc., as follows:

SECTION 1 Notwithstanding the provisions of any special or general law to the contrary the town of Lenox may pay the entire expenses which may be incurred from time to time in enlarging, extending and improving its sewage and sewage disposal system, without assessing any part of the expenses so incurred upon persons benefited by such enlargement, extension or improvement; but nothing herein contained shall prevent the selectmen or sewer commissioners, as the case may be, from establishing from time to time for the use of common sewers just and equitable annual charges to be paid by every person who enters his particular sewer therein.

SECTION 2 To the extent that the town of Lenox may have heretofore paid the entire expenses of enlarging, extending and improving its system of sewage and sewage disposal without assessing the persons benefited by such enlargement, extension or improvement, such action is hereby validated and confirmed

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

Approved February 18, 1963.

Chap. 42. AN ACT EXTENDING THE TIME DURING WHICH THE TOWN OF SOMERSET MAY BORROW TO CONSTRUCT AND OPERATE A SYSTEM OR SYSTEMS OF SEWERAGE AND SEWAGE DISPOSAL

Be it enacted, etc , as follows:

SECTION 1 Section 8 of chapter 17 of the acts of 1953, as amended by section 1 of chapter 193 of the acts of 1958, is hereby further amended by striking out, in line 3, the word "ten" and inserting in place thereof the

word: — fifteen, — so as to read as follows: — *Section 8.* For the purpose of paying the necessary expenses and liabilities incurred under this act, the town may from time to time, within fifteen years after the passage of this act, borrow such sums as may be necessary, not exceeding in the aggregate, two million, five hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Somerset Sewerage Loan, Act of 1953. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than thirty years from their dates Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws

SECTION 2 This act shall take effect upon its passage.

Approved February 18, 1963.

Chap. 43. AN ACT AUTHORIZING THE TOWN OF ROCKLAND TO BORROW MONEY FOR THE PURPOSE OF SEWERAGE CONSTRUCTION IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of sewerage construction in the town of Rockland, said town 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 million five hundred thousand dollars and may issue bonds or notes therefor which shall bear on their face the words, Rockland Sewerage Loan, Act of 1963. 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 passage.

Approved February 18, 1963.

Chap. 44. AN ACT AUTHORIZING THE TOWN OF ADAMS TO CONSTRUCT AND OPERATE A SYSTEM OR SYSTEMS OF SEWERAGE AND SEWAGE DISPOSAL.

Be it enacted, etc., as follows:

SECTION 1. The town of Adams, hereinafter called the town, may lay out, construct, maintain and operate a system or systems of common sewers for a part or the whole of its territory, with such connections and other works as may be required for a system or systems of sewerage and sewage treatment and disposal, and may construct such sewers in said town as may be necessary

SECTION 2. The town may make and maintain, in any way therein where common sewers are constructed, such connecting sewers within the limits of such way as may be necessary to connect any estate which abuts upon the way.

SECTION 3. The town may, at the meeting when this act is accepted, vote that the selectmen shall act as a board of sewer commissioners.

If the town does not so vote at said meeting, the town shall elect by ballot, at any town meeting not later than the second annual meeting after the commencement of construction hereunder of a system or systems of sewerage and sewage disposal, a board of three sewer commissioners, who shall be citizens of the town, to hold office, if elected at an annual meeting, one until the expiration of one year, one until the expiration of two years, and one until the expiration of three years, from such annual town meeting, and until their successors are qualified, or, if elected at a special meeting, one until the expiration of one year, one until the expiration of two years, and one until the expiration of three years from the next succeeding annual town meeting, and until their successors are qualified, and thereafter, at each annual town meeting when the term of a member expires, the town shall elect one member of the board to serve for three years and until his successor is qualified. Any selectman shall be eligible to election to said board. In either case, whether the town votes that its selectmen shall act as a board of sewer commissioners, or elects a board of sewer commissioners, the town may at any time thereafter, by any or all the methods permitted by general law, provide for the election of a board of three sewer commissioners, or that the selectmen may act as a board of sewer commissioners, as the case may be.

SECTION 4. Said board of sewer commissioners, acting for and on behalf of said town, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, water rights, rights of way or easements, public or private, in said town, necessary for accomplishing any purpose mentioned in this act, and may construct such sewers under or over any bridge, railroad, railway, boulevard or other public way, or within the location of any railroad, and may enter upon and dig up any private land, public way or railroad location, for the purpose of laying such sewers and of maintaining and repairing the same, and may do any other thing proper or necessary for the purposes of this act; provided, that they shall not take in fee any land of a railroad corporation, and that they shall not enter upon or construct any sewer within the location of any railroad corporation except at such time and in such manner as they may agree upon with such corporation, or, in case of failure to agree, as may be approved by the department of public utilities

SECTION 5. Until the board of sewer commissioners has first been elected as provided in this act or the selectmen have first been authorized by vote to act as such board, as the case may be, but not in any event later than the second annual meeting after the commencement of the work of construction authorized hereby, the town may carry on such work by a duly authorized committee of the town. The committee shall serve without pay and shall have all the powers and authority given to the board of sewer commissioners in this act or by general law. Whenever the phrase "said board of sewer commissioners" or "said board" hereinafter occurs, it shall mean and include the board of sewer commissioners, the selectmen acting as such or the committee of the town provided for in this section, as the case may be.

SECTION 6. Any person injured in his property by any action of said board of sewer commissioners under this act may recover damages from said town under said chapter seventy-nine.

SECTION 7. The town shall, by vote, determine whether it shall pay the whole or a portion of the cost of said system or systems of sewerage and sewage disposal and if a portion, what proportion. If the town votes to pay less than the whole cost, in providing for the payment of the remaining portion of the cost of said system or systems the town may avail itself of any or all of the methods permitted by General Laws, and the provisions of said General Laws relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments, to liens therefor and to interest thereon, shall apply to assessments made under this act, except that interest shall be at the rate of four per cent per annum. At the same meeting at which it determines that any portion of the cost is to be borne by the town, it may by vote determine by which of such methods the remaining portion of said cost shall be provided for. The collector of taxes of said town shall certify the payment or payments of such assessments, or apportionments thereof to the sewer commissioners, or to the selectmen acting as such, who shall preserve a record thereof.

SECTION 8 For the purpose of paying the necessary expenses and liabilities incurred under this act, the town may from time to time, within five years after the passage of this act, borrow such sums as may be necessary, not exceeding, in the aggregate, two million seven hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Adams Sewerage Loan, Act of 1963. 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 city of North Adams, if there be any, and if not, then in some newspaper published in the county of Berkshire, and shall not take effect until such publications have been made

SECTION 13. No act shall be done under authority of the preceding sections except in the making of surveys and other preliminary investigations, until the plan for said system or systems of sewerage and sewage disposal has been approved by the state department of public health

SECTION 14. This act shall take full effect upon its acceptance by vote of a majority of the voters of said town voting thereon at an annual town meeting or a special town meeting called for the purpose within four years after its passage, but not otherwise No expenditure shall be made and no liability incurred hereunder until such acceptance

Approved February 18, 1963.

Chap. 45. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE TOWN OF WARREN MAY BORROW FOR THE CONSTRUCTION OF A SYSTEM OF SEWERS.

Be it enacted, etc., as follows:

Chapter 275 of the acts of 1951 is hereby amended by striking out section 8 and inserting in place thereof the following section: — *Section 8.* For the purpose of paying the necessary expenses and liabilities incurred under this act, other than maintenance and operation, the town may from time to time, borrow such sums as may be necessary, not exceeding, in the aggregate, five hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Warren Sewerage Loan, Act of 1951. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

Approved February 18, 1963.

Chap. 46. AN ACT ESTABLISHING A MINIMUM ANNUAL COMPENSATION FOR PERMANENT MEMBERS OF THE POLICE AND FIRE DEPARTMENTS, INCLUDING FIRE ALARM PERSONNEL AND FIRE FIGHTER MECHANICS, OF THE TOWN OF WEYMOUTH.

Be it enacted, etc., as follows:

SECTION 1. The minimum annual compensation of the permanent members of the police department and of the fire department, including fire alarm personnel and fire fighter mechanics, of the town of Weymouth 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.

SECTION 2 This act shall be submitted to the voters of the town of Weymouth 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 permanent members of the police department and of the fire department, including fire alarm personnel and fire fighter mechanics, of the town of Weymouth receive an increase in salary so that they shall receive a minimum yearly salary of five thousand five hundred dollars for the first year of service, six thousand dollars for the second year of service, and six thousand three hundred dollars for the third and each succeeding year of service?" If a majority of votes in answer to said question is in the affirmative, this act shall thereupon take full effect as of January third, nineteen hundred and sixty-three, but not otherwise

Approved February 19, 1963.

Chap. 47. AN ACT AUTHORIZING THE TOWN OF FALMOUTH TO PAY A CERTAIN SUM OF MONEY TO ALEXANDER R. MORIN, GEORGE MORIN AND ROSE MORIN.

Be it enacted, etc , as follows:

SECTION 1. Notwithstanding any contrary provision of law and for the purpose of discharging a moral obligation, the town of Falmouth may appropriate and pay to Alexander R Morin, George Morin and Rose Morin of said town the sum of eleven thousand dollars as compensation for damages for land, including buildings, taken by eminent domain for school purposes, said sum being the amount heretofore agreed upon with them by the board of selectmen of Falmouth, the time having expired within which a petition could legally be brought because of such land taking.

SECTION 2 Any action taken by the town of Falmouth at the annual meeting in the current year under authority 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 February 20, 1963.

Chap. 48. AN ACT TO AUTHORIZE THE TOWN OF STOUGHTON TO EXPEND FUNDS FOR THE REPAIR AND MAINTENANCE OF A DAM IN THE TOWN OF EASTON.

Be it enacted, etc., as follows:

SECTION 1. The town of Stoughton is hereby authorized to raise and appropriate, or transfer from available funds in its treasury, a sum of money not exceeding twenty-five hundred dollars, and to pay to the town of Easton such part thereof as may be necessary to represent one half the cost of repairing a dam and other water conservation facilities at Ames pond or Long pond, so called, in the town of Easton.

SECTION 2. The town of Stoughton is hereby further authorized to raise and appropriate, or transfer from available funds in its treasury a sum of money not exceeding fifteen hundred dollars annually, and to pay to the town of Easton such part thereof as may be necessary to represent one half of the cost of maintaining a dam and other water conservation facilities at Ames pond or Long pond, so called, in the town of Easton.

SECTION 3 This act shall take effect upon its passage

Approved February 20, 1963.

Chap. 49. AN ACT AUTHORIZING THE TOWN OF PLYMPTON TO APPROPRIATE THE BALANCE REMAINING IN THE WORKMEN'S COMPENSATION INSURANCE FUND TO THE STABILIZATION FUND.

Be it enacted, etc , as follows:

SECTION 1. Notwithstanding the provisions of section thirteen A of chapter forty of the General Laws, the town of Plympton is hereby authorized to appropriate the balance remaining in the workmen's compensation insurance fund to the stabilization fund which said town has created in accordance with the provisions of section five B of said chapter forty.

SECTION 2. This act shall take effect upon its passage

Approved February 20, 1963.

Chap. 50. AN ACT AUTHORIZING THE TOWN OF NORWOOD TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY A CERTAIN UNPAID BILL.

Be it enacted, etc., as follows:

SECTION 1. The town of Norwood is hereby authorized to appropriate money for the payment of, and after such appropriation the treasurer of said town is hereby authorized to pay, an unpaid bill in the amount of fifteen hundred forty-six dollars and seventy-nine cents to Almor Homes, Inc , a Massachusetts corporation, for services and materials furnished said town in installing a twelve-inch water pipe in Albermarle street in said town, said bill being legally unenforceable against said town by reason of its having been incurred in violation of the provisions of the by-laws of said town, including having been incurred in excess of existing appropriations.

SECTION 2 This section shall take effect upon its passage

Approved February 20, 1963.

Chap. 51. AN ACT INCREASING THE AMOUNT OF MONEY THE TOWN OF YARMOUTH MAY APPROPRIATE FOR MUNICIPAL ADVERTISING PURPOSES.

Be it enacted, etc , as follows:

SECTION 1. The town of Yarmouth may by a majority vote, appropriate each year a sum not exceeding five thousand dollars for advertising the advantages of the town The money so appropriated by said town shall be expended under the direction of the board of selectmen.

SECTION 2. Chapter sixty-two of the acts of nineteen hundred and forty-seven is hereby repealed.

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

Approved February 20, 1963

Chap. 52. AN ACT INCREASING THE AMOUNT OF MONEY THE TOWN OF BEDFORD MAY BORROW FOR THE CONSTRUCTION OF SEWERS.

Be it enacted, etc., as follows:

SECTION 1. Section 8 of chapter 223 of the acts of 1947, as amended by section 4 of chapter 131 of the acts of 1952, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — For the purpose of paying the necessary expenses and liabilities incurred under this act, the town may borrow such sums as may be necessary, not exceeding, in the aggregate, one and one half million dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Bedford Sewerage Loan, Act of 1947.

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

Approved February 20, 1963.

Chap. 53. AN ACT RELATIVE TO THE EXPENDITURE OF MONEY BY THE COUNTY COMMISSIONERS OF ESSEX COUNTY FOR ADVERTISING RECREATIONAL, INDUSTRIAL AND AGRICULTURAL ADVANTAGES OF SAID COUNTY, AND FOR MAINTAINING CERTAIN BOOTHS IN CONNECTION THEREWITH.

Be it enacted, etc , as follows:

SECTION 1. The county commissioners of Essex county, for the purpose of advertising the recreational, industrial and agricultural advantages of said county, may expend such sums, not exceeding, in the aggregate, fifteen thousand dollars in any one year, as may be appropriated therefor, provided, that such expenditures from money so appropriated shall not at any time be more than triple the sum which shall have been contributed by public subscription or by donation deposited with the county treasurer for the purpose aforesaid. Said commissioners shall expend such sums only for advertising in newspapers, magazines and the like, or for booklets, posters or other forms of advertising, or for information booths within the county, or for displays or booths maintained at fairs or expositions outside the county for the purpose of advertising such advantages In carrying out the provisions of this act the commissioners may designate an agent or agents to act for them, provided, that all bills incurred shall be accompanied by proper vouchers and shall be paid by the county treasurer only on warrants approved by the county commissioners or a majority of them.

SECTION 2. Chapter one hundred and twenty-six of the acts of nineteen hundred and fifty-three is hereby repealed.

SECTION 3. This act shall take effect upon its acceptance during the current year by the county commissioners of Essex county, but not otherwise *Approved February 20, 1963.*

Chap. 54. AN ACT RELATIVE TO NOMINATIONS FOR MUNICIPAL OFFICES IN THE TOWN OF AMHERST.

Be it enacted, etc , as follows:

SECTION 1. Chapter 149 of the acts of 1955 is hereby amended by striking out section 5 and inserting in place thereof the following section.

— *Section 5.* While this act is in effect no political party caucus and no town caucus shall be held in said town for the nomination of candidates for town office.

SECTION 2. This act shall be submitted for acceptance to the registered voters of the town of Amherst at the annual town meeting to be held in the year nineteen hundred and sixty-four 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-three, entitled 'An Act relative to nominations for municipal offices in the town of Amherest', be accepted?" If it is not accepted at said annual town meeting, it shall again be submitted for acceptance at the annual town meeting to be held in the year nineteen hundred and sixty-five in the same manner. If it is not accepted at said annual town meeting in the year nineteen hundred and sixty-five, it may again be submitted for acceptance in like manner from time to time at any annual town meeting, but not later than the year nineteen hundred and sixty-nine, upon petition signed by not less than two per cent of the total number of registered voters of said town and filed with the town clerk at least thirty days prior to such meeting

SECTION 3. Upon the acceptance of this act by a majority of the voters voting thereon at any such town meeting it shall take effect for the purposes of the next election in the town of Amherst and for subsequent elections therein. *Approved February 20, 1963.*

Chap. 55. AN ACT RELATIVE TO THE ELECTION OF CONSTABLES AT THE ANNUAL TOWN ELECTION OF THE TOWN OF NANTUCKET IN THE YEAR NINETEEN HUNDRED AND SIXTY-TWO.

Be it enacted, etc , as follows:

The constables elected in the town of Nantucket at the annual town election in the year nineteen hundred and sixty-two 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 February 20, 1963

Chap. 56. AN ACT AUTHORIZING THE CITY OF PITTSFIELD TO BORROW AN ADDITIONAL AMOUNT OF MONEY FOR SEWERAGE PURPOSES.

Be it enacted, etc , as follows:

SECTION 1. The city of Pittsfield may extend, improve and make additions to its sewerage system and may lay out, construct, maintain and operate such common and trunk sewers, drains, pumping stations and force mains in any part of its territory, as may be required to effect such extensions, improvements and additions, together with any connections or other works necessary thereto.

SECTION 2. For the purposes of this act the city of Pittsfield may, from time to time, within five years after the passage of this act, borrow

such sums as may be necessary, not exceeding, in the aggregate, three million dollars, in addition to any sums heretofore authorized for sewerage purposes, and may issue bonds or notes therefor which shall bear on their face the words, Pittsfield Sewerage Loan, Act of 1963 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 debt 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.

The city council of said city shall, by vote, determine what proportion said city shall pay of the cost of the construction, maintenance and operation of extensions, improvements and additions to its sewerage system provided for in section one. If the city votes to pay less than the whole cost, in providing for the payment of the remaining portion of the cost thereof by abutters, said city may avail itself of any or all of the methods permitted by General Laws, including section sixteen of chapter eighty-three of the General Laws, as amended, providing for the establishment of just and equitable annual charges for the use of common sewers. Such charges shall be paid by every person who enters or has entered his particular sewer into the sewerage system of the city. 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. At the same meeting at which the city council of said city votes that the city is to pay less than the whole cost and determines the proportion of the cost which is to be borne by the city, or at a subsequent meeting, it shall by vote determine which of such methods shall be used to provide for the remaining portion of said cost. The collector of taxes of said city shall certify the payments of such assessments or apportionments thereof to the department of public works of said city, which shall preserve a record thereof.

SECTION 3 This act shall take effect upon its acceptance by the city of Pittsfield. *Approved February 20, 1963.*

Chap. 57. AN ACT ESTABLISHING THE OFFICE OF COMPTROLLER IN THE TOWN OF WINCHESTER.

Be it enacted, etc., as follows:

SECTION 1. There shall be in the town of Winchester a comptroller to be appointed by the selectmen. The comptroller shall be a citizen of the United States and shall have had at least three years' full-time accounting experience. He 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 of his department. He shall be appointed for a term to run for three years from the first day of April following the acceptance of this act, and until the qualification of his successor; thereafter the comptroller shall be appointed in March of every third year for a three-year term from the first day of the following April He may be removed by the selectmen for cause and the vacancy filled by appointment for the remainder of the unexpired term.

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

(*a*) He shall prescribe the methods of installation and exercise supervision of all accounting records of the several officers, boards, departments, committees, and commissions of the town; provided, however, that any change in the system of accounts shall first be discussed with the selectmen and the officers, boards, departments, committees, and commissions affected.

(*b*) He shall establish standard practices relating to all accounting matters and procedures and the co-ordination 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.

(*c*) He shall draw all warrants upon the treasurer for the payment of bills, drafts and orders chargeable to the several appropriations and other accounts

(*d*) Prior to submitting any warrant to the selectmen, he shall 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 examination it appears to the comptroller that any such bill, draft, or order is fraudulent, unlawful or excessive, he shall immediately file with the selectmen and town treasurer a written report of the reasons for his findings.

(*e*) He shall be in charge of all of the accounting and business machines owned by the town, other than machines used for educational or classroom purposes, and shall allocate the use thereof among the several departments

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

SECTION 3 If the comptroller is unable to perform his duties because of disability or absence, or if the office is vacant because of resignation or death, the selectmen may appoint a temporary comptroller to hold such office and exercise the powers and perform the duties thereof until the comptroller who was disabled or absent resumes his duties or until another comptroller is duly appointed Said temporary 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 The comptroller, with the approval of a majority of the selectmen, may appoint in writing an assistant. Unless a temporary comptroller is appointed, the assistant may, in the absence of the comptroller perform the duties of the comptroller and when performing such duties shall have the same powers and be subject to the same requirements and penalties as the comptroller.

SECTION 5 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 6 Nothing in this act or any action taken hereunder shall contravene the provisions of any statute or any rules or regulations issued thereunder.

SECTION 7 This act shall take effect upon its acceptance by the town of Winchester within two years of the passage of this act.

Approved February 20, 1963.

Chap. 58. AN ACT AUTHORIZING THE TRANSFER OF THE BRAINTREE FIRST PARISH CEMETERY ASSOCIATION PROPERTY AND FUNDS TO THE TOWN OF BRAINTREE.

Be it enacted, etc., as follows:

SECTION 1. Braintree First Parish Cemetery Association, a corporation established under the provisions of chapter two hundred and twelve of the acts of eighteen hundred and ninety-eight, and located in the town of Braintree, hereinafter called the corporation, 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 corporation not subject to any trust, and thereupon, and upon the transfer of the trust funds as hereinafter provided, the corporation shall be dissolved; and the cemetery of the corporation 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 corporation a conveyance and transfer of, and administer, all funds or other property held by the corporation 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 corporation 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 corporation, 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 corporation 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 corporation, 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 corporation shall be delivered to the clerk of said town and such clerk may certify copies thereof.

SECTION 4. This act shall take effect upon its acceptance by the town of Braintree. *Approved February 20, 1963.*

Chap. 59. AN ACT PROVIDING FOR THE APPROVAL OF CERTAIN CORPORATE NAMES BY THE COMMISSIONER OF INSURANCE.

Be it enacted, etc., as follows:

The first paragraph of section 9 of chapter 155 of the General Laws, as appearing in section 9 of chapter 750 of the acts of 1962, is hereby amended by inserting after the word "secretary", in line 11, the words: — ; provided, however, that the name of any corporation formed for the purpose of acting as an insurance agent, insurance broker, or adjuster of fire losses shall be subject to the prior written approval of the commissioner of insurance *Approved February 20, 1963.*

Chap. 60. AN ACT AUTHORIZING CITIES AND TOWNS TO APPROPRIATE MONEY FOR EXPENSES INCURRED BY POLICE OFFICERS IN ATTENDING CERTAIN SCHOOLS OR COURSES

Be it enacted, etc., as follows:

Section 5 of chapter 40 of the General Laws is hereby amended by striking out clause (34), as most recently amended by chapter 20 of the acts of 1961, and inserting in place thereof the following clause —

(34) For the necessary expenses of municipal officers and employees of any particular department incurred outside the commonwealth in securing information upon matters in which the city or town is interested or which may tend to improve the service in such department, including attendance at state police schools conducted by the department of public safety, attendance at schools for the training of local police officers conducted by the Federal Bureau of Investigation, the Massachusetts Chiefs of Police Association, the Boston police department, the Worcester police department, the Springfield police department, and the metropolitan district commission police department, and attendance at courses at colleges and universities for the training of police officers, if such appropriation is specified to be and is limited to such expenses incurred as aforesaid Such expenses may also be incurred anywhere within the commonwealth and in such case shall be chargeable against any appropriation made for the ordinary maintenance of the department incurring the same. *Approved February 20, 1963.*

Chap. 61. AN ACT AUTHORIZING THE TOWN OF HARWICH TO RECEIVE AND ADMINISTER THE PROPERTY OF THE SOUTH HARWICH CEMETERY IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The South Harwich Cemetery Association, situated in the town of Harwich, hereinafter called the association, may, by deed duly executed, convey and transfer to said town and said town is hereby authorized and empowered to receive, and thereafter to hold and maintain, but for cemetery purposes only, and subject to all rights heretofore existing in any burial lots, the real and personal property of the association not subject to any trust, and thereupon, and upon the transfer of the funds as hereinafter 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 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 effect upon its acceptance by the town of Harwich. *Approved February 20, 1963.*

Chap. 62. AN ACT RELATIVE TO INCURRING LIABILITIES PRIOR TO ANNUAL APPROPRIATIONS.

Be it enacted, etc., as follows:

Section 13 of chapter 44 of the General Laws is hereby amended by striking out the second paragraph, added by chapter 5 of the acts of 1948, and inserting in place thereof the following paragraph. —

Notwithstanding the foregoing limitations upon the authority of town officers to incur liabilities during said interval, town officers having charge of the maintenance of public ways may incur additional liabilities for snow and ice removal, and, in cases of extreme emergency involving the health or safety of persons and property, any town officer or department head may incur additional liabilities provided that such liabilities for snow and ice removal or for extreme emergencies may be incurred only with the written approval of a majority of the board of selectmen and the appropriation, advisory, or finance committee in towns having such a committee and in other towns with the written approval of the director of accounts in the department of corporations and taxation, and the payments so made shall be reported by the auditor or accountant or other officer having similar duties, or by the treasurer if there be no such officer, to the assessors, who shall include the amount so reported in the aggregate appropriations assessed in the determination of the next annual tax rate, unless the town has otherwise made provision therefor. *Approved February 25, 1963.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, February 25, 1963.

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

DEAR MR SECRETARY: — I, Endicott Peabody, 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 62 of the Acts of 1963 entitled "An Act Relative to Incurring Liabilities Prior to Annual Appropriations" and the enactment of which received my approval on February 25, 1963, 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 town in the Commonwealth may appropriate money for emergency purposes prior to their annual appropriation and since the town of Winthrop has an emergency requiring the expenditure of funds in several of their public buildings, it would seem that a sufficient emergency exists that this act become effective at once.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, February 25, 1963.

I, Kevin H. White, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at four o'clock and forty 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 sixty-two of the acts of nineteen hundred and sixty-three.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 63. AN ACT PROVIDING LIFE TENURE FOR ROBERT G. HARDY, INCUMBENT OF THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF ROWLEY.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Robert G. Hardy, incumbent of the office of chief of police of the town of Rowley shall, upon the effective date of this act, be unlimited Said incumbent shall not be removed from office, lowered in rank or suspended, except for just cause and for reasons specifically given him in writing by the board of selectmen.

SECTION 2. This act shall be submitted for acceptance to the voters of said town at the annual town meeting to be held in the current year in the form of the following question, which shall be placed upon the

official ballot to be used for the election of town officers at said meeting: — "Shall an act passed by the General Court in the year nineteen hundred and sixty-three, entitled 'An Act providing life tenure for Robert G Hardy, incumbent of the office of chief of police of the town of Rowley', 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 25, 1963*

Chap. 64. AN ACT AUTHORIZING THE TOWN OF DARTMOUTH TO CONSTRUCT AND OPERATE A SYSTEM OR SYSTEMS OF SEWERAGE AND SEWAGE DISPOSAL.

Be it enacted, etc., as follows:

SECTION 1. The town of Dartmouth, hereinafter called the town, may lay out, construct, maintain and operate a system or systems of common sewers for a part or the whole of its territory, with such connections and other works as may be required for a system or systems of sewerage and sewage treatment and disposal, and may construct such sewers in said town as may be necessary.

SECTION 2. The town may make and maintain, in any way therein where common sewers are constructed, such connecting sewers within the limits of such way as may be necessary to connect any estate which abuts upon the way.

SECTION 3. The board of water and 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 4 Whenever the phrase "said board of water and sewer commissioners" or "said board" hereinafter occurs, it shall mean and include any successor department of public works voted and created by said town, as the case may be.

SECTION 5. Any person injured in his property by any action of said board of water and sewer commissioners under this act may recover damages from said town under said chapter seventy-nine.

SECTION 6. The town shall, by vote, determine whether it shall pay the whole or a portion of the cost of said system or systems of sewerage and sewage disposal and if a portion, what proportion. If the town votes to pay less than the whole cost, in providing for the payment of the remaining portion of the cost of said system or systems the town may avail itself of any or all of the methods permitted by General Laws, and

the provisions of said General Laws relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments, to liens therefor and to interest thereon, shall apply to assessments made under this act, except that interest shall be at the rate of four per cent per annum. At the same meeting at which it determines that any portion of the cost is to be borne by the town, it may by vote determine by which of such methods the remaining portion of said cost shall be provided for. The collector of taxes of said town shall certify the payment or payments of such assessments, or apportionments thereof to the sewer commissioners, or to the selectmen acting as such, who shall preserve a record thereof.

SECTION 7. For the purpose of paying the necessary expenses and liabilities incurred under this act, the town may from time to time, within five years after the passage of this act, borrow such sums as may be necessary, not exceeding, in the aggregate, four million dollars and may issue bonds or notes therefor, which shall bear on their face the words, Dartmouth Sewerage Loan, Act of 1963. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

SECTION 8 The receipts from sewer assessments and from payments made in lieu thereof shall be applied to the payment of charges and expenses incident to the maintenance and operation of said system or systems of sewerage and sewage disposal or to the extension thereof, to the payment of interest upon bonds or notes issued for sewer purposes or to the payment or redemption of such bonds or notes.

SECTION 9. All contracts made by the board of water and 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 10 Said board of water and 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 Dartmouth, if there be any, and if not, then in some newspaper published in the county of Bristol, and shall not take effect until such publications have been made.

SECTION 11. 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 12. This act shall take full effect upon its acceptance by the town of Dartmouth within four years after its passage, but not otherwise. No expenditure shall be made and no liability incurred hereunder until such acceptance. *Approved February 25, 1963.*

Chap. 65. AN ACT RELATIVE TO REPRESENTATIVE TOWN MEETING MEMBERSHIP IN THE TOWN OF DANVERS AND PETITIONS OF REGISTERED VOTERS FOR THE SUBMISSION OF CERTAIN QUESTIONS TO THE VOTERS OF SAID TOWN AT LARGE.

Be it enacted, etc , as follows:

SECTION 1. Section 2 of chapter 294 of the acts of 1930, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Other than the officers designated in section three as town meeting members at large, the representative town meeting membership shall in each precinct consist of the largest number divisible by three which will not exceed one per cent of the registered voters in the precinct.

SECTION 2. Section 8 of said chapter 294 is hereby amended by striking out the second sentence, as appearing in section 1 of chapter 293 of the acts of 1956, and inserting in place thereof the following sentence: — If, within said five days, a petition, signed by not less than four per cent of the registered voters of the town, containing their names and addresses as they appear on the list of registered voters, is filed with the selectmen asking that the question or questions involved in such vote be submitted to the registered voters of the town at large, then the selectmen, after the expiration of five days, shall forthwith call a special meeting for the sole purpose of presenting to the registered voters at large the question or questions so involved.

SECTION 3. This act shall take effect upon its acceptance by the town of Danvers. *Approved February 25, 1963.*

Chap. 66. AN ACT RELATIVE TO THE BOND OF THE TOWN TREASURER

Be it enacted, etc , as follows:

Section 35 of chapter 41 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 2 of chapter 143 of the acts of 1937, and inserting in place thereof the following sentence: — Every town treasurer shall give bond annually 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 or the mayor and aldermen, and if he fails to give such bond within ten days after his election or appointment, or if within ten days after the expiration of said bond or any renewal of said bond he fails to file a renewal thereof, the selectmen or the mayor and aldermen shall declare the office vacant and the vacancy shall be filled in the manner prescribed by section forty or sixty-one A, as the case may be. *Approved February 25, 1963.*

Chap. 67. AN ACT DESIGNATING THE VICE-CHAIRMAN OF THE CITY COUNCIL OF THE CITY OF MEDFORD AS THE DEPUTY MAYOR.

Be it enacted, etc , as follows:

SECTION 1 The vice-chairman of the city council of the city of Medford shall be designated as the deputy mayor Said deputy mayor shall have all the powers exercised by and all the duties imposed upon the

vice-chairman of said council under the provisions of chapter forty-three of the General Laws

SECTION 2 This act shall take effect upon its acceptance by the city of Medford *Approved February 25, 1963.*

Chap. 68. AN ACT RELATIVE TO THE BOND OF A TEMPORARY CITY OFFICER.

Be it enacted, etc , as follows:

Section 61A of chapter 41 of the General Laws, as amended by section 4 of chapter 143 of the acts of 1937, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence: — Any such temporary officer shall be sworn and give bond for the faithful performance of his duties in accordance with the provisions of law applying to the officer whose place he fills, and if he fails so to do within ten days after his appointment the mayor shall rescind the appointment and appoint another. *Approved February 25, 1963.*

Chap. 69. AN ACT EXTENDING THE TIME WITHIN WHICH THE TOWN OF SCITUATE MAY ACCEPT AN ACT RELATIVE TO THE CONSTRUCTION AND OPERATION OF A SYSTEM OF SEWERS AND INCREASING THE AMOUNT SAID TOWN MAY BORROW THEREUNDER.

Be it enacted, etc , as follows:

SECTION 1. Section 9 of chapter 636 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, — and by striking out, in lines 5 and 6, the words "one million one hundred and twenty-five thousand" and inserting in place thereof the words — two million

SECTION 2. Section 15 of said chapter 636 is hereby amended by striking out, in line 4, the word "five" and inserting in place thereof the word: — ten

SECTION 3. This act shall take effect upon its passage *Approved February 27, 1963.*

Chap. 70. AN ACT AUTHORIZING THE TOWN OF FRAMINGHAM TO PAY THE PERINI CORPORATION A CERTAIN SUM OF MONEY IN ADJUSTMENT OF A CLAIM.

Be it enacted, etc., as follows:

SECTION 1. The treasurer of the town of Framingham is hereby authorized to pay to the Perini Corporation of Framingham a sum not exceeding one hundred thousand four hundred and fifty-five dollars and fifty-two cents for adjustment of its claim for work, labor, supplies, materials, and services in connection with the construction of the Winch Park school, said amount to be paid upon orders of the Winch Park School Construction Committee, also referred to as the Winch Park School Building Committee, of the town of Framingham, from funds appropriated for constructing, originally equipping and furnishing the Winch Park school, said adjusted claim being legally unenforceable

against said town by reason of a subsequent decree of a justice of the superior court declaring the contract between said committee and Perini Corporation to be void and contrary to the provisions of chapter one hundred and forty-nine of the General Laws.

SECTION 2 No claim shall be paid by the treasurer of the town under authority of this act unless and until a certificate has been signed and filed with said treasurer and the town accountant stating under the penalties of perjury that the work, labor, supplies, materials, and services for such claim were ordered and authorized by the Winch Park School Construction Committee, also known as the Winch Park School Building Committee, and that such work, labor, supplies, materials, and services were used for the benefit of the town in the construction of the Winch Park school

SECTION 3. Any person who knowingly files the certificate required by section two, which is false, and on the basis of which payment is made to the Perini Corporation or for their account, 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 February 27, 1963.

Chap. 71. AN ACT RELATIVE TO CONSENT TO THE ADOPTION OF CHILDREN IN CERTAIN CASES

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to make its provisions relative to the adoption of children effective 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 210 of the General Laws, is hereby amended by striking out the second sentence, as appearing in chapter 61 of the acts of 1953, and inserting in place thereof the following sentence. — A giving up in writing of a child, for the purpose of adoption, to a children's foster care agency or an incorporated charitable institution, licensed by the commonwealth, or the department of public welfare, or to any agency licensed by another state or by the federal government for the purpose of processing adoptions, shall operate as a consent to any adoption subsequently approved by a children's foster care agency or an incorporated charitable institution licensed by the department of public welfare, or by the department of public welfare

SECTION 2. This act shall be applicable to petitions for adoption pending upon its effective date and to those filed thereafter

Approved February 27, 1963.

Chap. 72. AN ACT FURTHER REGULATING THE GRANTING OF CERTAIN SCHOLARSHIPS BY THE TOWN OF SWAMPSCOTT

Be it enacted, etc , as follows:

SECTION 1. Chapter 119 of the acts of 1949 is hereby amended by striking out section 1, as amended by section 1 of chapter 56 of the acts of 1962, and inserting in place thereof the following section: — *Sec-*

tion 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 high school or preparatory school graduates who are residents of said town, 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 27, 1963.

Chap. 73. AN ACT PROVIDING THAT CERTAIN APPLICANTS WHO DO NOT MEET CERTAIN MINIMUM HEIGHT REQUIREMENTS SHALL BE ELIGIBLE FOR APPOINTMENT AS POLICE OFFICERS IN THE TOWN OF FRAMINGHAM.

Be it enacted, etc , as follows:

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

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

Approved February 27, 1963.

Chap. 74. AN ACT RELATIVE TO EQUITY PRACTICE IN THE LAND COURT.

Be it enacted, etc , as follows:

SECTION 1. Chapter 185 of the General Laws is hereby amended by inserting after section 15 the following section: —

Section 15A. Any proceeding under the equity jurisdiction of the land court shall be subject to the provisions of sections twenty-three, twenty-four, twenty-five and twenty-five A of chapter two hundred and fourteen.

SECTION 2. Chapter 231 of the General Laws is hereby amended by striking out section 125A, inserted by section 1 of chapter 171 of the acts of 1949, and inserting in place thereof the following section: — *Section 125A.* Upon appeal in any case, in equity or probate, where the evidence is not reported, the full court, if of opinion that a report of material facts required by or made under section fifteen A of chapter one hundred and eighty-five, section twenty-three of chapter two hundred and fourteen, or section eleven of chapter two hundred and fifteen, is not sufficient to enable the court properly to adjudicate the subject matter involved, may in its discretion, by order transmitted to the trial court, direct the justice, or judge, to make such further report of facts as the full court shall deem necessary Upon compliance with such direction, seven typewritten copies of such further report shall be filed by the clerk or register with the clerk of the supreme judicial court for the commonwealth for the use of the full court.

Approved February 27, 1963.

Chap. 75. AN ACT AUTHORIZING THE TOWN OF WARE TO CONSTRUCT AND OPERATE A SYSTEM OR SYSTEMS OF SEWERAGE AND SEWAGE DISPOSAL.

Be it enacted, etc., as follows:

SECTION 1. The town of Ware, hereinafter called the town, may lay out, construct, maintain and operate a system or systems of common sewers for a part or the whole of its territory, with such connections and other works as may be required for a system or systems of sewerage and sewage treatment and disposal, and may construct such sewers in said town as may be necessary.

SECTION 2. The town may make and maintain, in any way therein where common sewers are constructed, such connecting sewers within the limits of such way as may be necessary to connect any estate which abuts upon the way.

SECTION 3. The town may, at the meeting when this act is accepted, vote that the selectmen shall act as a board of sewer commissioners. If the town does not so vote at said meeting, the town shall elect by ballot, at any town meeting not later than the second annual meeting after the commencement of construction hereunder of a system or systems of sewerage and sewage disposal, a board of three sewer commissioners, who shall be citizens of the town, to hold office, if elected at an annual meeting, one until the expiration of one year, one until the expiration of two years, and one until the expiration of three years, from such annual town meeting, and until their successors are qualified, or, if elected at a special town meeting, one until the expiration of one year, one until the expiration of two years, and one until the expiration of three years from the next succeeding annual town meeting, and until their successors are qualified, and thereafter, at each annual town meeting when the term of a member expires, the town shall elect one member of the board to serve for three years and until his successor is qualified. Any selectman shall be eligible to election to said board In either case, whether the town votes that its selectmen shall act as a board of sewer commissioners, or elects a board of sewer commissioners, the town may at any time thereafter, by any or all the methods permitted by general law, provide for the election of a board of three sewer commissioners, or that the selectmen may act as a board of sewer commissioners, as the case may be.

SECTION 4. Said board of sewer commissioners, acting for and on behalf of said town, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, water rights, rights of way or easements, public or private, in said town, necessary for accomplishing any purpose mentioned in this act, and may construct such sewers under or over any bridge, railroad, railway, boulevard or other public way, or within the location of any railroad, and may enter upon and dig up any private land, public way or railroad location, for the purpose of laying such sewers and of maintaining and repairing the same, and may do any other thing proper or necessary for the purposes of this act; provided, that they shall not take in fee any land of a railroad corporation, and that they shall not enter upon or construct any sewer within the location of any railroad corporation except at such time and in such manner as they may agree upon with such corporation, or, in case of failure to agree, as may be approved by the department of public utilities.

SECTION 5. Until the board of sewer commissioners has first been elected as provided in this act or the selectmen have first been authorized by vote to act as such board, as the case may be, but not in any event later than the second annual meeting after the commencement of the work of construction authorized hereby, the town may carry on such work by a duly authorized committee of the town The committee shall serve without pay and shall have all the powers and authority given to the board of sewer commissioners in this act or by general law Whenever the phrase "said board of sewer commissioners" or "said board" hereinafter occurs, it shall mean and include the board of sewer commissioners, the selectmen acting as such or the committee of the town provided for in this section, as the case may be.

SECTION 6. Any person injured in his property by any action of said board of sewer commissioners under this act may recover damages from said town under said chapter seventy-nine.

SECTION 7. The town shall, by vote, determine whether it shall pay the whole or a portion of the cost of said system or systems of sewerage and sewage disposal and if a portion, what proportion. If the town votes to pay less than the whole cost, in providing for the payment of the remaining portion of the cost of said system or systems the town may avail itself of any or all of the methods permitted by General Laws, and the provisions of said General Laws relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments, to liens therefor and to interest thereon, shall apply to assessments made under this act, except that interest shall be at the rate of four per cent per annum At the same meeting at which it determines that any portion of the cost is to be borne by the town, it may by vote determine by which of such methods the remaining portion of said cost shall be provided for The collector of taxes of said town shall certify the payment or payments of such assessments, or apportionments thereof to the sewer commissioners, or to the selectmen acting as such, who shall preserve a record thereof.

SECTION 8. For the purpose of paying the necessary expenses and liabilities incurred under this act, the town may from time to time, within five years after the passage of this act, borrow such sums as may be necessary, not exceeding, in the aggregate, six hundred and ninety thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Ware Sewerage Loan, Act of 1963. 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 dis-

cretion, 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 Ware, if there be any, and if not, then in some newspaper published in the county of Hampshire, and shall not take effect until such publications have been made.

SECTION 13. No act shall be done under authority of the preceding sections except in the making of surveys and other preliminary investigations, until the plan for said system or systems of sewerage and sewage disposal has been approved by the state department of public health.

SECTION 14. This act shall take full effect upon its acceptance by vote of a majority of the voters of said town voting thereon at an annual town meeting or a special town meeting called for the purpose within four years after its passage, but not otherwise. No expenditure shall be made and no liability incurred hereunder until such acceptance.

Approved February 27, 1963.

Chap. 76. AN ACT AUTHORIZING THE PARKS AND RECREATION COMMISSION OF THE CITY OF HOLYOKE TO TRANSFER CERTAIN PARK LAND TO THE BOARD OF PUBLIC WORKS OF SAID CITY.

Be it enacted, etc., as follows:

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

PARCEL 1 Beginning at a point at the intersection of the northwesterly sideline of Elm Street with the northeasterly sideline of Ross Avenue, which point is N 34° 07′ 41″ E a distance of two and forty-three one-hundredths (2 43) feet from a stone bound in the said northwesterly sideline of Elm Street; thence N 33° 28′ 15″ W a distance of fifty-eight and forty-five one-hundredths (58 45) feet along the said northeasterly sideline of now or formerly Ross Avenue to a point of curvature, thence by a curve to the right of radius three hundred forty and no hundredths (340.00) feet a distance of one hundred seventeen and twenty-eight one-hundredths (117 28) feet along the said northeasterly sideline of now or formerly Ross Avenue to a point of tangency; thence N 13° 40′ 53″ W a distance of four hundred twenty-six and seventy-

nine one-hundredths (426.79) feet along the said northeasterly sideline of now or formerly Ross Avenue to a point; thence S 74° 57′ 32″ W a distance of sixty and two one-hundredths (60 02) feet along said Ross Avenue to a stone bound at land of the City of Holyoke, formerly land of Holyoke Water Power Company, thence S 74° 57′ 32″ W a distance of one hundred fifty-seven and seventy-five one-hundredths (157 75) feet along said land of the City of Holyoke to a point at other land of the City of Holyoke Department of Parks & Recreation, formerly land of Charles Ranlet; thence N 59° 45′ 54″ E a distance of two hundred and two and ninety one-hundredths (202 90) feet along other land of the City of Holyoke Department of Parks & Recreation, formerly land of Ranlet, to a point; thence N 23° 35′ 28″ E a distance of one hundred fifty-three and sixty-nine one-hundredths (153 69) feet along said other land of the City of Holyoke Parks & Recreation Department to a point, thence N 34° 52′ 28″ E a distance of two hundred fifty-five and fifty-three one-hundredths (255 53) feet along said other land of the City of Holyoke Department of Parks & Recreation to a point in the southwesterly sideline of Jackson Street, thence S 13° 22′ 19″ E a distance of seven hundred thirty-one and forty-four one-hundredths (731 44) feet along the said southwesterly sideline of Jackson Street to a point of curvature, thence by a curve to the right of radius twenty-seven and no hundredths (27 00) feet a distance of twenty-two and thirty-eight one-hundredths (22 38) feet to a point of tangency in the northwesterly sideline of Elm Street, thence S 34° 07′ 41″ W a distance of two hundred eighty-one and forty-eight one-hundredths (281 48) feet along the said northwesterly sideline of Elm Street to the point of beginning, and containing 4.433 acres.

PARCEL 2 Beginning at a stone bound at the southwesterly corner of this parcel; thence N 6° 16′ 49″ W a distance of two hundred thirty-four and ninety-three one-hundredths (234.93) feet along land of the City of Holyoke formerly land of the Holyoke Water Power Company to a point; thence S 30° 10′ 00″ E a distance of two hundred forty and fifty-two one-hundredths (240 52) feet along other land of the City of Holyoke Parks & Recreation Department to a point; thence S 74° 57′ 32″ W a distance of ninety-eight and fifty-four one-hundredths (98 54) feet to the point of beginning and containing 0 265 acres

PARCEL 3. Beginning at a stone bound at the northwesterly corner of Chapin Street, a private way, being also the northwesterly corner of Davis Street; thence N 30° 16′ 20″ W a distance of two hundred seventy and forty-nine one-hundredths (270 49) feet along other land of the City of Holyoke Department of Parks & Recreation, formerly land of the Holyoke City Hospital, to a point in the southeasterly sideline of Beech Street; thence N 59° 43′ 40″ E a distance of eight hundred thirty and eighty-eight one-hundredths (830.88) feet along the said southeasterly sideline of Beech Street to a point at other land of the City of Holyoke Department of Parks & Recreation, formerly land of the Holyoke City Hospital; thence S 30° 10′ 00″ E a distance of two hundred four and fifty-three one-hundredths (204.53) feet along said other land of the City of Holyoke Department of Parks & Recreation to a point in the northwesterly sideline of Walnut Street, a private way; thence S 36° 42′ 00″ W a distance of five hundred forty-three and eight one-hundredths (543 08) feet along the said northwesterly sideline of Walnut Street, a private way, to a point at land of the Holyoke City Hospital;

thence S 83° 37′ 00″ W a distance of three hundred sixty-one and sixty-seven one-hundredths (361.67) feet along said land of the Holyoke City Hospital, and the northwesterly end of Davis Street, a private way, to the place of beginning, and containing 4 30 acres

SECTION 2. This act shall take effect upon its acceptance during the current year by the city of Holyoke. *Approved February 27, 1963.*

Chap. 77. AN ACT PROVIDING THAT CERTAIN APPLICANTS WHO DO NOT MEET CERTAIN MINIMUM HEIGHT REQUIREMENTS SHALL BE ELIGIBLE FOR APPOINTMENT AS POLICE OFFICERS IN THE TOWN OF ACTON.

Be it enacted, etc., as follows:

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

SECTION 2. This act shall take effect upon its acceptance by the town of Acton *Approved February 27, 1963.*

Chap. 78. AN ACT PROVIDING THAT CERTAIN APPLICANTS WHO DO NOT MEET CERTAIN MINIMUM HEIGHT REQUIREMENTS SHALL BE ELIGIBLE FOR APPOINTMENT AS POLICE OFFICERS IN THE TOWN OF WINCHENDON.

Be it enacted, etc , as follows:

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

SECTION 2. This act shall be submitted for acceptance to the voters of the town of Winchendon at the annual town meeting 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-three, entitled 'An Act providing that certain applicants who do not meet certain minimum height requirements shall be eligible for appointment as police officers in the town of Winchendon', 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 27, 1963.*

Chap. 79. AN ACT REDEFINING CERTAIN NARCOTIC DRUGS.

Be it enacted, etc , as follows:

Section 197 of chapter 94 of the General Laws is hereby amended by striking out the definitions of "Amidone", "Isoamidone" and "Ketobemidone", as appearing in section 1 of chapter 660 of the acts of 1957, and inserting in place thereof the following definitions: —

"Amidone", any substance identified chemically as 4, 4-diphenyl — 6-dimethylaminoheptanone — 3, by whatever trade name designated

"Isoamidone", any substance identified chemically as 4, 4-diphenyl — 5-methyl — 6-dimethylaminohexanone — 3, by whatever name designated.

"Keto-bemidone", any substance identified chemically as 4-(3 hydroxyphenyl) — 1-methyl — 4-piperidyl ethyl ketone, by whatever trade name designated. *Approved February 27, 1963.*

Chap. 80. AN ACT RELATIVE TO THE PAYMENT OF NOTES ISSUED IN ANTICIPATION OF SERIAL BONDS OR NOTES

Be it enacted, etc., as follows:

Chapter 44 of the General Laws is hereby amended by striking out section 17, as most recently amended by section 3 of chapter 607 of the acts of 1962, 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. If a balance remains in the proceeds of a loan issued in anticipation of a serial loan at the time when the serial loan is issued, said balance shall be applied to the payment of such temporary loan. 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 February 27, 1963.*

Chap. 81. AN ACT AUTHORIZING CITIES AND TOWNS TO MAKE ONE APPROPRIATION WHEN MAKING LOANS FOR THE CONSTRUCTION, RECONSTRUCTION, SURFACING AND RESURFACING OF STREETS AND SIDEWALKS, THE INSTALLATION OF CURBING, AND CONSTRUCTION OF WALLS OR DIKES.

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 chapter 380 of the acts of 1962, 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 pur-

poses 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 loans for any one or more of 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, for the purposes of any one or more of the said clauses shall be required. *Approved February 27, 1963.*

Chap. 82. AN ACT PERMITTING CITIES AND TOWNS TO BORROW MONEY OUTSIDE OF THE DEBT LIMIT TO ENLARGE RESERVOIRS.

Be it enacted, etc , as follows:

Section 8 of chapter 44 of the General Laws is hereby amended by striking out clause (4), as amended by section 1 of chapter 383 of the acts of 1958, and inserting in place thereof the following clause —

(4) For the construction or enlargement of reservoirs, and the construction of filter beds, standpipes, buildings for pumping stations, including original pumping station equipment, and the acquisition of land or any interest in land necessary in connection with any of the foregoing, twenty years *Approved February 27, 1963*

Chap. 83. AN ACT PROVIDING LIFE TENURE FOR FRANCIS J SMITH, INCUMBENT OF THE OFFICE OF BUILDING AND WIRE INSPECTOR OF THE TOWN OF FRAMINGHAM

Be it enacted, etc , as follows:

SECTION 1 The tenure of office of Francis J. Smith, incumbent of the office of building and wire inspector of the town of Framingham 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 Framingham 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-three, entitled 'An Act providing life tenure for Francis J Smith, incumbent of the office of building and wire inspector of the town of Framingham', 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 27, 1963.*

Chap. 84. AN ACT PLACING THE OFFICE OF CHIEF OF THE FIRE DEPARTMENT OF THE CITY OF CHELSEA UNDER THE CIVIL SERVICE LAWS AND RULES.

Be it enacted, etc , as follows:

SECTION 1 Upon the occurrence of a vacancy in the office of chief of the fire department of the city of Chelsea after the effective date of this act, such office shall become subject to the civil service laws and rules.

SECTION 2 This act shall take effect upon its acceptance by the city of Chelsea *Approved March 4, 1963.*

Chap. 85. AN ACT RELATIVE TO THE DELIVERY OF TOWN AND DISTRICT NOTES

Be it enacted, etc., as follows:

Chapter 44 of the General Laws is hereby amended by striking out section 24, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 24.* Whenever a town or a fire, water, light or improvement district votes to borrow money otherwise than by the issue of bonds, the treasurer thereof shall make notes for the amount of the proposed loan, and shall use one or more, in serial order, of the forms provided for in section twenty-three, with the blank spaces properly filled in Town notes shall be signed by the treasurer thereof, and a majority of the selectmen shall countersign and approve each note in the presence of the town clerk, who shall certify to the fact on the face thereof and affix thereon the town seal. Notes of districts shall be signed by the treasurer thereof, and a majority of the prudential committee or commissioners shall countersign and approve them in the presence of the clerk of the district, who shall certify to the fact on the face thereof. The treasurer of the town or district, after making a record of the transaction in accordance with section twenty-three, shall forward, with the fee required by section twenty-six, every such note to the director, with a copy of said record and a copy of the vote authorizing the loan, certified by the clerk of the town or district, and a certification by said clerk that the person whose signature appears upon the note as treasurer was the duly authorized treasurer of the town or district when such signature was made, and that the persons whose signatures appear upon the note as those of a majority of the selectmen or the prudential committee or commissioners were duly qualified as such when such signatures were made; and the treasurer of such district shall furnish such other information with reference to the financial condition of the district as the director may require to enable him properly to certify the note. If upon examination the note appears to the director to have been duly issued in accordance with the vote of the town or district authorizing it, or in accordance with an act of the general court, and to have been signed by the duly qualified officials of such town or district, he shall so certify and shall thereupon return the note by registered mail to the treasurer of such town or district or shall deliver it in hand to such treasurer or to his duly authorized agent; but, under such regulations as he may prescribe, if so authorized by the town treasurer with the approval of the selectmen, or by the treasurer of the district with the ap-

proval of the prudential committee or commissioners, the director may deliver a certified note to the payee thereof or deliver it to a bank or trust company to be credited to the account of such treasurer. He may certify to the issue of a note on any date not earlier than five days prior to the date of issue appearing on the note, if the other conditions of this chapter have been complied with He shall not certify a note payable on demand, nor shall he certify any note unless the laws relating to municipal indebtedness have been complied with, or if it appears that the proceeds of the note are not to be used for the purpose specified in the vote authorizing the loan for which the note is issued

Approved March 4, 1963.

Chap. 86. AN ACT AUTHORIZING THE DEPARTMENT OF EDUCATION TO GRANT THE HONORARY DEGREE OF DOCTOR OF FINE ARTS AT THE MASSACHUSETTS COLLEGE OF ART.

Be it enacted, etc , as follows:

Section 7 of chapter 73 of the General Laws, as most recently amended by section 16 of chapter 403 of the acts of 1960, is hereby further amended by adding after the word "arts", in line 9, the words: — , and may grant the honorary degree of Doctor of Fine Arts at said college of art.

Approved March 4, 1963

Chap. 87. AN ACT AUTHORIZING THE TOWN OF NATICK TO SUPPLY CERTAIN INHABITANTS OF THE TOWN OF DOVER WITH WATER.

Be it enacted, etc , as follows:

SECTION 1. The town of Natick may supply and sell water for domestic and other purposes to the inhabitants of the town of Dover upon and within the following described areas: —

Area 1 Beginning on the northerly side of Dover street at the Dover-Natick town line; thence northerly along the Dover-Natick town line a distance of 200 feet; thence easterly, parallel to Dover street, a distance of 700 feet; thence southerly a distance of 440 feet; thence westerly, parallel to Dover street, a distance of 700 feet to the Dover-Natick town line; thence northerly along the Dover-Natick town line a distance of 240 feet to the point of beginning.

Area 2 Beginning at a point on the Natick-Dover town line on the westerly side of Glen street; thence running southerly by the westerly line of Glen street 3,700 feet to a point; thence turning 90° to the west and running 2,000 feet to a point; thence turning to the north and running parallel to Glen street for a distance of 1,000 feet to a point; thence turning 90° to the east and running 1,000 feet to a point; thence turning to the north and running parallel to Glen street for a distance of 2,640 feet to the town line between Natick and Dover; thence running easterly by the line between Natick and Dover about 1,000 feet to a point on Glen street and the point of beginning.

Area 3 Beginning at a point on the town line between Wellesley and Dover, said point being 600 feet north of the intersection of the Natick, Dover and Wellesley town lines; thence due east a distance of about 2,924 feet to the center line of the Charles river; thence by the

center line of the Charles river northerly, westerly and southerly to the point of beginning.

Said town of Natick may contract with said inhabitants for such supply of water on such terms as may be determined and established by the board of public works of the said town of Natick Such contract may provide, among other things, that said town of Natick, through said board of public works, shall have the right to assess to any inhabitant of the town of Dover to whom water is supplied under the authority of this section, the cost of extending such water supply to his land, which cost shall include the cost of the pipes and other material and of the labor in laying them and other expenses incidental thereto

SECTION 2 The town of Natick shall have such rights against any inhabitant of the town of Dover, to whom water is being supplied and whose bill for such services is not paid on or before its due date, as are provided by sections forty-two A to forty-two E, inclusive, of chapter forty of the General Laws

SECTION 3 This act shall take effect upon its acceptance by the town of Natick. *Approved March 4, 1963.*

Chap. 88. AN ACT AUTHORIZING THE TOWN OF NATICK TO SUPPLY CERTAIN INHABITANTS OF THE TOWN OF WAYLAND WITH WATER.

Be it enacted, etc , as follows:

SECTION 1. The town of Natick may furnish from its water supply to the inhabitants of the town of Wayland within two hundred feet of the town line between said towns a supply of water for the use of said inhabitants for domestic and other purposes, and may contract with said inhabitants for such supply of water on such terms as may be determined and established by the board of public works of the said town of Natick. Such contract may provide, among other things, that said town of Natick, through said board of public works, shall have the right to assess to any inhabitant of the town of Wayland to whom water is supplied under the authority of this act, the cost of extending such water supply to his land, which cost shall include the cost of the pipes and other material and of the labor in laying them and other expenses incidental thereto.

SECTION 2. The town of Natick shall have such rights against any inhabitant of the town of Wayland, to whom water is being supplied and whose bill for such services is not paid on or before its due date, as are provided by sections forty-two A to forty-two E, inclusive, of chapter forty of the General Laws.

SECTION 3. This act shall take effect upon its acceptance by the town of Natick. *Approved March 4, 1963.*

Chap. 89. AN ACT PROVIDING LIFE TENURE FOR ROBERT WHITE, INCUMBENT OF THE OFFICE OF HIGHWAY SURVEYOR OF THE TOWN OF PEMBROKE.

Be it enacted, etc , as follows:

SECTION 1. The tenure of office of Robert White, incumbent of the office of highway surveyor of the town of Pembroke shall, upon the

effective date of this act, be unlimited, but he may be removed therefrom for just cause and for reasons specifically given him in writing by the board of selectmen in the manner provided by section forty-three of chapter thirty-one of the General Laws

SECTION 2 This act shall be submitted 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-three, entitled 'An Act providing life tenure for Robert White, incumbent of the office of highway surveyor of the town of Pembroke', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise. *Approved March 4, 1963.*

Chap. 90. AN ACT PROVIDING LIFE TENURE FOR VARNUM A. HEWITT, JR., INCUMBENT OF THE OFFICE OF CHIEF FIRE ENGINEER OF THE TOWN OF PEMBROKE

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Varnum A Hewitt, Jr , incumbent of the office of chief fire engineer of the town of Pembroke, 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-three entitled 'An Act providing life tenure for Varnum A Hewitt, Jr , incumbent of the office of chief fire engineer of the town of Pembroke', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise *Approved March 4, 1963*

Chap. 91. AN ACT EXTENDING THE TIME FOR THE COMMENCEMENT OF PAYMENTS ON CONSTRUCTION LOANS MADE BY CO-OPERATIVE BANKS.

Be it enacted, etc , as follows:

Section 23 of chapter 170 of the General Laws is hereby amended by striking out subsection 5, added by section 1 of chapter 198 of the acts of 1957, and inserting in place thereof the following subsection —

5. *Construction Loans* — Any such corporation may make construction mortgage loans with respect to any of the types of mortgage loans authorized by this chapter, provided, that any payments required on account of principal or interest shall commence not later than twelve months from the date of the mortgage note. *Approved March 4, 1963.*

Chap. 92. AN ACT INCREASING THE TERM FOR WHICH COUNTIES, CITIES, TOWNS, AND DISTRICTS MAY BORROW MONEY FOR PUBLIC WORKS PURPOSES IN ANTICIPATION OF THE RECEIPT OF THE PROCEEDS OF A GRANT FROM THE FEDERAL GOVERNMENT, AND EXTENDING THE TIME WITHIN WHICH COUNTIES, CITIES, TOWNS, AND DISTRICTS MAY INCUR DEBT TO SECURE THE BENEFITS PROVIDED BY THE FEDERAL GOVERNMENT TO ASSIST THEM IN PUBLIC WORKS PROJECTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 74 of the acts of 1945 is hereby amended by striking out section 3 and inserting in place thereof the following section: — *Section 3.* If a county, city, town or district shall have an agreement with the federal government whereby such government grants such county, city, town or district a sum of money to be used with funds provided by said county, city, town or district for a public works project, including defense public works projects, and shall be required primarily to pay that portion of the expense for which reimbursement is to be received from the grant, the treasurer of such county, city, town or district, with the approval of the county commissioners, mayor, selectmen, prudential committee, commissioners, or trustees, as the case may be, in anticipation of the receipt of the proceeds of such grant, may incur debt, which, in the case of a city, town or district, shall be outside the debt limit, to an amount not exceeding the amount of the grant as shown by the grant agreement, and may issue notes therefor, payable in not exceeding two years from their dates Any loan issued under this act 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 not be more than two years The proceeds of the grant, so far as necessary, shall be applied to the discharge of the loan

SECTION 2 Section 6 of said chapter 74, as most recently amended by chapter 8 of the acts of 1961, is hereby further amended by striking out, in lines 3 and 4, the word "sixty-three" and inserting in place thereof the word. — sixty-five, — so as to read as follows — *Section 6* Loans by counties, cities, towns and districts may be authorized under the provisions of this act until July first, nineteen hundred and sixty-five.

Approved March 4, 1963

Chap. 93. AN ACT ESTABLISHING A SELECTMEN-DIRECTOR OF CONSOLIDATED TOWN SERVICES PLAN FOR THE TOWN OF MANCHESTER.

Be it enacted, etc , as follows:

SECTION 1. *Board of Selectmen* — At the first town election following the acceptance of this act, the registered voters of the town of Manchester shall elect three selectmen to serve for a term of one year each At each annual town election thereafter the voters shall elect three selectmen to serve for a term of one year each. They shall serve until their successors are elected and qualified. If for any reason, a vacancy shall occur in the membership of the selectmen, the remaining select-

men with the moderator shall appoint a qualified person to serve as selectman until the next town election.

SECTION 2. *Other Officials.* — The registered voters of the town shall continue to elect the following officials in accordance with any applicable statutes, by-laws and votes of the town:

(*a*) A moderator.
(*b*) A town clerk.
(*c*) A treasurer and collector of taxes.
(*d*) Three assessors.
(*e*) Five members of the school committee.
(*f*) Three trustees of the public library.
(*g*) Three trustees of the Memorial Library Building Fund.
(*h*) Seven members of the planning board.

The term of office of any elected official enumerated in this section shall not be interrupted by acceptance of this act.

SECTION 3. *Termination of Offices* — Every elective office, board or commission, other than those designated in section one and section two, shall be terminated as hereinafter provided, any other provision of law to the contrary notwithstanding The term of office of any person elected to any office, board or commission existing at the time of the acceptance of this act and terminated hereunder shall continue until the first town election following such acceptance and until the appointment and qualification of his successor, if any, and thereafter the said office, board and commission 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 director of consolidated town services, hereinafter called the director, to the extent hereinafter provided. The powers, duties and responsibilities of elected officials shall be as now or hereafter provided by applicable statutes and by-laws and votes of the town, except as otherwise expressly provided herein

SECTION 4 (*a*) *Appointed Officials* — The selectmen shall appoint three constables, three field drivers, five fence viewers, one pound keeper, three measurers of wood and bark, three measurers of lumber, and one treewarden.

(*b*) The selectmen shall appoint a director as provided in section six who may thereafter be removed as provided in section seven.

(*c*) The selectmen shall appoint all committees, boards or officers appointed by the board of selectmen prior to the passage of this act, but not contrary to provisions elsewhere included in this act, and may, subject to the provisions of chapter thirty-one of the General Laws where applicable, remove any or all such appointees

(*d*) The moderator shall appoint such boards, committees and officers as he may now or hereafter be directed to appoint by any applicable statute, by-law or vote of the town.

(*e*) The director may appoint not more than two superintendents to assist him in the administration of his duties and responsibilities, such appointments to be based upon merit and fitness alone, and may, subject to the provisions of said chapter thirty-one where applicable, remove for cause said superintendents The director may appoint an acting director as provided in section nine

SECTION 5. *Memberships, Terms, Powers and Duties.* — The number of members of boards, commissions and committees so appointed as

provided in the preceding section, the length of 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 for in section four, the term of office and all powers and duties of each person theretofore holding each such office shall cease and be terminated

Officers, boards, commissions and committees appointed by the selectmen shall possess all the powers and rights and shall be subject to all the duties and liabilities specifically conferred or imposed by any applicable provision of law upon them or upon officers, boards, commissions or committees having corresponding powers and duties, but in the performance thereof the selectmen may designate that they shall be subject to the general supervision of the director

SECTION 6. *Appointment of Director.* — The selectmen shall appoint, as soon as practicable after the first town election following acceptance of this act or after the occurrence of any vacancy, a director who shall be a person especially fitted by education, training, or previous experience in engineering, administration and municipal government, to perform the duties of his office During the first five years that the selectmen-director of consolidated town services plan is in effect, no present or former employee or elected or appointed official of the town shall be eligible for appointment to the position of director He need not be a resident of the town when appointed, but shall be a resident of the town while serving as director if the board of selectmen so decides Before entering upon the duties of his office the director shall be sworn to the faithful and impartial performance thereof by the town clerk, or by a justice of the peace He shall execute a bond in favor of the town for the faithful performance of his duties in such sum and with such surety or sureties as may be fixed or approved by the selectmen, the premium for said bond to be paid by the town.

SECTION 7. *Removal of Director.* — The selectmen, by a majority vote of the full membership of the board, may remove the director.

SECTION 8. *Compensation of Director* — The director 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 9. *Acting Director* — The director may designate, by letter filed with the town clerk, a qualified officer of the town to perform his duties during his temporary absence or disability. Pending the appointment of a director, or the filling of any vacancy, or the failure of the director to designate a temporary director, or during the suspension of the director, the selectmen shall appoint a suitable person to perform the duties of the office.

SECTION 10. *Powers and Duties of Director* — In addition to other powers and duties expressly provided for in this act, the director shall be responsible to the selectmen for the performance of the following powers and duties: —

(*a*) The director shall supervise, direct and co-ordinate the efficient administration of those officers, boards, committees and town services under the jurisdiction of the selectmen, and specifically designated in writing to the director, by the selectmen.

(*b*) The director shall keep full and complete records of his office and render as often as may be required by the selectmen, a full report of all operations during the period reported on.

(*c*) The director 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.

(*d*) The director shall refer to the selectmen any payroll bill or claim against the town which in his opinion is of doubtful validity, excessive in amount, or otherwise contrary to the interests of the town. The selectmen shall immediately investigate the facts and determine what payment should be made Pending such determination, payment shall be withheld

(*e*) The director shall, on or before the first day of December of each year, submit to the selectmen a copy of his annual budget for the new fiscal year containing the following: — a detailed estimate of expenditures of his office, the specific amount necessary to provide for each office, department and activity under his supervision, and a statement of like expenditures in the two preceding years He shall submit a statement showing all revenues received by said departments in the preceding year, with an estimate of receipts for the current and next year.

(*f*) The director shall have access to all town books and papers for information necessary for the proper performance of his duties.

(*g*) The director shall supervise the repair and maintenance of all town property except school buildings and library building, but including school and library grounds He shall supervise work on all construction, reconstruction, alterations, improvements and other undertakings authorized by the town.

(*h*) The director shall purchase all supplies, materials and equipment and shall award all contracts for all departments and activities of the town under his supervision.

(*i*) The director may, subject to the approval of the selectmen, assume the powers, duties and responsibilities of any office which he or they are authorized to fill by appointment, to be effective upon filing with the town clerk a written declaration of such assumption signed by him No additional compensation shall be paid the director, and he shall not appoint himself a member of any board, commission or committee.

SECTION 11 *Town Property* — The selectmen shall have jurisdiction over the construction, alteration, rental, use, repair and maintenance of all town property except school and library buildings, but including school and library grounds

SECTION 12 *Approval of Warrants by Selectmen* — 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 board of selectmen. The approval of any such warrant shall be sufficient authority to authorize payment by the town treasurer

SECTION 13 *Fees paid to Treasury* — The aggregate compensation of each town officer or employee shall be limited to the amount established in accordance with the by-laws of the town and all fees received in accordance with the provisions of any general or special law shall be paid into the treasury of the town

SECTION 14. *Pertaining to Contracts.* — Except as otherwise provided by law, no contract, other than contracts for personal or professional services, involving an obligation of the town in excess of five hundred dollars, shall be binding upon the town unless it is in writing, is approved by town counsel as to form only, and is signed by at least a majority of the board or committee duly authorized or having control of the appropriation against which such obligation is incurred; and such board or committee shall make a record of every such contract

No contract shall be split or divided for the purpose of evading the provisions of this section.

A director or other employee of the town shall be fined not more than one thousand dollars for each violation of these provisions.

SECTION 15. *Estimate of Expenditures.* — All boards, officers and committees under the supervision of the director shall annually submit to him in writing a detailed estimate of the appropriations required for the efficient and proper conduct of their respective departments and offices during the next fiscal year.

SECTION 16 *By-laws, Rules, etc* — All laws, by-laws, votes, rules and regulations in force in the town of Manchester on the effective date of this act, or any portion thereof, not inconsistent with its provisions, whether enacted by authority of the town or any other authority, shall continue in full force and effect until otherwise provided by law, by-law or vote All other laws, by-laws, votes, rules and regulations, in so far as they refer to the town of Manchester are hereby suspended and shall cease to be operative therein.

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

SECTION 18 *Submission of Act and Time of taking Effect* — This act shall be submitted for acceptance by the town of Manchester at the annual town election in the year nineteen hundred and sixty-three If this act is rejected at said annual town election, it shall again be so submitted at the annual town election in the year nineteen hundred and sixty-four. If it is rejected for a second time at said election in the year nineteen hundred and sixty-four, it shall be so submitted for a third and last time at the annual town election in the year nineteen hundred and sixty-five.

The vote on acceptance of this act shall be taken by written 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 printed upon the official ballot to be used at any such town election. — "Shall an act passed by the General Court in the year nineteen hundred and sixty-three, entitled 'An Act establishing a selectmen-director of consolidated town services plan for the town of Manchester', be accepted?" If a majority of the votes in answer to this question is in the affirmative, this act shall thereupon take effect for the purpose of the next annual town election, and for all things relating thereto, and shall take full effect beginning with said following election It shall be the duty of all town officials having to do with elections and holding office at the time of acceptance to do, in compliance with the law, all things necessary for the nomination and election of officers first to be elected under this act.

SECTION 19 *Revocation of Acceptance.* — At any time after the expiration of three years from the date of acceptance of this act, and not less than ninety days before the date of an annual meeting, a petition signed by not less than ten per cent of the registrars voters of the town, may be filed with the town clerk, requesting that the question of revoking the acceptance of this act be submitted to the voters. The town clerk shall forthwith have the board of registrars certify said signatures and thereafter deliver said petition to the selectmen, who shall publish notice thereof for 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 Manchester of an act passed by the General Court in the year nineteen hundred and sixty-three, entitled 'An Act establishing a selectmen-director of consolidated town services plan for the town of Manchester', 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 general law 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, no further petition therefor shall be filed under this section oftener than once in every three years thereafter.

Approved March 4, 1963

Chap. 94. AN ACT RELATING TO THE SALE OR OFFERING FOR SALE OF IMPORTED 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 most recently amended by chapter 206 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, or scallops, 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.

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 4, 1963.

Chap. 95. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SEVENTY FOR EDWARD I LAFRANCE, JR , INCUMBENT OF THE OFFICE OF ASSESSOR OF THE CITY OF BROCKTON.

Be it enacted, etc., as follows:

SECTION 1. Edward I LaFrance, Jr., incumbent of the office of assessor 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 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 Brockton at the municipal 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-three, entitled 'An Act providing tenure of office until age seventy for Edward I. LaFrance, Jr , incumbent of the office of assessor of the city of Brockton', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved March 4, 1963.

Chap. 96. AN ACT AUTHORIZING THE ISSUANCE OF A WARRANT TO SEARCH A MOTOR VEHICLE FOR CERTAIN PROPERTY OR ARTICLES.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 276 of the General Laws is hereby amended by striking out lines 1 to 7, inclusive, as appearing in section 2 of chapter 303 of the acts of 1934, and inserting in place thereof the following — A court or justice or justice of the peace authorized to issue warrants in criminal cases may, upon complaint on oath that the complainant believes that any of the property or articles hereinafter named are concealed in a particular house, place, or motor vehicle, if satisfied that there is reasonable cause for such belief, issue a warrant to search for the following property or articles:

SECTION 2 Said chapter 276 is hereby further amended by striking out section 2, as amended by section 19 of chapter 313 of the acts of 1959, and inserting in place thereof the following section: — *Section 2.* Search warrants shall designate and describe the place to be searched

and the articles to be searched for, and shall be directed to the sheriff or his deputy or to a constable or police officer, commanding him to search, in the day time, or if the warrant so directs, in the night time, the house, place, or motor vehicle, where the property or articles for which he is required to search are believed to be concealed, and to bring such property or articles when found, and the persons in whose possession they are found, before a court having jurisdiction.

Approved March 4, 1963.

Chap. 97. AN ACT PROVIDING LIFE TENURE FOR WALLACE W. WYMAN, INCUMBENT OF THE OFFICE OF TOWN ENGINEER OF THE TOWN OF WEST SPRINGFIELD.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Wallace W. Wyman, incumbent of the office of town engineer of the town of West Springfield, shall, upon the effective date of this act, be unlimited, but he may be removed therefrom 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 for acceptance to the voters of the town of West Springfield at the annual town meeting to be held in the year nineteen hundred and sixty-four 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-three, entitled 'An Act providing life tenure for Wallace W. Wyman, incumbent of the office of town engineer of the town of West Springfield', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved March 4, 1963

Chap. 98. AN ACT VALIDATING CERTAIN ACTION TAKEN AT THE ANNUAL TOWN MEETING OF THE TOWN OF NATICK IN THE YEAR NINETEEN HUNDRED AND SIXTY-ONE.

Be it enacted, etc., as follows:

SECTION 1. The action taken by the town of Natick at its annual town meeting held on March twenty-third, nineteen hundred and sixty-one, in voting, pursuant to Article forty-seven of the warrant for said meeting, to pay to Roy E. Wyman the sum of four hundred and ten dollars as reimbursement for medical and legal expenses incurred by him arising out of an accident which occurred while in the performance of his duties as an employee of the public works department of said town, and all acts done pursuant thereto are hereby in all respects ratified, validated and confirmed.

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

Approved March 5, 1963

Chap. 99. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE COUNTY COMMISSIONERS OF BARNSTABLE COUNTY MAY EXPEND IN THE YEAR NINETEEN HUNDRED AND SIXTY-THREE FOR THE PURPOSE OF PROMOTING THE RECREATIONAL ADVANTAGES OF SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section one of chapter three hundred and twenty-two of the acts of nineteen hundred and fifty-nine, the county commissioners of Barnstable county may, for the purpose of advertising the recreational advantages of said county, expend such sums, not exceeding, in the aggregate, eighty-five thousand dollars in the year nineteen hundred and sixty-three, as may be appropriated therefor; provided, that such expenditures from money so appropriated shall not at any time be more than triple the sum which shall have been contributed by public subscription or by donation deposited with the county treasurer for the purpose aforesaid. Said commissioners shall expend such sums only for advertising in newspapers, magazines and the like, or for booklets, posters or other forms of advertising, or for information booths within the county, or for displays or booths maintained at fairs or expositions outside the county for the purpose of advertising such advantages In carrying out the provisions of this act the commissioners may designate an agent or agents to act for them; provided, that all bills incurred shall be accompanied by proper vouchers and shall be paid by the county treasurer only on warrants approved by the county commissioners or a majority of them.

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

Approved March 5, 1963.

Chap. 100. AN ACT INCREASING THE AMOUNT AND EXTENDING THE TERM OF HOME IMPROVEMENT LOANS WHICH MAY BE MADE BY CO-OPERATIVE BANKS.

Be enacted, etc., as follows:

Section 26 of chapter 170 of the General Laws is hereby amended by striking out subsection 6, as appearing in section 1 of chapter 371 of the acts of 1950, and inserting in place thereof the following subsection: —

6. In loans and advances of credit to owners of improved real estate upon which it holds mortgages in any form, for the purpose of financing the repair, alteration, improvement or rehabilitation thereof or the purchase and installation of fixtures to be affixed thereto or durable appliances to be used in the maintenance and ordinary use of said real estate; provided, that at the time of making any loan or advance hereunder all such loans and advances with respect to any one parcel of real estate then outstanding, together with the loan or advance then being made, exclusive of discounts, shall not exceed twenty-five hundred dollars nor, combined with the balances due on mortgages held by such corporation upon said parcel of real estate, exceed the value of said parcel of real estate as then certified by the security committee of such corporation; and provided, further, that such loans or advances shall be payable at a time not exceeding five years and thirty-two days from the date thereof, and shall require payments to be made on account of the principal in

substantially equal monthly installments. Such required payments shall commence not later than sixty days after the date of the note or other obligation and shall be in amounts which at maturity will complete the payment thereof in full Such loans and advances of credit may be secured or unsecured and effected in such form and manner as the security committee may determine. *Approved March 5, 1963.*

Chap. 101. AN ACT INCREASING THE AMOUNT OF ANY LOAN SECURED BY A MORTGAGE OF REAL ESTATE WHICH MAY BE MADE BY A CO-OPERATIVE BANK FOR A TERM EXCEEDING TWENTY YEARS.

Be it enacted, etc , as follows:

Section 24 of chapter 170 of the General Laws is hereby amended by striking out subsection 3, as most recently amended by section 1 of chapter 108 of the acts of 1959, and inserting in place thereof the following subsection: —

3. Except as otherwise provided by law, the amount of any loan when made or acquired shall not exceed eighty per cent of the value of the mortgaged property as certified by the security committee.

Approved March 5, 1963.

Chap. 102. AN ACT PROVIDING THAT THE DIRECTOR OF THE DIVISION OF FISHERIES AND GAME BE A MEMBER, EX OFFICIO, OF THE PESTICIDE BOARD IN THE DEPARTMENT OF PUBLIC HEALTH.

Be it enacted, etc , as follows:

Section 9A of chapter 17 of the General Laws, added by section 1 of chapter 521 of the acts of 1962, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — 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, the director of the division of fisheries and game and the chairman of the state reclamation board or their designees. *Approved March 5, 1963.*

Chap. 103. AN ACT AUTHORIZING THE CITY OF FALL RIVER PARK DEPARTMENT TO TRANSFER CERTAIN CEMETERY LAND TO THE PUBLIC WORKS DEPARTMENT OF SAID CITY FOR HIGHWAY PURPOSES.

Be it enacted, etc , as follows:

SECTION 1. The park department of the city of Fall River is hereby authorized to transfer to the public works department of said city for highway purposes a certain parcel of cemetery land in said city, bounded and described as follows: — Beginning at a point in the westerly line of North Main street, said point being twenty-one and 94/100 (21 94) feet southerly from the southwest corner of Brightman street and North

Main street and said point further described as the point of curvature of a curve whose radius is sixteen and 11/100 (16.11) feet; thence running northerly and westerly by an arc of said curve thirty and 70/100 (30.70) feet to the point of tangency of said curve in the existing southerly line of Brightman street; thence running westerly in said southerly line sixty-one and 73/100 (61 73) feet to the point of curvature of a curve whose radius is sixty and 00/100 (60 00) feet; thence running easterly and southerly by an arc of said curve one hundred and fourteen and 33/100 (114 33) feet to the point of tangency of said curve in the existing westerly line to North Main street; thence running northerly in the said westerly line of North Main street sixty-one and 73/100 (61 73) feet to the point of beginning, and containing about 1,487 square feet, and being a portion of the north burial ground of said city.

SECTION 2. Said park department is hereby further authorized to remove any remains interred on said land described in section one and re-inter the same in another portion of said cemetery, 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 in accordance with applicable laws and regulations concerning burial

SECTION 3. This act shall take effect upon its acceptance by the city of Fall River. *Approved March 5, 1963.*

Chap. 104. AN ACT PROVIDING THAT NOT LESS THAN A MAJORITY OF THE BOARD OF DIRECTORS OF A CREDIT UNION SHALL CONSTITUTE A QUORUM.

Be it enacted, etc., as follows:

Section 16 of chapter 171 of the General Laws is hereby amended by inserting after the first sentence, as appearing in the Tercentenary Edition, the following two sentences: — A quorum shall consist of not less than a majority of the directors. If less than a quorum is present, a majority of those present may adjourn the meeting until the next regular meeting or another time prior thereto.

Approved March 5, 1963.

Chap. 105. AN ACT RELATIVE TO THE APPOINTMENT OF TEMPORARY OFFICERS.

Be it enacted, etc., as follows:

Section 40 of chapter 41 of the General Laws is hereby amended by striking out the second sentence, as appearing in section 3 of chapter 143 of the acts of 1937, and inserting in place thereof the following sentence: — Any such temporary officer shall be sworn and give bond for the faithful performance of his duties in accordance with the provisions of law applying to the officer whose place he fills, and if he fails so to do within ten days after his appointment the selectmen shall rescind the appointment and appoint another. *Approved March 5, 1963.*

Chap. 106. AN ACT PROVIDING FOR THE APPOINTMENT OF A TEMPORARY TREASURER IN DISTRICTS.

Be it enacted, etc , as follows:

Chapter 41 of the General Laws is hereby amended by adding after section 121 the following section. —

Section 122 If the treasurer of a fire, water, light, and improvement district is unable to perform his duties because of disability or absence, the prudential committee or commissioners may appoint a temporary treasurer to hold such office and exercise the powers and perform the duties thereof until another is duly elected or appointed, and has qualified according to law or the treasurer who was disabled or absent resumes his duties Any such temporary treasurer shall be sworn and give bond for the faithful performance of his duties in accordance with the provisions of law applicable to the treasurer whose position he fills, and if he fails so to do within ten days after his appointment, the prudential committee or commissioners shall rescind the appointment and appoint another. *Approved March 5, 1963.*

Chap. 107. AN ACT RELATIVE TO THE POSSESSION OF CERTAIN FIREARMS IN MOTOR BOATS.

Be it enacted, etc , as follows:

Chapter 131 of the General Laws is hereby amended by striking out section 98, as amended by section 2 of chapter 254 of the acts of 1956, and inserting in place thereof the following section· — *Section 98.* No person other than a conservation officer, deputy, warden, member of the state or local police, special officer or person charged with the protection of persons or property while acting in the discharge of their respective duties, as such, shall, except upon land owned or occupied by him, have in his possession or under his control in any motor vehicle a loaded shotgun or rifle, nor shall he have in his possession or under his control in any motor boat a loaded shotgun or rifle unless authorized by the director in regulations relating to the hunting of migratory waterfowl, and any person shall, upon the demand of any person authorized to enforce this chapter, display for inspection any shotgun or rifle in his possession or under his control in a motor vehicle while not on property owned or occupied by him Whoever violates any provision of this section shall be punished by a fine of not less than twenty nor more than one hundred dollars. *Approved March 8, 1963.*

Chap. 108. AN ACT RELATIVE TO REPORTS OF TREATMENT OF KNIFE WOUNDS.

Be it enacted, etc., as follows:

Chapter 112 of the General Laws is hereby amended by striking out section 12A, as most recently amended by chapter 407 of the acts of 1962, and inserting in place thereof the following section: — *Section 12A.* Every physician attending or treating a case of bullet wound, gunshot wound, powder burn or any other injury arising from or caused by the discharge of a gun, pistol, BB gun, or other air rifle or other fire-

arm, 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 This section shall not apply to such wounds, burns or injuries received by any member of the armed forces of the United States or of the commonwealth while engaged in the actual performance of duty. Every physician attending or treating a case of a wound or injury caused by a knife or a sharp or pointed instrument shall, if in his opinion a criminal act was involved, report such case forthwith to the police authorities of the town in which he attended or treated such wound or injury. Whoever violates any provision of this section shall be punished by a fine of not less than fifty nor more than one hundred dollars. *Approved March 8, 1963.*

Chap. 109. AN ACT PROVIDING THAT THE PURCHASING AGENT OF THE CITY OF LOWELL SHALL BE APPOINTED FOR A TERM OF THREE YEARS

Be it enacted, etc , as follows·

SECTION 1. Notwithstanding any provision of general or special law to the contrary, the purchasing agent of the city of Lowell shall be appointed for a term of three years and he shall not be removed therefrom during such term except for just cause, for reasons given him in writing, and after a public hearing by the city manager of said city

SECTION 2 The incumbent, on the effective date of this act, of the office of purchasing agent of the city of Lowell shall be deemed to have been appointed thereto under and subject to the provisions of section one of this act for a term of three years commencing January first, nineteen hundred and sixty-three

SECTION 3 This act shall take effect upon its acceptance by the city of Lowell during the current year *Approved March 8, 1963*

Chap. 110. AN ACT RELATIVE TO THE DISCHARGE OF CERTAIN DFFECTIVE DELINQUENTS FROM FURTHER SUPERVISION BY THE PAROLE BOARD

Be it enacted, etc., as follows:

Section 118A of chapter 123 of the General Laws, inserted by section 3 of chapter 684 of the acts of 1947, is hereby amended by adding at the end the following paragraph —

The parole board may, by a unanimous vote of all of the members, issue to a defective delinquent released on parole a certificate of discharge from said commitment as a defective delinquent, provided such discharge from commitment is in the public interest; and provided, further, that such parolee has completed at least five years of satisfactory parole. The parole board shall furnish to the commissioner of correction and to the clerk of the court of original commitment a copy of such certificate of discharge. *Approved March 8, 1963.*

Chap. 111. AN ACT RELATIVE TO MAILING BALLOTS TO CERTAIN ABSENT VOTERS.

Be it enacted, etc , as follows·

Section 89 of chapter 54 of the General Laws, as most recently amended by chapter 16 of the acts of 1960, is hereby further amended by inserting after the second sentence the following sentence. — In the case of a voter who on the day of the election will be absent from the city or town where he is registered, such ballot shall be mailed to a municipality other than the city or town wherein he is registered.

Approved March 8, 1963.

Chap. 112. AN ACT PROVIDING FOR THE REIMBURSEMENT OF THE TOWN OF BRAINTREE BY THE COMMONWEALTH FOR CERTAIN EXPENDITURES FOR THE REPAIR OF THE MAIN TRUNK SEWER IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. There shall be allowed and paid out of the state treasury to the town of Braintree the sum of seventeen thousand six hundred and thirty-four dollars and forty-nine cents as reimbursement for expenditures made by said town for repair of its main trunk sewer, which repairs were necessitated as a result of construction of the Southeast Expressway in said town, now known and designated as Pilgrims Highway.

SECTION 2 The sum authorized to be paid in section one of this act shall be paid from the amount appropriated for the accelerated highway program by chapter seven hundred and eighteen of the acts of nineteen hundred and fifty-six *Approved March 8, 1963*

Chap. 113. AN ACT RELATIVE TO ESTABLISHING, CHANGING OR CANCELLING PARTY ENROLMENTS AND NOTARIZED CERTIFICATES THEREOF.

Be it enacted, etc , as follows:

SECTION 1. Section 4 of chapter 50 of the General Laws is hereby amended by striking out the second paragraph, added by section 2 of chapter 30 of the acts of 1947, and inserting in place thereof the following paragraph: —

All certificates of nomination and nomination papers and other papers pertaining to primaries and elections, including the certificate of a voter requesting establishment, change or cancellation of enrolment, or the written request therefor, filed under the provisions of section thirty-eight of chapter fifty-three, required by law to be filed on or before a specified day shall be filed not later than five o'clock in the afternoon on said day.

SECTION 2. Section 38 of chapter 53 of the General Laws, as most recently amended by chapter 74 of the acts of 1959, is hereby further amended by striking out the first sentence and inserting in place thereof the following two sentences: — No voter enrolled under this section or section thirty-seven shall be allowed to receive the ballot of any political

party except that with which he is so enrolled; but, except as otherwise provided by said section thirty-seven, a voter may, except within a period beginning with the thirty-first day prior to a primary and ending with the day of such primary, establish, change or cancel his enrolment by forwarding to the board of registrars of voters a certificate signed by such voter in the presence of a notary public or justice of the peace, requesting to have his enrolment established with a party, changed to another party or cancelled, or by appearing in person before a member of the said board and requesting in writing that his enrolment be so established, changed or cancelled. Except as otherwise provided in section twelve of chapter four, such enrolment, change or cancellation shall take effect at the expiration of thirty days following the receipt by said board of such certificate, or such appearance, as the case may be.

Approved March 8, 1963.

Chap. 114. AN ACT AUTHORIZING THE CITY OF MEDFORD TO SELL CERTAIN PARK LAND.

Be it enacted, etc., as follows:

The city of Medford, acting through its city council, with the approval of its city manager, may sell and convey all or may, from time to time, sell and convey part of the parcel of land in said city held for park purposes bounded and described as follows. —

Westerly, by Fellsway West and Interstate Route 93 taking of October 31, 1958, about thirty-two hundred feet; Northerly, by land of the Commonwealth of Massachusetts, Metropolitan District Commission Water Works about fourteen hundred feet; Easterly, by land of City of Medford along the westerly sideline of Water Easement of the Commonwealth of Massachusetts, Metropolitan District Commission and the westerly water line of Wrights Pond about thirty-five hundred feet; Southerly, by the northerly property line of various properties on the northerly side of Parkway Road, Medford, about four hundred feet.

Said parcel contains about 56 acres.

All as more particularly shown on plan, entitled "Wrights Pond Reservation, Scale 1" = 200', October 18, 1962, Department Planning, R J H, Revised November 14, 1962", on file in the department of planning of the city of Medford. *Approved March 8, 1963.*

Chap. 115. AN ACT AUTHORIZING CITIES AND TOWNS TO CONTRACT FOR AMBULANCE SERVICE FOR PERIODS NOT TO EXCEED THREE YEARS.

Be it enacted, etc, as follows:

Section 4 of chapter 40 of the General Laws is hereby amended by inserting after the third paragraph the following paragraph: —

For the furnishing of ambulance service. Contracts for such service may be made for periods not exceeding three years.

Approved March 12, 1963.

Chap. 116. AN ACT DECREASING THE SIZE OF CERTAIN LETTERING TO BE USED ON CONTAINERS FOR THE SALE OF EGGS AT RETAIL.

Be it enacted, etc., as follows:

Section 90D of chapter 94 of the General Laws, inserted by section 1 of chapter 393 of the acts of 1962, is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence: — All eggs for sale at retail within the commonwealth shall be in containers so marked or branded, with letters not less than three-eighths of an inch in height. *Approved March 12, 1963*

Chap. 117. AN ACT INCREASING THE AMOUNT OF DEATH OR FUNERAL BENEFITS WHICH MAY BE PAID BY THE METROPOLITAN DISTRICT POLICE RELIEF ASSOCIATION, INCORPORATED.

Be it enacted, etc., as follows:

SECTION 1. Chapter 96 of the acts of 1925, as amended by chapter 128 of the acts of 1960, is hereby further amended by striking out, in line 3, the word "fifteen" and inserting in place thereof the word: — twenty-five, — so as to read as follows. — The Metropolitan District Police Relief Association, Incorporated, a corporation duly established under general law, may pay death or funeral benefits not exceeding twenty-five hundred dollars, and disability benefits not exceeding thirty-five dollars weekly, any provision of law or of its charter to the contrary notwithstanding

SECTION 2 This act shall take effect as of January first, nineteen hundred and sixty-three. *Approved March 12, 1963*

Chap. 118. AN ACT REQUIRING THE REPORTING OF CASES OF CEREBRAL PALSY.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by inserting after section 111 the following section: —

Section 111A If a physician or hospital medical officer registered under section nine of chapter one hundred and twelve knows or has cause to believe that a person whom he is attending is afflicted with cerebral palsy, he shall give written notice thereof to the board of health of the city or town where the patient is being attended. Said board of health shall annually make such report to the department of the notices required under this section as the department by rule or regulation may prescribe. Such notices and such reports shall be solely for use of the boards of health and the department and shall not be open to public inspection or constitute a public record *Approved March 12, 1963.*

Chap. 119. AN ACT RELATIVE TO TEMPORARY TRANSFERS IN THE CIVIL SERVICE.

Be it enacted, etc , as follows:

The first paragraph of section 15 of chapter 31 of the General Laws is hereby amended by striking out the sixth sentence, as appearing in chapter 598 of the acts of 1960, and inserting in place thereof the follow-

ing sentence. — A provisional appointment or temporary transfer to fill a permanent or temporary position shall be terminated by the director within fourteen days after the establishment of an eligible list for such position, and it may be terminated by the director at any time.

Approved March 12, 1963.

Chap. 120. AN ACT RELATIVE TO THE ACCEPTANCE BY THE TOWN OF NAHANT 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 Nahant 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 Nahant 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 March 12, 1963.

Chap. 121. AN ACT PROVIDING THAT NO DEBT MAY BE AUTHORIZED BY A CITY, TOWN OR DISTRICT UNDER A GENERAL ACT EXCEPT BY A TWO-THIRDS VOTE UNLESS THE ACT PROVIDES OTHERWISE.

Be it enacted, etc , as follows:

Chapter 44 of the General Laws is hereby amended by striking out section 2, as most recently amended by section 11 of chapter 358 of the acts of 1946, and inserting in place thereof the following section. — *Section 2* Except as otherwise expressly permitted by law, cities, towns and districts shall incur debts only in the manner of voting and within the limitations as to amount and time of payment prescribed in this chapter; but this section shall not be construed as prohibiting any city, town or district from placing additional restrictions, consistent with this chapter, upon the manner of incurring debt, nor as affecting the right of any city, town or district to incur debt under any special act which has or shall become effective after January first, nineteen hundred and twenty-one, or at any time in the case of debt of the city of Boston for tunnel or transit purposes; but no debt may be authorized under a general or special act except by a two-thirds vote, unless the act so provides All provisions of law providing for sinking funds for the payment of debt of the city of Boston incurred for transit or tunnel purposes shall continue to be applicable to said debt.

Approved March 12, 1963.

Chap. 122. AN ACT AUTHORIZING THE MONTHLY DISTRIBUTION OF NET PROFITS BY CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

Section 37 of chapter 170 of the General Laws, as amended by section 2 of chapter 87 of the acts of 1953, is hereby further amended by inserting after the word "be", in line 2, the word: — monthly,.

Approved March 12, 1963.

Chap. 123. AN ACT RELATIVE TO MEMBERSHIP IN THE SWAMPSCOTT FIREMAN'S RELIEF ASSOCIATION, AND PROVIDING THAT CERTAIN MEMBERS OF SAID ASSOCIATION MAY, UPON PENSION OR RETIREMENT FROM THE SWAMPSCOTT FIRE DEPARTMENT, BE PAID A CERTAIN SUM OF MONEY BY SAID ASSOCIATION.

Be it enacted, etc , as follows:

Any member of the Swampscott Fireman's Relief Association, 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 fire 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 fire 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 March 12, 1963.

Chap. 124. AN ACT INCREASING THE AGGREGATE LIABILITY WHICH ONE PERSON MAY HAVE OUTSTANDING AT ONE TIME ON REAL ESTATE LOANS BY A CO-OPERATIVE BANK.

Be it enacted, etc , as follows:

Section 24 of chapter 170 of the General Laws is hereby amended by striking out subsection 5, as most recently amended by section 2 of chapter 125 of the acts of 1962, and inserting in place thereof the following subsection: —

5 The aggregate liability of any one person outstanding at any one time on real estate loans held by any such corporation shall not exceed thirty thousand dollars or two per cent of share capital, whichever is greater; provided, that in such corporations having assets of ten million dollars or more the aggregate liability of any one person outstanding at any one time on real estate loans held by such corporation shall not exceed thirty thousand dollars or three per cent of share liability, whichever is greater; provided, that in computing such aggregate liability there shall not be included the liability of any person on loans (*a*) upon mortgaged property sold to a person deemed by the corporation to be a bona fide purchaser and who has agreed, in writing, with the corporation

to assume payment thereof, (*b*) resulting from sales of property purchased from the corporation, or (*c*) whereon he appears as endorser, guarantor, surety or accommodation party.

Approved March 12, 1963

Chap. 125. AN ACT RELATIVE TO APPLICATIONS FOR ABATEMENT OF CERTAIN LOCAL TAXES.

Be it enacted, etc., as follows:

Section 59 of chapter 59 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 199 of the acts of 1946, and inserting in place thereof the following sentence. — A person upon whom a tax has been assessed or the administrator of the estate of such person or the executor or trustee under the will of such person, if aggrieved by such tax, may, except as hereinafter otherwise provided, on or before October first of the year to which the tax relates or, if the tax is other than a poll tax and the bill or notice was first sent after September first of such year, on or before the thirtieth day after the date on which the bill or notice was so sent, apply in writing to the assessors, on a form approved by the commissioner, for an abatement thereof, and if they find him taxed at more than his just proportion, or upon an assessment of any of his property in excess of its fair cash value, they shall make a reasonable abatement; provided, that a person aggrieved by a tax assessed upon him under section seventy-five or section seventy-six or reassessed upon him under section seventy-seven may apply for such abatement at any time within three months after the bill or notice of such assessment or reassessment is first sent to him *Approved March 12, 1963.*

Chap. 126. AN ACT RELATIVE TO PARTICIPATING LOANS BY CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

Section 23 of chapter 170 of the General Laws is hereby amended by striking out subsection 4, as appearing in section 1 of chapter 371 of the acts of 1950, and inserting in place thereof the following subsection. —

4. *Participation Loans.* — Any such corporation may make or acquire mortgage loans in participation with other banking institutions or associations. The participating corporations shall enter into a written agreement for themselves, their successors and assigns, which shall include provisions for the custody of the note and mortgage and for the servicing and foreclosure thereof. The amount which any such corporation may invest in a participation loan shall not exceed one per cent of its deposits, and the aggregate balance of principal of all such participation loans, outstanding at any one time by such corporation, shall not exceed five per cent of its total deposits. *Approved March 12, 1963.*

Chap. 127. AN ACT RELATIVE TO WORKMEN'S COMPENSATION FUNDS.

Be it enacted, etc., as follows:

Section 13A of chapter 40 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following sentence: — If any city or town having such insurance fund has neglected or failed for a period of five consecutive years to appropriate funds therefor, for any reason other than that the maximum amount authorized in such fund has been accumulated, it may appropriate from such fund, including the income thereof, such sums as may be necessary for the purpose of paying a proper charge for effecting insurance to cover its liability to pay workmen's compensation.

Approved March 12, 1963.

Chap. 128. AN ACT AUTHORIZING CERTAIN DOMESTIC LIFE INSURANCE COMPANIES TO INVEST IN REAL PROPERTY IN PUERTO RICO.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith certain domestic life insurance companies to invest in real property in Puerto Rico, 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 66B of chapter 175 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 1 of chapter 269 of the acts of 1947, and inserting in place thereof the following sentence: — Any domestic life company may purchase, lease, acquire by gift or otherwise and hold without any limitation of time, any real property, or any interest therein, in any state of the United States in which it is authorized to transact business, and in Puerto Rico if authorized to transact business therein, and may use such property for investment purposes as well as any other real property owned, held or leased by it; provided, that such property shall not include property the primary income from which is or is intended to be derived from agriculture, horticulture or animal husbandry.

Approved March 13, 1963.

Chap. 129. AN ACT FURTHER REGULATING CERTAIN MILK LICENSEES.

Be it enacted, etc., as follows:

Section 42B of chapter 94 of the General Laws, inserted by section 2 of chapter 338 of the acts of 1933, is hereby amended by inserting after the second sentence the following sentence: — If the business operation of the licensee is such that the total purchase price of milk or cream purchased in any pay period exceeds the sum of the bond, the licensee shall file with the commissioner a statement of such purchases, said statement to be filed within thirty days of said period or within such further time as the commissioner may allow.

Approved March 13, 1963.

Chap. 130. AN ACT RELATIVE TO MORTALITY TABLES IN CONNECTION WITH VALUATION STANDARDS AND NONFORFEITURE BENEFITS FOR INDUSTRIAL POLICIES OF LIFE INSURANCE.

Be it enacted, etc., as follows:

SECTION 1. Subdivision 2 of section 9 of chapter 175 of the General Laws is hereby amended by striking out paragraph Second, as appearing in section 1 of chapter 227 of the acts of 1943, and inserting in place thereof the following paragraph: —

Second, For all industrial policies of life insurance issued on a standard basis, excluding any total and permanent disability and accidental death benefits in such policies, the "1941 Standard Industrial Mortality Table" shall be used for such policies issued prior to January first, nineteen hundred and sixty-eight and the "Commissioners 1961 Standard Industrial Mortality Table" shall be used for such policies issued on or after said date.

SECTION 2. Section 146 of said chapter 175 is hereby amended by striking out the third paragraph, as appearing in section 4 of said chapter 227, and inserting in place thereof the following paragraph: —

All adjusted premiums for and the present values of any such policy issued on a standard basis prior to January first, nineteen hundred and sixty-eight shall be computed on the basis of the "1941 Standard Industrial Mortality Table". In the case of such policies issued on or after January first, nineteen hundred and sixty-eight, all such adjusted premiums and present values shall be computed on the basis of the "Commissioners 1961 Standard Industrial Mortality Table", and in computing the present value of any extended term insurance with accompanying pure endowment, if any, the rates of mortality assumed may be not more than those shown in the "Commissioners 1961 Industrial Extended Term Insurance Table".

SECTION 3. Notwithstanding the provisions of paragraph Second of subdivision 2 of section nine and the third paragraph of section one hundred and forty-six of chapter one hundred and seventy-five of the General Laws, as appearing in sections one and two, respectively, of this act, any life insurance company may elect to have the provisions of said paragraph Second and said third paragraph become effective as to its operations at an earlier date by filing a written notice with the insurance commissioner of its election to comply with the provisions of said paragraph Second and of said third paragraph on or after a specified date before January first, nineteen hundred and sixty-eight. On the date specified in said notice the provisions of said paragraph Second and of said third paragraph shall become effective with respect to policies of industrial insurance thereafter issued by such company.

Approved March 13, 1963.

Chap. 131. AN ACT DEFINING THE WORD SHELLFISH.

Be it enacted, etc., as follows:

Section 1 of chapter 130 of the General Laws is hereby amended by inserting after the paragraph defining "Seed scallop", as appearing in section 1 of chapter 598 of the acts of 1941, the following paragraph: —

"Shellfish", clams, conchs, mussels, oysters, periwinkles, quahaugs, razor clams or razor fish, scallops, sea clams, sea quahaugs, sea scallops and winkles.

Approved March 13, 1963.

Chap. 132. AN ACT PROVIDING FOR A VICE CHAIRMAN FOR REGIONAL DISTRICT SCHOOL COMMITTEES.

Be it enacted, etc., as follows:

Section 16A of chapter 71 of the General Laws, as amended by chapter 129 of the acts of 1958, is hereby further amended by striking out the second sentence and inserting in place thereof the following two sentences: — The committee shall choose a chairman and a vice chairman by ballot from its membership The vice chairman shall, in the absence of the chairman, exercise the powers and perform the duties of said chairman. *Approved March 13, 1963.*

Chap. 133. AN ACT AUTHORIZING THE CITY OF QUINCY TO SELL CERTAIN PARK LAND TO DAVID L. KNEELAND.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of general or special law, the city of Quincy is hereby authorized to sell and convey, with the approval of its board of park commissioners, and its city council and mayor, to David L Kneeland of said city, the land and flats now held by it for park purposes at Perry beach, so called, in said city, bounded and described as follows: —

Parcel No. 1. The land located in Quincy, Massachusetts, as shown on a plan entitled "Plan of Land in Quincy, Massachusetts October 1962, Warren D. Nichols, Surveyor"; shown as Lot "A" and bounded and described as follows· Southerly, by Bayswater road, twenty-five (25) feet; Easterly, by land of the city of Quincy, twenty-one and 20/100 (21.20) feet, Northerly, by Lot "B" on said plan twenty-five (25) feet; Westerly, by land now or formerly of William Arruda twenty-one and 20/100 (21.20) feet Containing 318 square feet according to said plan.

Parcel No. 2. The land, with the beach and flats appurtenant thereto, located in Quincy, Massachusetts as shown on a plan entitled "Plan of Land in Quincy, Massachusetts October 1962, Warren D. Nichols, Surveyor"; shown as lot "B", more particularly bounded and described as follows: Southerly, by Lot "A" according to said plan twenty-five (25) feet; Easterly, by land of the city of Quincy two hundred ninety-five (295) feet; Northerly, by the mean low water of Quincy Bay twenty-eight (28) feet; and Westerly, by land of the city of Quincy, according to said plan two hundred ninety (290) feet. Containing approximately 7300 square feet of land more or less.

SECTION 2. This act shall take effect upon its acceptance during the current year by the city of Quincy. *Approved March 13, 1963.*

Chap. 134. AN ACT PROVIDING FOR THE ELECTION OF FOUR MEMBERS AND THE APPOINTMENT OF ONE MEMBER OF THE HOUSING AUTHORITY OF THE TOWN OF ROCKPORT.

Be it enacted, etc., as follows:

SECTION 1. Subsection (*b*) of section 3 of chapter 242 of the acts of 1959 is hereby amended by striking out, in lines 7 and 8, the words "and members of the housing authority".

SECTION 2. At the annual town meeting to be held in the town of Rockport in the year nineteen hundred and sixty-four, four members of the housing authority of said town shall be elected in accordance with the provisions of section twenty-six L of chapter one hundred and twenty-one of the General Laws and the fifth member shall, immediately thereafter, be appointed by the state housing board in accordance with said section. The present members of said housing authority shall continue to serve until the members elected or appointed as hereinbefore provided have qualified and upon such qualification the term of said present members shall expire. *Approved March 13, 1963.*

Chap. 135. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW RELATING TO THE EXCHANGE, ALTERATION OR CONVERSION OF CERTAIN LIFE OR ENDOWMENT POLICIES OR ANNUITY CONTRACTS.

Be it enacted, etc., as follows:

The second sentence of section 139 of chapter 175 of the General Laws, as appearing in chapter 657 of the acts of 1960, is hereby amended by striking out, in line 5, the words "one hundred and thirty-one" and inserting in place thereof the words: — one hundred and thirty.

Approved March 13, 1963.

Chap. 136. AN ACT AUTHORIZING THE TOWN OF WEST NEWBURY TO USE CERTAIN PARK LAND FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The town of West Newbury is hereby authorized to use for school purposes a certain parcel of land now held by said town for park purposes, bounded as follows: — Easterly by Bachellor Street; northerly by town land presently used for school purposes, and municipal building site and by land of Daley; southerly by land of Sargent and remaining parcel of present park land; and westerly by land of Daley, containing not more than twelve acres.

SECTION 2. This act shall take effect upon its acceptance by the town of West Newbury. *Approved March 13, 1963.*

Chap. 137. AN ACT PROVIDING LIFE TENURE FOR CERTAIN CALL FIREMEN OF THE TOWN OF MILFORD.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of any call fireman of the fire fighting force of the town of Milford who has served in his respective position for a period of three consecutive years shall be unlimited, and he shall be retained during good behavior, unless incapacitated by physical or mental disability from performing his duties or removed for just cause by the board of selectmen in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. Nothing herein shall be construed as affecting the status of call firemen who, on the effective date of this act, were employed under the provisions of said chapter thirty-one.

SECTION 3. This act shall take effect upon its acceptance by the town of Milford. *Approved March 13, 1963.*

Chap. 138. AN ACT PLACING THE OFFICE OF SUPERINTENDENT OF THE SEWER DEPARTMENT OF THE CITY OF BROCKTON UNDER THE CIVIL SERVICE LAWS AND RULES.

Be it enacted, etc., as follows:

SECTION 1. The office of superintendent of the sewer department of the city of Brockton shall, upon the effective date of this act, become subject to the civil service laws and rules, and the tenure of office of the incumbent thereof on the effective date of this act shall be unlimited, subject, however, to said laws and rules. Said incumbent 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 take effect upon its acceptance by the city of Brockton. *Approved March 13, 1963.*

Chap. 139. AN ACT AUTHORIZING THE CITY OF BEVERLY TO ACQUIRE LAND AND CONSTRUCT AN OFF-STREET PARKING AREA AND TO BORROW MONEY FOR THE CONSTRUCTION THEREOF.

Be it enacted, etc., as follows:

The city of Beverly is hereby authorized to borrow, from time to time, within a period of five years, such sums as may be necessary, not exceeding in the aggregate eighty thousand dollars, for the purpose of acquiring land and for the original construction and surfacing of a municipally owned and operated off-street parking area to be located in the rear of one hundred and twenty-one to one hundred and forty-nine Cabot street, between Washington street and Franklin place in the city of Beverly, and may issue bonds or notes therefor which shall bear on their face the words, City of Beverly, Public Parking Loan, Act of 1963. Each authorized issue shall constitute a separate loan and such loans shall be paid in not more than fifteen years from their dates. Indebtedness incurred under this act shall be within the statutory debt limit and shall be subject to the provisions of chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof. *Approved March 13, 1963.*

Chap. 140. AN ACT AUTHORIZING THE BORROWING OF MONEY FOR CONSTRUCTING AND EQUIPPING A COURT HOUSE IN THE CITY OF HAVERHILL FOR THE CENTRAL DISTRICT COURT OF NORTHERN ESSEX.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Essex county and four persons who are residents of said county to be appointed by the governor are hereby constituted a board authorized to construct and originally equip a court house to provide suitable and adequate facilities for the central district court of northern Essex, which shall be located within a radius of one mile from the existing quarters of said court in the city of Haverhill. Said board may take by eminent domain under

chapter seventy-nine of the General Laws, or acquire by purchase or otherwise any land that may be necessary for the purposes of this act, including a sufficient area for the parking of the motor vehicles of persons in attendance upon said court. Said board may expend for the purposes of this act including the preparation of plans and specifications in connection therewith and for landscaping such sums as may be necessary not exceeding in the aggregate five hundred and fifty thousand dollars. Any sums received from the federal government for the purposes of this act shall be included in, and considered a part of, the total amount authorized to be expended hereunder.

SECTION 2. For the purposes authorized by section one, 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, five hundred and fifty thousand dollars, and may issue bonds or notes of the county thereof, which shall bear on their face the words, Essex County Court House Loan, Act of 1963. Each authorized issue shall constitute a separate loan and such loans shall be payable not more than fifteen years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

SECTION 3. The county treasurer of said county, with the approval of the county commissioners, may issue temporary notes of the county, payable in not more than one year from their dates, in anticipation of the issue of serial bonds or notes under this act, but the time within which such serial bonds or notes shall become due and payable shall not, by reason of such temporary notes, be extended beyond the time fixed by this act. Any notes issued in anticipation of the serial bonds or notes shall be paid from the proceeds thereof.

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

Approved March 14, 1963.

Chap. 141. AN ACT MAKING CERTAIN CHANGES FOR SERVICE OF PROCESS UPON THE STATE SECRETARY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith that service of lawful process in any action against certain corporations may be made upon the state secretary who has assumed the duties and functions relative to corporate organization formerly exercised by the commissioner of corporations and taxation, 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. In the case of any corporation which prior to January first, nineteen hundred and sixty-three had appointed the commissioner of corporations and taxation its agent or true and lawful attorney upon whom all lawful processes in any action or proceeding against it may be served, under the provisions of section forty-six D of chapter one hundred and fifty-six, or section three of chapter one hundred and eighty-

one of the General Laws as in effect prior to said date, the state secretary is hereby designated as the true and lawful attorney upon whom all lawful processes in any action or proceeding against said corporation may be served, in lieu of said commissioner of corporations and taxation.

SECTION 2. This act shall take effect as of January first, nineteen hundred and sixty-three. *Approved March 15, 1963.*

Chap. 142. AN ACT INCREASING THE AMOUNT OF MONEY WHICH MAY BE EXPENDED ANNUALLY BY THE SCHOOL COMMITTEE OF THE CITY OF BOSTON FOR TRAVELLING AND CERTAIN OTHER EXPENSES.

Be it enacted, etc., as follows:

Section 4 of chapter 274 of the acts of 1914, as most recently amended by section 1 of chapter 236 of the acts of 1955, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — The school committee of the city of Boston may expend annually, from the appropriations for the support of the public schools, an amount not exceeding eight thousand dollars to defray the travelling and other necessary expenses incurred under the provisions of section three of this act. *Approved March 15, 1963.*

Chap. 143. AN ACT AUTHORIZING TRUST COMPANIES TO INVEST IN THE CAPITAL STOCK OF CORPORATIONS ORGANIZED UNDER THE LAWS OF THE UNITED STATES FOR THE PURPOSE OF ENGAGING IN INTERNATIONAL OR FOREIGN BANKING OR OTHER INTERNATIONAL OR FOREIGN FINANCIAL OPERATIONS.

Be it enacted, etc., as follows:

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 adding at the end the following clause. —

18. To invest such amount not exceeding ten per cent of its capital stock, surplus account and guaranty fund as the commissioner may approve in the capital stock of one or more corporations organized under the laws of the United States for the purpose of engaging in international or foreign banking or other international or foreign financial operations, or in banking or other financial operations in a dependency or insular possession of the United States, and subject to the jurisdiction and supervision of the Board of Governors of the Federal Reserve System.

Approved March 15, 1963.

Chap. 144. AN ACT PROHIBITING THE DISPOSAL OF COMMERCIAL GARBAGE AND REFUSE IN TRASH BARRELS PLACED ON PUBLIC HIGHWAYS FOR THE CONVENIENCE OF THE TRAVELING PUBLIC.

Be it enacted, etc., as follows:

Section 17 of chapter 270 of the General Laws, added by chapter 367 of the acts of 1962, is hereby amended by inserting after the word "household", in line 1, the words: — or commercial, — so as to read as

follows: — *Section 17.* Whoever disposes of household or commercial 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 March 15, 1963.*

Chap. 145. AN ACT RELATIVE TO THE APPOINTMENT AND REMOVAL OF HEALTH OFFICERS AND OTHER EMPLOYEES OF CERTAIN DISTRICTS AND THE APPROVAL OF WARRANTS IN SUCH DISTRICTS.

Be it enacted, etc., as follows:

Section 27A of chapter 111 of the General Laws, as amended by chapter 209 of the acts of 1932, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence. — Two or more towns may, by vote of each, form a district for the purpose of employing therein a health officer and necessary assistants and clerks, all of whom shall be appointed and may be removed by a joint committee composed of the boards of health of said towns, — and by striking out the seventh sentence and inserting in place thereof the following sentence: — The district treasurer shall disburse the money so received, upon warrants approved by the health officer.

Approved March 15, 1963.

Chap. 146. AN ACT FURTHER REGULATING MORTGAGE LOANS BY CO-OPERATIVE BANKS IN EXCESS OF EIGHTY PER CENT OF THE VALUE OF THE MORTGAGED PROPERTY.

Be it enacted, etc , as follows:

Section 24 of chapter 170 of the General Laws is hereby amended by striking out subsection 3A and inserting in place thereof the following subsection: —

3A. Notwithstanding the provisions of subsection 3, the amount of any loan when made or acquired may exceed eighty per cent but not more than ninety per cent of the value of the mortgaged property as certified by the security committee, provided that (*a*) a loan made under this subsection shall not exceed twenty thousand dollars, (*b*) the term of the note therefor shall not exceed twenty-five years, (*c*) said loan shall be secured by a first mortgage on a single family residence occupied or to be occupied by the mortgagor, (*d*) the security committee has certified in writing (1) that the mortgagor does not require junior financing; (2) that the building has a useful life beyond the term said loan has to run and (3) that the building will be completed prior to the making of any disbursement on the loan; (*e*) the terms of the note or mortgage require monthly payments in such amounts that the aggregate principal reduction at any time during the term of the loan shall not be less than that which would be required in the case of a note of like amount and interest rate providing for complete amortization by equal monthly payments over a period of twenty-five years which payment shall be first applied to interest and the balance thereafter remaining applied to principal. Interest upon each such loan shall be computed monthly on

the unpaid balance thereof. A note or mortgage taken under this subsection shall contain a provision requiring the payment each month of a proportionate part of the estimated real estate taxes and betterment assessments The aggregate amount of loans outstanding hereunder shall not at any time exceed ten per cent of the deposits of the corporation or an amount equal to the reserves, whichever is the lesser.

Approved March 15, 1963.

Chap. 147. AN ACT RELATIVE TO THE AUTHORITY OF CITIES AND TOWNS TO LEASE THE SPACE ABOVE MUNICIPAL PARKING LOTS.

Be it enacted, etc., as follows:

Section 22E of chapter 40 of the General Laws, inserted by chapter 796 of the acts of 1962, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

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 and means of ingress and egress to and from 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 March 15, 1963.*

Chap. 148. AN ACT QUALIFYING LICENSED PLUMBERS TO WORK AS DRAINLAYERS.

Be it enacted, etc., as follows:

SECTION 1. The second sentence of the first paragraph of section 3 of chapter 142 of the General Laws, as appearing in chapter 284 of the acts of 1959, is hereby amended by adding after the word "contrary", in line 4, the words: — , and may engage in the work of installing house drainage and connecting with common sewers without being required to have any local license therefor, but shall be subject to local regulations relative to permits and bonding requirements.

SECTION 2. Section 127 of chapter 111 of the General Laws, as amended by chapter 339 of the acts of 1937, is hereby further amended by inserting after the first sentence the following sentence — Master plumbers and journeymen licensed under chapter one hundred and forty-two shall be exempt from any such regulation relative to license qualifications, but shall be subject to all other regulations.

Approved March 15, 1963.

Chap. 149. AN ACT RELATIVE TO THE CREDITABLE SERVICE OF CERTAIN POLICE OFFICERS AND FIRE FIGHTERS FOR PURPOSES OF RETIREMENT.

Be it enacted, etc., as follows:

Chapter 32 of the General Laws is hereby amended by inserting after section 57A the following section: —

Section 57B. Any member of a police or fire department of a city or town, who retires under the provisions of sections fifty-six to sixty, inclusive, and who was appointed a reserve police officer or call fire fighter shall, for the purpose of retirement, be entitled to count as creditable service such service as a reserve police officer or call fire fighter as the retiring authority shall determine.

This section shall take effect in a city having a Plan E charter when accepted by an affirmative vote of two thirds of the city council and approved by the city manager, in the case of other cities by a two thirds vote of the city council and approval by the mayor and in a town by a majority vote at the annual town meeting. *Approved March 15, 1963.*

Chap. 150. AN ACT PROHIBITING PROMOTIONS IN POLICE DEPARTMENTS IN CITIES AND TOWNS ON AN INTERMITTENT BASIS.

Be it enacted, etc., as follows:

Section 20 of chapter 31 of the General Laws is hereby amended by striking out the second paragraph, added by chapter 279 of the acts of 1951, and inserting in place thereof the following paragraph: —

Promotions to fill positions in police or fire departments to all grades of service shall be made on a full-time basis and no promotions on a so-called permanent intermittent basis shall be made.

Approved March 15, 1963.

Chap. 151. AN ACT PROVIDING LIFE TENURE FOR CHARLES A GALLAGHER, INCUMBENT OF THE OFFICE OF CITY TREASURER OF THE CITY OF LOWELL.

Be it enacted, etc , as follows:

SECTION 1. The tenure of office of Charles A. Gallagher, incumbent of the office of city treasurer of the city of Lowell, shall be unlimited. Said incumbent shall not be removed or suspended from office, except for just cause and for reasons specifically given him in writing by the city manager 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 Lowell. *Approved March 15, 1963.*

Chap. 152. AN ACT PERMITTING CERTAIN TEMPORARY APPOINTMENTS FROM CIVIL SERVICE LISTS.

Be it enacted, etc., as follows:

SECTION 1. Section 15 of chapter 31 of the General Laws is hereby amended by inserting after the sixth paragraph, inserted by chapter 236 of the acts of 1962, the following paragraph: —

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 or a request for extension of the employment of the temporary appointee, the director may order a renewal certification of names from the eligible list for a like period and similarly renew the same from time to time.

SECTION 2. Section 5 of chapter 743 of the acts of 1962 is hereby amended by striking out the second paragraph.

Approved March 19, 1963.

Chap. 153. AN ACT INCREASING THE AMOUNT OF REAL AND PERSONAL PROPERTY THAT DEAN ACADEMY AND JUNIOR COLLEGE MAY HOLD.

Be it enacted, etc., as follows:

Dean Academy and Junior College, a corporation incorporated as Dean Academy by chapter one hundred and seven of the acts of eighteen hundred and sixty-five, is hereby authorized to hold real and personal property to an amount not exceeding ten million dollars, to be used for the purposes of said corporation as set forth in its charter or in any amendment thereof. *Approved March 19, 1963.*

Chap. 154. AN ACT INCREASING THE AMOUNT OF PROPERTY THAT MAY BE HELD BY NORTHEASTERN UNIVERSITY.

Be it enacted, etc , as follows:

Chapter 134 of the acts of 1955, as amended by chapter 24 of the acts of 1959, is hereby further amended by striking out, in line 3, the word "fifty" and inserting in place thereof the words — one hundred, — so as to read as follows: — Northeastern University, a corporation organized under the general law, is hereby authorized to hold real and personal estate to an amount not exceeding one hundred 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 March 19, 1963.

Chap. 155. AN ACT CONFERRING CERTAIN POWERS ON THE SAVINGS BANKS EMPLOYEES RETIREMENT ASSOCIATION.

Be it enacted, etc., as follows:

The first paragraph of section 74 of chapter 168 of the General Laws, as appearing in section 1 of chapter 197 of the acts of 1959, is hereby amended by adding at the end the following sentence: — The association, in its name and by or through its authorized officers, may (*a*) make agreements and investments subject to such limitations as from time to time may be prescribed by law or the by-laws of the association, (*b*) sue and be sued, plead and be impleaded, (*c*) enforce liens and other obligations and foreclose mortgages held by the association on or with respect to real or personal property situated in the commonwealth or in any state or territory of the United States, (*d*) adopt an official seal and alter the same at pleasure, and (*e*) do such other acts and things as may be necessary to carry out the powers conferred upon it by law and its by-laws. *Approved March 20, 1963.*

Chap. 156. AN ACT CONFERRING CERTAIN POWERS ON THE CO-OPERATIVE BANKS EMPLOYEES RETIREMENT ASSOCIATION.

Be it enacted, etc., as follows:

The first paragraph of section 51 of chapter 170 of the General Laws, as appearing in section 1 of chapter 196 of the acts of 1959, is hereby amended by adding at the end the following sentence. — The association, in its name and by or through its authorized officers, may (*a*) make agreements and investments subject to such limitations as from time to time may be prescribed by law or the by-laws of the association, (*b*) sue and be sued, plead and be impleaded, (*c*) enforce liens and other obligations and foreclose mortgages held by the association on or with respect to real or personal property situated in the commonwealth or in any state or territory of the United States, (*d*) adopt an official seal and alter the same at pleasure, and (*e*) do such other acts and things as may be necessary to carry out the powers conferred upon it by law and its by-laws. *Approved March 20, 1963.*

Chap. 157. AN ACT RELATIVE TO VENUE OF THE CRIME OF TRANSMITTING FALSE REPORTS OF THE LOCATION OF EXPLOSIVES OR OTHER DANGEROUS SUBSTANCES.

Be it enacted, etc , as follows:

Chapter 277 of the General Laws is hereby amended by inserting after section 59 the following section: —

Section 59A. The crime described in section fourteen of chapter two hundred and sixty-nine may be prosecuted and punished in the territorial jurisdiction in which the communication originates or is received. *Approved March 20, 1963.*

Chap. 158. AN ACT REGULATING THE USE OF THE WORD "NATIVE" IN CONNECTION WITH THE ADVERTISING OF VEGETABLES OR FRUIT.

Be it enacted, etc., as follows:

The first sentence of section 99B of chapter 94 of the General Laws, as appearing in chapter 181 of the acts of 1962, is hereby amended by inserting after the word "native", in line 3, the words. — nor cause vegetables or fruit to be advertised as "native".

Approved March 20, 1963.

Chap. 159. AN ACT AUTHORIZING THE TRAFFIC ENGINEER OF THE CITY OF SPRINGFIELD TO ESTABLISH CERTAIN TEMPORARY RULES AND REGULATIONS.

Be it enacted, etc , as follows:

SECTION 1. Whenever a situation not admitting of delay arises, the traffic engineer of the city of Springfield, subject to the provisions of section two of chapter eighty-five of the General Laws, is hereby authorized to promulgate rules and orders providing for the closing of streets to vehicular traffic, the regulation of parking and the designation

of one-way streets; provided, that any rule or order promulgated by said traffic engineer in exercising the power vested in him by this act shall contain a preamble setting forth why the situation does not admit of delay, shall take effect upon its promulgation or at such other time as may be specified in the rule or order, and shall be operative only until the cessation of the emergency or the expiration of one month from the date of its promulgation, whichever is earlier

Whoever violates any rule or order promulgated under this act shall, except as otherwise provided by law or ordinance, be punished by a fine not exceeding twenty dollars

SECTION 2. This act shall take effect upon its acceptance by the city of Springfield *Approved March 20, 1963.*

Chap. 160. AN ACT ABOLISHING THE POLL TAX.

Be it enacted, etc., as follows:

SECTION 1. The poll tax is hereby abolished in the commonwealth.

SECTION 2. Chapter 48 of the General Laws is hereby amended by striking out section 38 and inserting in place thereof the following section: — *Section 38.* Enginemen or members of the fire department who have served for one year preceding May first in any year, shall receive from the town such compensation as the town determines.

SECTION 3. Section 1 of chapter 51 of the General Laws, as appearing in section 10 of chapter 453 of the acts of 1943, is hereby amended by striking out, in lines 25 and 26, the words · — , or because he is exempted by section five of chapter fifty-nine from the assessment of a poll tax.

SECTION 4. Section 4 of said chapter 51, as most recently amended by section 1 of chapter 67 of the acts of 1955, is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph: — Any veteran in the soldiers' home in Chelsea shall have the same right as any other resident of that city to vote therein.

SECTION 5. Section five of said chapter fifty-one is hereby repealed.

SECTION 5A. Section 6 of said chapter 51 is hereby amended by striking out the last sentence, as appearing in section 2 of chapter 188 of the acts of 1939.

SECTION 6. The second sentence of section 8 of said chapter 51, as appearing in section 6 of chapter 440 of the acts of 1938, is hereby amended by striking out all after the word "thereof", in line 3.

SECTION 7. Section one of chapter fifty-nine of the General Laws is hereby repealed.

SECTION 8. Section 5 of said chapter 59 is hereby amended by striking out in line 1, as appearing in the Tercentenary Edition, the words "and polls".

SECTION 9. Said section 5 is hereby further amended by striking out clauses Seventeenth A and Seventeenth B.

SECTION 10. Clause Eighteenth of said section 5, as appearing in section 2 of chapter 227 of the acts of 1941, is hereby amended by striking out, in line 1, the words "the polls and".

SECTION 11. Said section 5 is hereby further amended by striking out clause Twenty-third.

SECTION 12. Sections nine and ten of said chapter fifty-nine are hereby repealed.

SECTION 13. The second and third paragraphs of section 23 of said chapter 59, as appearing in section 1 of chapter 202 of the acts of 1955, are hereby amended by striking out, in line 9 and in line 5, respectively, the words ", personal or poll" and inserting in place thereof, in each instance, the words: — and personal.

SECTION 14. Section 23A of said chapter 59, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 5, the words "on polls,".

SECTION 15. Said chapter 59 is hereby further amended by striking out section 23B and inserting in place thereof the following section: — *Section 23B.* The assessors shall, as often as once a month, notify the auditor or similar officer in cities and towns, the town accountant, if any, otherwise the town treasurer, of the amounts of abatements of taxes.

SECTION 16. The first sentence of section 25 of said chapter 59, as appearing in chapter 257 of the acts of 1950, is hereby amended by striking out, in line 9, the words "polls or".

SECTION 17. The second sentence of section 29 of said chapter 59, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 6, the words "polls and".

SECTION 18. Said section 29 is hereby further amended by striking out the last sentence, as appearing in section 34 of chapter 254 of the acts of 1933, and inserting in place thereof the following sentence: — The assessors may require from any person claiming under the Seventeenth, Eighteenth or Twenty-second clause of section five an exemption from taxation, a full list of all such person's taxable property, both real and personal.

SECTION 19. Section 44 of said chapter 59, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 2, the words "polls and".

SECTION 20. Said chapter 59 is hereby further amended by striking out section 45, as most recently amended by section 2 of chapter 112 of the acts of 1948, including the form appended thereto, and inserting in place thereof the following section — *Section 45.* Each city or town shall provide, on or before January first, annually, suitable books, for the use of its assessors in the assessment of taxes, which shall contain blank columns, with uniform headings for a valuation list, and blank tables for aggregates, in such form as the commissioner shall from time to time determine or approve.

SECTION 21. Section 46 of said chapter 59, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 2, the words "polls and".

SECTION 22. The third sentence of section 57 of said chapter 59, as appearing in section 1 of chapter 258 of the acts of 1941, is hereby stricken out.

SECTION 23. Section 60 of said chapter 59, as most recently amended by chapter 620 of the acts of 1945, is hereby further amended by striking out, in line 10, the words "Fifth, The sum abated on poll tax."

SECTION 24 Section 71 of said chapter 59, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 1, the words "poll tax or".

SECTION 25. The third sentence of section 3 of chapter 60 of the General Laws is hereby stricken out.

SECTION 26. Sections four and five of said chapter sixty are hereby repealed, and the caption preceding said section four is hereby stricken out.

SECTION 27. Section fifteen A of said chapter sixty is hereby repealed.

SECTION 28. The first sentence of section 22 of said chapter 60, as appearing in chapter 278 of the acts of 1947, is hereby amended by striking out, in line 3, the words "but not including a poll tax".

SECTION 29. Said chapter 60 is hereby further amended by striking out section 29, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 29.* If a person refuses or neglects to pay his tax for fourteen days after demand and the collector cannot find sufficient goods on which it may be levied, he may take the body of such person and commit him to jail until he pays the tax and charges of commitment and imprisonment, or is discharged according to law.

SECTION 30. Section 5 of chapter 262 of the acts of 1855 is hereby amended by striking out, in line 4, the words "polls and".

SECTION 31 Chapter one hundred and sixty-seven of the acts of nineteen hundred and twelve, section five of chapter ninety-three of the Special Acts of nineteen hundred and eighteen, and section three of chapter five hundred and fifty-two of the acts of nineteen hundred and twenty are hereby repealed.

SECTION 32. Notwithstanding the provisions of this act, so much of any general or special law in effect immediately prior to the effective date of this act as pertains, directly or indirectly, to poll taxes assessed prior to said effective date shall remain, with respect to such taxes, in full force and effect.

SECTION 33. This act shall take effect on January first, nineteen hundred and sixty-four. *Approved March 22, 1963.*

Chap. 161. AN ACT REQUIRING CERTAIN OFFICERS OF THE COMMONWEALTH TO FURNISH ESTIMATES OF THE COST OF CERTAIN PROPOSED LEGISLATION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide forthwith certain information of assistance to the general court in its consideration of proposed legislation, 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 29 of the General Laws is hereby amended by inserting after section 3 the following section: —

Section 3A. Any officer having charge of any office, department or undertaking which receives a periodic appropriation from the commonwealth, shall, upon request of the house or the senate committee on ways and means, furnish in writing to such committee, and to the commissioner of administration, his estimate of the cost of proposed legislation affecting activities which are or would be under his supervision. The said commissioner shall also, upon request of either of said committees, furnish to it, in writing, his estimate of the cost of such proposed legislation. *Approved March 26, 1963.*

Chap. 162. AN ACT PROVIDING THAT FEMALE SCHOOL TRAFFIC SUPERVISORS AND CERTAIN OTHER FEMALE EMPLOYEES DOING INTERMITTENT WORK BE GIVEN TENURE, AND THAT SUCH POSITIONS, IF OCCUPIED BY FEMALES, BE SUBJECT TO THE CIVIL SERVICE LAWS AND RULES.

Be it enacted, etc , as follows:

SECTION 1. Section 5 of chapter 31 of the General Laws is hereby amended by striking out, in line 28, as appearing in chapter 26 of the acts of 1951, the words "school traffic supervisors, or persons" and inserting in place thereof the words: — male school traffic supervisors, or male employees.

SECTION 2. The tenure of office of every female who, on the effective date of this act, is (1) a school traffic supervisor or (2) a person, not a member of the regular police force, who is doing only intermittent work protecting school children going to and from schools, shall be unlimited, subject, however, to the civil service laws and rules provided she passes a qualifying examination to be given by the division of civil service for such position. If she passes said examination, she shall be certified for said position and shall be deemed to be permanently appointed thereto without being required to serve any probationary period.

Approved March 26, 1963.

Chap. 163. AN ACT AUTHORIZING THE CITY OF SALEM TO PROVIDE A SCHOLARSHIP FUND FOR CERTAIN HIGH SCHOOL GRADUATES.

Be it enacted, etc., as follows:

SECTION 1. The city of Salem is hereby authorized to raise and appropriate the sum of fifty thousand dollars to provide a scholarship fund, the income of which may be used for the higher education of any high school graduate, who has resided in said city for a period of five years next preceding the filing of an application for such scholarship. Said fund shall be dedicated as a memorial to veterans of the Korean emergency.

SECTION 2. Said fund shall be administered by a Municipal Scholarship Committee consisting of the mayor, the president of the city council, and the vice-chairman of the school committee of the city of Salem. The function of said committee shall be to award scholarship assistance based on the need of the applicant and his prior scholastic record.

SECTION 3 This act shall take effect upon its acceptance by the city of Salem. *Approved March 26, 1963.*

Chap. 164. AN ACT PROVIDING A FURTHER DEDUCTION OF SENTENCE FOR GOOD CONDUCT WHILE CONFINED AT A PRISON CAMP.

Be it enacted, etc., as follows:

Chapter 127 of the General Laws is hereby amended by inserting after section 129B the following section: —

Section 129C. For the satisfactory conduct of a prisoner confined in a prison camp, the commissioner may grant, in addition to the deductions

of sentence provided under section one hundred and twenty-nine, a further deduction of sentence of not more than two and one half days for each month while confined in a prison camp. Such further deduction of sentence shall be added to any deduction to which the prisoner is entitled under section one hundred and twenty-nine for computing the minimum term of sentence for release on parole as authorized by section one hundred and thirty-three, or for reducing the term of imprisonment by deduction from the maximum term for which he may be held under his sentence or sentences. A prisoner whose term of imprisonment is reduced shall receive from the commissioner a certificate of discharge on the date which has been determined by such additional deduction from the maximum term of his sentence or sentences

Approved March 26, 1963.

Chap. 165. AN ACT AUTHORIZING THE TOWN OF EAST BROOKFIELD TO CONSTRUCT AND OPERATE A SYSTEM OR SYSTEMS OF SEWERAGE AND SEWAGE DISPOSAL.

Be it enacted, etc., as follows:

SECTION 1. The town of East Brookfield, hereinafter called the town, may lay out, construct, maintain and operate a system or systems of common sewers for a part or the whole of its territory, with such connections and other works as may be required for a system or systems of sewerage and sewage treatment and disposal, and may construct such sewers in said town as may be necessary.

SECTION 2. The town may make and maintain, in any way therein where common sewers are constructed, such connecting sewers within the limits of such way as may be necessary to connect any estate which abuts upon the way.

SECTION 3. The town may, at the meeting when this act is accepted, vote that the selectmen shall act as a board of sewer commissioners If the town does not so vote at said meeting, the town shall elect by ballot, at any town meeting not later than the second annual meeting after the commencement of construction hereunder of a system or systems of sewerage and sewage disposal, a board of three sewer commissioners, who shall be citizens of the town, to hold office, if elected at an annual meeting, one until the expiration of one year, one until the expiration of two years, and one until the expiration of three years, from such annual town meeting, and until their successors are qualified, or, if elected at a special meeting, one until the expiration of one year, one until the expiration of two years, and one until the expiration of three years from the next succeeding annual town meeting, and until their successors are qualified, and thereafter, at each annual town meeting when the term of a member expires, the town shall elect one member of the board to serve for three years and until his successor is qualified Any selectman shall be eligible to election to said board In either case, whether the town votes that its selectmen shall act as a board of sewer commissioners, or elects a board of sewer commissioners, the town may at any time thereafter, by any or all the methods permitted by general law, provide for the election of a board of three sewer commissioners, or that the selectmen may act as a board of sewer commissioners, as the case may be.

SECTION 4. Said board of sewer commissioners, acting for and on behalf of said town, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, water rights, rights of way or easements, public or private, in said town, and in the town of Brookfield, necessary for accomplishing any purpose mentioned in this act, and may in said town and in the town of Brookfield 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; and provided further, that they shall not take any land or easements in the town of Brookfield except such as may be approved by the department of public health.

SECTION 5 Until the board of sewer commissioners has first been elected as provided in this act or the selectmen have first been authorized by vote to act as such board, as the case may be, but not in any event later than the second annual meeting after the commencement of the work of construction authorized hereby, the town may carry on such work by a duly authorized committee of the town. The committee shall serve without pay and shall have all the powers and authority given to the board of sewer commissioners in this act or by general law. Whenever the phrase "said board of sewer commissioners" or "said board" hereinafter occurs, it shall mean and include the board of sewer commissioners, the selectmen acting as such or the committee of the town provided for in this section, as the case may be.

SECTION 6. Any person injured in his property by any action of said board of sewer commissioners under this act may recover damages from said town under said chapter seventy-nine.

SECTION 7. The town shall, by vote, determine whether it shall pay the whole or a portion of the cost of said system or systems of sewerage and sewage disposal and if a portion, what proportion. If the town votes to pay less than the whole cost, in providing for the payment of the remaining portion of the cost of said system or systems the town may avail itself of any or all of the methods permitted by the General Laws, and the provisions of said General Laws relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments, to liens therefor and to interest thereon, shall apply to assessments made under this act, except that interest shall be at the rate of four per cent per annum. At the same meeting at which it determines that any portion of the cost is to be borne by the town, it may by vote determine by which of such methods the remaining portion of said cost shall be provided for. The collector of taxes of said town shall certify the payment or payments of such assessments, or apportionments thereof to the sewer commissioners, or to the selectmen acting as such, who shall preserve a record thereof.

SECTION 8. For the purpose of paying the necessary expenses and liabilities incurred under this act, the town may from time to time, within

five years after the passage of this act, borrow such sums as may be necessary, not exceeding, in the aggregate, seven hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, East Brookfield Sewerage Loan, Act of 1963. 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 East Brookfield, if there be any, and if not, then in some newspaper published in the county of Worcester, and shall not take effect until such publications have been made.

SECTION 13. No act shall be done under authority of the preceding sections except in the making of surveys and other preliminary investigations, until the plan for said system or systems of sewerage and sewage disposal has been approved by the state department of public health.

SECTION 14. This act shall take full effect upon its acceptance by vote of a majority of the voters of said town voting thereon at an annual town meeting or a special town meeting called for the purpose within four years after its passage, but not otherwise No expenditure shall be made and no liability incurred hereunder until such acceptance.

Approved March 26, 1963.

Chap. 166. AN ACT AUTHORIZING THE TOWN OF CLINTON TO ESTABLISH A DEPARTMENT OF PUBLIC WORKS EXERCISING THE POWERS OF CERTAIN OTHER BOARDS, DEPARTMENTS AND TOWN OFFICERS AND OFFICIALS.

Be it enacted, etc., as follows:

SECTION 1. There shall be established in the town of Clinton a department of public works which shall be under the jurisdiction of the board of selectmen who shall act as such department. Upon the effective date of this act the selectmen shall assume all jurisdiction over the town boards, departments and officers abolished under section two of this act.

SECTION 2. Upon the effective date of this act the selectmen shall have all the powers and duties now and from time to time vested by general or special law or town by-laws in the following boards, departments and offices or in boards, departments and offices having corresponding duties in the town of Clinton, to wit: — the water commissioners, the road commissioners including the superintendent of streets, the tree warden, the cemetery trustees, the forestry department, the moth department and such boards, offices and departments shall be abolished. No contracts or liabilities in force on the date when this act becomes fully effective shall be affected, but the selectmen shall in all respects be the lawful successor of the boards, departments and offices so abolished. The selectmen 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 law to the contrary notwithstanding.

SECTION 3. The selectmen shall appoint and fix the compensation of a superintendent of public works who shall exercise and perform, under their supervision and direction, such of the powers, rights and duties transferred to them under section two as they 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 two 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 selectmen may require, and shall, subject to the approval of the selectmen, appoint such assistants, agents and employees as the exercise and performance of his powers, rights and duties may require. He shall render to the selectmen, as often as they 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 selectmen, shall make a synopsis of such reports for publication and shall keep the selectmen 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 selectmen 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. The incumbent of the office of tree warden and each permanent employee of any board, department or office abolished by this act shall be transferred to and become an employee of the department 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 Clinton 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-three, entitled 'An Act authorizing the town of Clinton to establish a department of public works exercising the powers of certain other boards, departments and town officers and officials', be accepted?" If a majority of the votes cast in answer to this question is in the affirmative, this act shall take effect on the first day of September following. If this act is not accepted as provided in this section, it shall thereupon become null and void.

SECTION 4A. The action taken by the town of Clinton at the annual town meeting in the year nineteen hundred and sixty-three in voting to accept this act as provided in section four shall be as valid and effective as though this act had been in full force and effect at the time of the posting of the warrant for said meeting.

SECTION 5. 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 the next biennial state election, ten per cent of the qualified voters of the town may petition the state secretary that the question of revoking such acceptance be submitted to the voters at such state election. Thereupon the state secretary shall cause the following question to be printed on the official ballot to be used at such state election in said town: — "Shall the acceptance by the town of Clinton of an act passed by the General Court in the year nineteen hundred and sixty-three, entitled 'An Act authorizing the town of Clinton to establish a department of public works exercising the powers of certain other boards, departments and town officers and officials', be revoked?" If such revocation is favored by a majority of the 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, at which meeting the registered voters of the town shall elect by ballot all elective officers, officials and boards whose election was required prior to the acceptance of this act. All town officers holding office under this act shall continue to hold office until their successors are duly qualified. The said revocation 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 be revived by such revocation and shall continue to be in full force and effect Any by-law inconsistent with such special or general laws shall be revoked thereby. *Approved March 26, 1963.*

Chap. 167. AN ACT AUTHORIZING THE CITY OF LOWELL TO PROVIDE A RECREATIONAL AND MEETING PLACE FOR THE AGING.

Be it enacted, etc., as follows:

SECTION 1. In addition to the appropriation authorized under the provisions of clause (49) of section five of chapter forty of the General Laws, the city of Lowell may, in the current year, appropriate and expend a sum, not to exceed twenty-five hundred dollars, for the purpose of providing a recreational and meeting place for the aging.

SECTION 2. This act shall take effect upon its acceptance by the city of Lowell. *Approved March 26, 1963.*

Chap. 168. AN ACT PROVIDING FOR THE DEPOSIT OF CERTAIN UNCLAIMED MONEY IN SAVINGS ACCOUNTS IN TRUST COMPANIES.

Be it enacted, etc., as follows:

SECTION 1. Section 25 of chapter 206 of the General Laws is hereby amended by striking out the first sentence, as amended by section 1 of chapter 312 of the acts of 1954, and inserting in place thereof the following sentence: — If money which a decree of a probate court has ordered to be paid over remains for six months unclaimed, the executor, administrator, guardian, conservator or trustee who was ordered to pay the same may deposit it in a savings bank or other like institution, or in savings accounts in a trust company, or on paid-up shares and accounts of and in co-operative banks, or invest it in bank stock or other stocks, or in share accounts of a federal savings and loan association or a savings and loan association located in the commonwealth, as the probate court orders, to accumulate for the benefit of the person entitled thereto.

SECTION 2. Section 27 of said chapter 206, as most recently amended by section 2 of chapter 311 of the acts of 1954, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence. — If an executor, administrator, guardian, conservator or trustee has money which he considers it advisable to deposit in a savings bank, or in savings accounts in a trust company, or on paid-up shares and accounts of and in a co-operative bank, or with which he considers it advisable to purchase share accounts of a federal savings and loan association or a savings and loan association located in the commonwealth, in the name of the judge of probate, for the benefit of any person, he may apply to the probate court by which he was appointed for leave so to do, and the court may in its discretion, without notice, direct such money to be so deposited, or such purchase to be made.

SECTION 3. Section 27A of said chapter 206, inserted by chapter 265 of the acts of 1950, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Whenever pay-

ment of a legacy or distributive share cannot be made to the person entitled thereto, or such person may not receive or have the opportunity to obtain said legacy or distributive share, the court, on petition of an interested party or in its discretion, may order that the money be deposited in a savings bank or other like institution, or in savings accounts in a trust company, or invested in the manner provided in section twenty-five, and disposed of in the manner provided in section twenty-eight.

SECTION 4. Chapter 241 of the General Laws is hereby amended by striking out section 34, as most recently amended by section 2 of chapter 312 of the acts of 1954, and inserting in place thereof the following section: — *Section 34.* If the proceeds of a sale, or any share thereof, cannot be paid to the persons entitled thereto, the commissioners shall deposit the same in the name of the judge of probate for the county where the proceedings are had, in such savings bank or other like institution, or in savings accounts in a trust company, or on paid-up shares and accounts of and in co-operative banks, or purchase with it in the name of said judge of probate a share account of a federal savings and loan association or a savings and loan association located in the commonwealth, as the court orders, to accumulate for the persons entitled thereto. The deposit or purchase shall be subject to sections twenty-five to twenty-eight, inclusive, of chapter two hundred and six, so far as applicable. *Approved March 26, 1963.*

Chap. 169. AN ACT RELATIVE TO WRITTEN REQUESTS OF REGISTERED VOTERS FOR THE INSERTION OF SUBJECTS IN TOWN MEETING WARRANTS.

Be it enacted, etc., as follows:

Section 10 of chapter 39 of the General Laws, as most recently amended by section 1 of chapter 64 of the acts of 1959, is hereby further amended by adding at the end the following paragraph: —

The written requests of registered voters for the insertion of subjects in town meeting warrants shall not be valid unless the required number of registered voters not only sign their names but also state their residence, with street and number, if any. The selectmen shall submit such written requests to the town election officers who shall check and forthwith certify the number of signatures so checked which are names of voters in the town, and only names so checked and certified shall be counted. A greater number of names than are required in each case need not be certified *Approved March 26, 1963.*

Chap. 170. AN ACT RELATIVE TO PENSIONS TO BE PAID TO SURVIVING SPOUSES OF MEMBERS OF RETIREMENT SYSTEMS OF COUNTIES, DISTRICTS AND MUNICIPALITIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 506 of the acts of 1962 is hereby amended by inserting after the word "system", in line 3, the words: — or of any retirement system established under the provisions of sections one to twenty-eight, inclusive, of said chapter thirty-two.

SECTION 2. Chapter 506 of the acts of 1962, as amended by section one of this act shall take effect upon its acceptance in a county by the county commissioners, in a district by the prudential committee or a body having similar duties, in a city having a Plan D or Plan E charter by the city council, and in any other city by the city council, in accordance with the provisions of its charter, and in a town by the selectmen.

Approved March 26, 1963.

Chap. 171. AN ACT EXTENDING THE TIME DURING WHICH A STAY OR SUCCESSIVE STAYS OF EXECUTION TOTALLING NINE MONTHS MAY BE GRANTED IN AN ACTION OF SUMMARY PROCESS BROUGHT TO RECOVER POSSESSION OF PREMISES USED FOR DWELLING PURPOSES.

Be it enacted, etc., as follows:

Chapter 43 of the acts of 1946 is hereby amended by striking out section 2, as most recently amended by chapter 241 of the acts of 1961, and inserting in place thereof the following section: — *Section 2.* This act shall become inoperative on June thirtieth, nineteen hundred and sixty-five. *Approved March 26, 1963.*

Chap. 172. AN ACT RELATIVE TO THE COMPENSATION OF MUNICIPAL EMPLOYEES WHILE SERVING AS JURORS IN STATE OR FEDERAL COURTS.

Be it enacted, etc., as follows:

Chapter 234 of the General Laws is hereby amended by inserting after section 1A the following section: —

Section 1B. An employee of a city or town who serves as a grand or traverse juror in a federal court or in the courts of the commonwealth shall receive from such city or town the difference between his salary and the compensation he received for such jury service, exclusive of any travel or other allowance. *Approved March 26, 1963.*

Chap. 173. AN ACT AUTHORIZING THE TOWN OF WATERTOWN TO REIMBURSE MANUEL MANOLIAN FOR CERTAIN MEDICAL EXPENSES INCURRED BY HIM.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation the town of Watertown may appropriate and pay to Manuel Manolian a sum, not exceeding eight hundred and ten dollars to reimburse him for medical expenses incurred by him on account of injuries sustained in the course of his employment in the engineering department of the said town.

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

Approved March 27, 1963.

Chap. 174. AN ACT AUTHORIZING THE TOWN OF WATERTOWN TO REIMBURSE PHILIP M. BARRETT FOR CERTAIN MEDICAL BILLS.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the town of Watertown may appropriate and pay the sum of three hundred and fifty-four dollars and eighty-three cents to Philip M. Barrett to reimburse him for medical expenses incurred on account of injuries received by him in the performance of his duty as an engineering aid in the engineering department of said town.

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

Approved March 27, 1963.

Chap. 175. AN ACT AUTHORIZING THE TOWN OF WATERTOWN TO REIMBURSE ALFRED MINICLERI FOR CERTAIN EXPENSES INCURRED BY HIM.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation the town of Watertown may appropriate and pay to Alfred Minicleri such sum not exceeding six hundred and sixty-five dollars and ninety-five cents as may be necessary to reimburse him for medical expenses incurred by him on account of injuries sustained in the course of his employment with the board of health of said Watertown.

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

Approved March 27, 1963.

Chap. 176. AN ACT PERMITTING CERTAIN LICENSEES TO SERVE ALCOHOLIC BEVERAGES AT BARS OR COUNTERS ON SUNDAYS.

Be it enacted, etc., as follows:

Section 12 of chapter 138 of the General Laws is hereby amended by striking out the second paragraph, as most recently amended by section 4 of chapter 542 of the acts of 1943, and inserting in place thereof the following paragraph: —

No alcoholic beverage shall be served to or drunk by a woman as patron, guest or member in a public room or area of a hotel, or in a restaurant or club, licensed under this section, except while seated at a table or seated at a bar or counter equipped with stools.

Approved March 27, 1963.

Chap. 177. AN ACT AUTHORIZING THE TOWN OF WATERTOWN TO PAY A SUM OF MONEY TO THOMAS P. FERGUSON.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the town of Watertown may appropriate and pay to Thomas P. Ferguson a sum, not exceeding eighty dollars and seventy-eight cents, for services rendered by him as a school traffic supervisor in the police department of said town.

SECTION 2. Any payment made by the town of Watertown prior to the effective date of this act to said Thomas P. Ferguson for services as a school traffic supervisor is hereby validated as if such services had been rendered in conformity to law.

SECTION 3. This act shall take effect upon its acceptance by the town of Watertown. *Approved March 27, 1963.*

Chap. 178. AN ACT AUTHORIZING THE TOWN OF WATERTOWN TO PAY A SUM OF MONEY TO ROBERT L. SHUTT.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the town of Watertown may appropriate and pay to Robert L. Shutt a sum, not exceeding one hundred and fifty-nine dollars and ninety cents, for work performed by him as superintendent of the Watertown incinerator for the week ending May first, nineteen hundred and sixty-two and for eight hours performed on May second, nineteen hundred and sixty-two.

SECTION 2. Any payment made prior to the effective date of this act by the town of Watertown to said Robert L. Shutt for services to said town is hereby validated to the same extent as if such services had been rendered in conformity to law.

SECTION 3. This act shall take effect upon its acceptance by the town of Watertown. *Approved March 27, 1963.*

Chap. 179. AN ACT AUTHORIZING THE TOWN OF WATERTOWN TO PAY A SUM OF MONEY TO JOHN HOPKINS.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation the town of Watertown may appropriate and pay to John Hopkins a sum, not exceeding sixty-three dollars and forty-seven cents, for services rendered by him as a school traffic supervisor in the Watertown police department on the following dates in the year nineteen hundred and sixty: — May second, third, fourth, fifth, sixth, ninth, tenth, eleventh, twelfth, thirteenth, sixteenth and seventeenth.

SECTION 2. Any payment made prior to the effective date of this act by the town of Watertown to said John Hopkins for services rendered by him as a school traffic supervisor is hereby validated and confirmed as if such services had been rendered in conformity to law.

SECTION 3. This act shall take effect upon its acceptance by the town of Watertown. *Approved March 27, 1963.*

Chap. 180. AN ACT AUTHORIZING THE USE OF CERTAIN PARK LAND IN THE TOWN OF MILTON FOR THE PURPOSE OF PROVIDING PARKING FACILITIES.

Be it enacted, etc., as follows:

SECTION 1. The town of Milton is hereby authorized to use, for the purpose of providing parking facilities, a certain parcel of land in said town now held for park purposes, bounded and described as follows: —

Beginning at the northwest corner of the land to be transferred at a point on the south side of Wharf street, 118 feet, more or less, easterly from the easterly side-line of Adams street; thence turning and running northeasterly, easterly and southeasterly along the south side of Wharf street along two curved and two straight lines, 177 feet, more or less; thence turning and running southwesterly by land of the Milton park department, 48 feet; thence turning and running northwesterly by land of Milton park department, 149 feet, more or less; thence turning and running northeasterly by land of the Milton park department, 20 feet, more or less, to the point of beginning; containing 7500 square feet, more or less.

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

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

Approved March 29, 1963.

Chap. 181. AN ACT MAKING APPROPRIATIONS FOR THE PUBLIC ACCESS BOARD AND THE DEPARTMENT OF NATURAL RESOURCES.

Be it enacted, etc., as follows:

SECTION 1. To provide for an accelerated program of construction of public access facilities and estuarine research, the sums set forth in section two of this act are hereby appropriated from the public access fund and the marine fisheries fund, respectively, subject to the provisions of law regulating the disbursement of public funds and the approval thereof and the conditions pertaining to appropriations in chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two.

SECTION 2.

PUBLIC ACCESS FUND.

STATE PURPOSES APPROPRIATION.

Department of Natural Resources.

Public Access Board.

Item		
3501-21	For the construction of public access and related facilities in and to the waters of the commonwealth as defined in section seventeen of chapter twenty-one of the General Laws and to such other public waters as the public access board may determine; provided, that expenditures under this item shall be in accordance with the provisions of Public Law 87-658; and provided, further, that any federal funds received on account of expenditures made under this item shall be credited to the Public Access Fund; and provided further, that, notwithstanding the provisions of the last sentence of said section seventeen of chapter twenty-one, the public access board may be the contracting agent for expenditures authorized by this item, appropriation expires June thirtieth, nineteen hundred and sixty-four	**$200,000**

MARINE FISHERIES FUND.

STATE PURPOSES APPROPRIATION.

Department of Natural Resources.

Division of Marine Fisheries.

Item		
3601–06	For a program of estuarine research	**$43,000**

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

Approved March 29, 1963.

Chap. 182. AN ACT AUTHORIZING THE GRANBY TELEPHONE AND TELEGRAPH COMPANY OF MASSACHUSETTS TO BORROW MONEY.

Be it enacted, etc., as follows:

The Granby Telephone and Telegraph Company of Massachusetts is hereby authorized to borrow an additional sum, not exceeding two 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.

Approved March 29, 1963.

Chap. 183. AN ACT VALIDATING THE ORGANIZATION OF THE TRUSTEES OF THE COLLEGE OF OUR LADY OF THE ELMS.

Be it enacted, etc., as follows:

SECTION 1. Upon the making and filing of the certificate required by section thirteen of chapter one hundred and fifty-five of the General Laws, the organization of The Trustees of the College of Our Lady of the Elms, incorporated by chapter seven hundred and twenty of the acts of nineteen hundred and fifty-seven, is hereby validated, and all acts purporting to be acts of a corporation of that name are hereby ratified and confirmed as the legal acts of said corporation, provided that said certificate is made and filed within one hundred and twenty days after the effective date of this act.

SECTION 2. Section 2 of chapter 720 of the acts of 1957 is hereby amended by inserting after the third sentence the following sentence: — Said corporation shall have the power to borrow money, to issue bonds or notes or other evidences of indebtedness and to secure its indebtedness by mortgaging its real and personal estate or otherwise.

Approved March 29, 1963.

Chap. 184. AN ACT AUTHORIZING CANDIDATES FOR PUBLIC OFFICE OR THEIR REPRESENTATIVES TO CHECK THE VOTE RECORDED ON CERTAIN VOTING MACHINES.

Be it enacted, etc., as follows:

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

SECTION 2. The second paragraph of section 35B of chapter 54 of the General Laws, as most recently amended by section 6 of chapter 310 of the acts of 1943, is hereby further amended by inserting after the fifth sentence the following sentence: — A candidate for public office whose name appears on said machine, or his representative duly authorized in writing shall, within one hour after the official vote for said office has been announced, be permitted to examine and check the vote recorded on each voting machine. *Approved March 29, 1963.*

Chap. 185. AN ACT REPEALING THE LAW PROVIDING A PENALTY FOR PERMITTING A RAM OR HE GOAT TO RUN AT LARGE DURING CERTAIN TIMES OF THE YEAR.

Be it enacted, etc., as follows:

Section forty-two of chapter forty-nine of the General Laws is hereby repealed. *Approved March 29, 1963.*

Chap. 186. AN ACT INCREASING THE AMOUNT OF REAL AND PERSONAL ESTATE WHICH MAY BE HELD BY THE MARLBOROUGH HOSPITAL AND PROVIDING FOR CERTAIN CHANGES IN THE ORGANIZATION, MANAGEMENT AND CERTAIN OTHER MATTERS RELATING THERETO.

Be it enacted, etc., as follows:

SECTION 1. Chapter 60 of the acts of 1890 is hereby amended by striking out section 2, and inserting in place thereof the following section: — *Section 2.* Said corporation may receive and hold real and personal estate which may from time to time be given, granted, bequeathed or devised to it and accepted by the corporation, to an amount not exceeding ten million dollars for the uses and purposes of said hospital; provided, always, that both the principal and income thereof shall be appropriated according to the terms of the donation, devise or bequest.

SECTION 2. Said chapter 60 is hereby further amended by striking out section 4 and inserting in place thereof the following section: — *Section 4.* Said hospital shall be under the care, control and management of a board of trustees, consisting of not less than twelve persons, who shall be elected by ballot by and from the members of the corporation at a meeting duly called for that purpose, and held on or before the third Monday in January in each year. Said board of trustees shall hold office for the term of one year or until their successors are elected. Said trustees shall annually elect from their number a president, secretary and treasurer, and such other officers as they shall deem necessary. If a trustee shall die, resign or refuse to act or become incom-

petent to discharge the duties of his office, a successor shall be elected by the members of the corporation, and such trustee elected as aforesaid to fill such vacancy shall serve for the remainder of the term.

SECTION 3. Section six of said chapter sixty, as amended, is hereby repealed. *Approved March 29, 1963.*

Chap. 187. AN ACT INCREASING THE NUMBER OF PEREMPTORY CHALLENGES ALLOWED IN CIVIL CASES.

Be it enacted, etc., as follows:

Section 29 of chapter 234 of the General Laws is hereby amended by striking out the third sentence, as appearing in section 1 of chapter 485 of the acts of 1955, and inserting in place thereof the following sentence: — In a civil case each party shall be entitled to four such challenges. *Approved March 29, 1963.*

Chap. 188. AN ACT AMENDING THE UNIFORM COMMERCIAL CODE WITH RESPECT TO THE FORM OF COMMERCIAL PAPER, THE USE OF ELECTRONIC PROCESSES IN BANK COLLECTIONS, THE CLEARING OF TRANSFERS OF INVESTMENT SECURITIES, SECURITY INTERESTS IN FOREIGN COLLATERAL AND WAIVERS OF DEFENSES BY LESSEES OF GOODS, AND MAKING CERTAIN CORRECTIVE CHANGES THEREIN.

Whereas, The deferred operation of this act would tend to defeat its purpose which is, in part, to make certain changes in the Uniform Commercial Code effective 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. Subsection (27) of section 1 — 201 of chapter 106 of the General Laws, as appearing in section 1 of chapter 765 of the acts of 1957, is hereby amended by adding at the end the following two sentences: — An organization exercises due diligence if it maintains reasonable routines for communicating significant information to the person conducting the transaction and there is reasonable compliance with the routines. Due diligence does not require an individual acting for the organization to communicate information unless such communication is part of his regular duties or unless he has reason to know of the transaction and that the transaction would be materially affected by the information.

SECTION 2. Subparagraph (*c*) of subsection (1) of section 3 — 105 of said chapter 106, as so appearing, is hereby amended by inserting after the word "agreement" the words: — or refers to a separate agreement for rights as to prepayment or acceleration, — so as to read as follows: — (*c*) refers to or states that it arises out of a separate agreement or refers to a separate agreement for rights as to prepayment or acceleration; or

SECTION 3. Subsection (1) of section 3 — 112 of said chapter 106, as so appearing, is hereby amended by striking out subparagraph (*b*) and inserting in place thereof the following subparagraph: —

(*b*) a statement that collateral has been given to secure obligations either on the instrument or otherwise of an obligor on the instrument or in the case of default on those obligations the holder may realize on or dispose of the collateral; or

SECTION 4. Subsection (2) of section 3 — 412 of said chapter 106, as so appearing, is hereby amended by striking out, in line 2, the word "continental", — so as to read as follows: —

(2) The terms of the draft are not varied by an acceptance to pay at any particular bank or place in the United States, unless the acceptance states that the draft is to be paid only at such bank or place.

SECTION 5. Subsection (4) of section 3 — 504 of said chapter 106, as so appearing, is hereby amended by striking out, in line 2, the word "continental", — so as to read as follows: —

(4) A draft accepted or a note made payable at a bank in the United States must be presented at such bank.

SECTION 6. Section 4 — 106 of said chapter 106, as so appearing, is hereby amended by inserting after the word "Article", in line 4, the words: — and under Article 3, — so as to read as follows: —

Section 4 — 106. Separate Office of a Bank.

A branch or separate office of a bank is a separate bank for the purpose of computing the time within which and determining the place at or to which action may be taken or notices or orders shall be given under this Article and under Article 3. The proper branch to which a stop-order should be directed is the branch where the customer's account is maintained and the effectiveness of a stop-order as to time (section 4 — 303) is determined by the time when such branch receives the stop-order and has a reasonable time to act on it.

SECTION 7. Said chapter 106 is hereby further amended by inserting after section 4 — 108, as so appearing, the following section: —

Section 4 — 109. Process of Posting.

The "process of posting" means the usual procedure followed by a payor bank in determining to pay an item and in recording the payment including one or more of the following or other steps as determined by the bank:

(*a*) verification of any signature;

(*b*) ascertaining that sufficient funds are available;

(*c*) affixing a "paid" or other stamp;

(*d*) entering a charge or entry to a customer's account;

(*e*) correcting or reversing an entry or erroneous action with respect to the item.

SECTION 8. Section 4 — 204 of said chapter 106, as so appearing, is hereby amended by adding at the end the following subsection: —

(3) Presentment may be made by a presenting bank at a place where the payor bank has requested that presentment be made.

SECTION 9. Section 6 — 103 of said chapter 106, as so appearing, is hereby amended by adding at the end the following paragraph: —

Public notice under subsection (6) or subsection (7) may be given by publishing once a week for two consecutive weeks in a newspaper of general circulation where the transferor had its principal place of business in this state an advertisement including the names and addresses of the transferor and transferee and the effective date of the transfer.

SECTION 10. Subsection (2) of section 6 — 104 of said chapter 106, as so appearing, is hereby amended by adding at the end the following sentence: — If the transferor is the obligor of an outstanding issue of bonds, debentures or the like as to which there is an indenture trustee, the list of creditors need include only the name and address of the indenture trustee and the aggregate outstanding principal amount of the issue.

SECTION 11. Subsection (3) of section 6 — 106 of said chapter 106, as so appearing, is hereby amended by inserting after the word "registered", in line 2, the words: — or certified, — so as to read as follows: —

(3) The notice in any case shall be delivered personally or sent by registered or certified mail to all the persons shown on the list of creditors furnished by the transferor (section 6 — 104) and to all other persons who are known to the transferee to hold or assert claims against the transferor.

SECTION 12. Subparagraph (*b*) of subsection (3) of section 6 — 107 of said chapter 106, as so appearing, is hereby amended by inserting after the word "registered", in line 1, the words: — or certified, — so as to read as follows: —

(*b*) give notice of the auction personally or by registered or certified mail at least ten days before it occurs to all persons shown on the list of creditors and to all other persons who are known to him to hold or assert claims against the transferor.

SECTION 13. Subparagraph (*b*) of subsection (2) of section 7 — 210 of said chapter 106, as so appearing, is hereby amended by inserting after the word "registered", in line 2, the words: — or certified, — so as to read as follows: —

(*b*) The notification must be delivered in person or sent by registered or certified letter to the last known address of any person to be notified.

SECTION 14. Said chapter 106 is hereby further amended by striking out section 8 — 102, as so appearing, and inserting in place thereof the following section: —

Section 8 — 102. Definitions and Index of Definitions.

(1) In this Article unless the context otherwise requires

(*a*) A "security" is an instrument which

(i) is issued in bearer or registered form; and

(ii) is of a type commonly dealt in upon securities exchanges or markets or commonly recognized in any area in which it is issued or dealt in as a medium for investment; and

(iii) is either one of a class or series or by its terms is divisible into a class or series of instruments; and

(iv) evidences a share, participation or other interest in property or in an enterprise or evidences an obligation of the issuer.

(*b*) A writing which is a security is governed by this Article and not by Uniform Commercial Code-Commercial Paper even though it also meets the requirements of that Article. This Article does not apply to money.

(*c*) A security is in "registered form" when it specifies a person entitled to the security or to the rights it evidences and when its transfer may be registered upon books maintained for that purpose by or on behalf of an issuer or the security so states.

(*d*) A security is in "bearer form" when it runs to bearer according to its terms and not by reason of any indorsement.

(2) A "subsequent purchaser" is a person who takes other than by original issue.

(3) A "clearing corporation" is a corporation all of the capital stock of which is held by or for a national securities exchange or association registered under a statute of the United States such as the Securities Exchange Act of 1934.

(4) A "custodian bank" is any bank or trust company which is supervised and examined by state or federal authority having supervision over banks and which is acting as custodian for a clearing corporation.

(5) Other definitions applying to this Article or to specified parts thereof and the sections in which they appear are:

"Adverse claim".	Section 8 — 301.
"Bona fide purchaser".	Section 8 — 302.
"Broker".	Section 8 — 303.
"Guarantee of the signature".	Section 8 — 402.
"Intermediary Bank"	Section 4 — 105.
"Issuer".	Section 8 — 201.
"Overissue".	Section 8 — 104.

(6) In addition Article 1 contains general definitions and principles of construction and interpretation applicable throughout this Article.

SECTION 15. Said chapter 106 is hereby further amended by inserting after section 8 — 106, as so appearing, the following section: —

Section 8 — 107. Securities Deliverable; Action for Price.

(1) Unless otherwise agreed and subject to any applicable law or regulation respecting short sales, a person obligated to deliver securities may deliver any security of the specified issue in bearer form or registered in the name of the transferee or indorsed to him or in blank.

(2) When the buyer fails to pay the price as it comes due under a contract of sale the seller may recover the price

(*a*) of securities accepted by the buyer; and

(*b*) of other securities if efforts at their resale would be unduly burdensome or if there is no readily available market for their resale.

SECTION 16. Subsection (1) of section 8 — 208 of said chapter 106, as so appearing, is hereby amended by striking out, in line 5, the words "and in proper form", and by inserting after the word "is" the first time it occurs in line 10, the words: — in the form and — so as to read as follows: —

(1) A person placing his signature upon a security as authenticating trustee, registrar, transfer agent or the like warrants to a purchaser for value without notice of the particular defect that

(*a*) the security is genuine; and

(*b*) his own participation in the issue of the security is within his capacity and within the scope of the authorization received by him from the issuer; and

(*c*) he has reasonable grounds to believe that the security is in the form and within the amount the issuer is authorized to issue.

SECTION 17. Subsection (3) of section 8 — 306 of said chapter 106, as so appearing, is hereby amended by striking out the last sentence.

SECTION 18. Subparagraph (*b*) of subsection (3) of section 8 — 308 of said chapter 106, as so appearing, is hereby amended by inserting after

the word "capacity, — ", in line 2, the words: — either that person or, — so as to read as follows: —

(*b*) where the person so specified is described as a fiduciary but is no longer serving in the described capacity, — either that person or his successor; or

SECTION 19. Said chapter 106 is hereby further amended by striking out section 8 — 313, as so appearing, and inserting in place thereof the following section: —

Section 8 — 313. When Delivery to the Purchaser Occurs; Purchaser's Broker as Holder.

(1) Delivery to a purchaser occurs when

(*a*) he or a person designated by him acquires possession of a security; or

(*b*) his broker acquires possession of a security specially indorsed to or issued in the name of the purchaser; or

(*c*) his broker sends him confirmation of the purchase and also by book entry or otherwise identifies a specific security in the broker's possession as belonging to the purchaser; or

(*d*) with respect to an identified security to be delivered while still in the possession of a third person when that person acknowledges that he holds for the purchaser; or

(*e*) appropriate entries on the books of a clearing corporation are made under Section 8 — 320.

(2) The purchaser is the owner of a security held for him by his broker, but is not the holder except as specified in subparagraphs (*b*), (*c*) and (*e*) of subsection (1). Where a security is part of a fungible bulk the purchaser is the owner of a proportionate property interest in the fungible bulk.

(3) Notice of an adverse claim received by the broker or by the purchaser after the broker takes delivery as a holder for value is not effective either as to the broker or as to the purchaser. However, as between the broker and the purchaser the purchaser may demand delivery of an equivalent security as to which no notice of an adverse claim has been received.

SECTION 20. Said chapter 106 is hereby further amended by inserting after section 8 —319, as so appearing, the following section: —

Section 8 — 320. Transfer or Pledge within a Central Depository System.

(1) If a security

(*a*) is in the custody of a clearing corporation or of a custodian bank or a nominee of either subject to the instructions of the clearing corporation; and

(*b*) is in bearer form or indorsed in blank by an appropriate person or registered in the name of the clearing corporation or custodian bank or a nominee of either; and

(*c*) is shown on the account of a transferor or pledgor on the books of the clearing corporation; then, in addition to other methods, a transfer or pledge of the security or any interest therein may be effected by the making of appropriate entries on the books of the clearing corporation reducing the account of the transferor or pledgor and increasing

the account of the transferee or pledgee by the amount of the obligation or the number of shares or rights transferred or pledged.

(2) Under this section entries may be with respect to like securities or interests therein as a part of a fungible bulk and may refer merely to a quantity of a particular security without reference to the name of the registered owner, certificate of bond number or the like and, in appropriate cases, may be on a net basis taking into account other transfers or pledges of the same security.

(3) A transfer or pledge under this section has the effect of a delivery of a security in bearer form or duly indorsed in blank (section 8 — 301) representing the amount of the obligation or the number of shares or rights transferred or pledged. If a pledge or the creation of a security interest is intended, the making of entries has the effect of a taking of delivery by the pledgee or a secured party (sections 9 — 304 and 9 — 305). A transferee or pledgee under this section is a holder.

(4) A transfer or pledge under this section does not constitute a registration of transfer under Part 4 of this Article.

(5) That entries made on the books of the clearing corporation as provided in subsection (1) are not appropriate does not affect the validity or effect of the entries nor the liabilities or obligations of the clearing corporation to any person adversely affected thereby.

SECTION 21. Subsection (2) of section 9 — 103 of said chapter 106, as so appearing, is hereby amended by adding at the end the following sentence: — For the purpose of determining the validity and perfection of a security interest in an airplane, the chief place of business of a debtor who is a foreign air carrier under the Federal Aviation Act of 1958, as amended, is the designated office of the agent upon whom service of process may be made on behalf of the debtor.

SECTION 22. Said section 9 — 103 of said chapter 106, as so appearing, is hereby further amended by adding at the end the following subsection: —

(5) Notwithstanding subsection (1) and section 9 — 302, if the office where the assignor of accounts or contract rights keeps his records concerning them is not located in a jurisdiction which is a part of the United States, its territories or possessions, and the accounts or contract rights are within the jurisdiction of this state or the transaction which creates the security interest otherwise bears an appropriate relation to this state, this Article governs the validity and perfection of the security interest and the security interest may only be perfected by notification to the account debtor.

SECTION 23. Section 9 — 206 of said chapter 106, as so appearing, is hereby amended by striking out subsection (1) and inserting in place thereof the following subsection: —

(1) Subject to any statute or decision which establishes a different rule for buyers or lessees of consumer goods, an agreement by a buyer or lessee that he will not assert against an assignee any claim or defense which he may have against the seller or lessor is enforceable by an assignee who takes his assignment for value, in good faith and without notice of a claim or defense, except as to defenses of a type which may be asserted against a holder in due course of a negotiable instrument under the Article on Commercial Paper (Article 3). A buyer who as part of one transaction signs both a negotiable instrument and a security agreement makes such an agreement.

SECTION 24. Section 1 — 201 of said chapter 106 is hereby amended by striking out subsection (4), as so appearing, and inserting in place thereof the following subsection: —

(4) "Bank" means any person engaged in the business of banking.

Approved April 1, 1963.

Chap. 189. AN ACT AUTHORIZING THE TOWN OF NAHANT TO ESTABLISH A SCHEDULE OF FINES FOR CERTAIN PARKING VIOLATIONS COMMITTED DURING CERTAIN MONTHS IN THE YEAR NINETEEN HUNDRED AND SIXTY-THREE.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, the selectmen of the town of Nahant may 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 in the year nineteen hundred and sixty-three; provided, however, that said town shall not establish any fine for any such offense which shall exceed five dollars. *Approved April 1, 1963.*

Chap. 190. AN ACT AUTHORIZING CITIES AND TOWNS TO PURCHASE STORMY WEATHER WORK CLOTHES AND RUBBER BOOTS FOR CERTAIN EMPLOYEES.

Be it enacted, etc., as follows:

Chapter 40 of the General Laws is hereby amended by inserting after section 6 I the following section: —

Section 6J. A city or town which accepts this section may appropriate money for the purchase of stormy weather work clothes, including rubber boots, for laborers and other members of its public works department or other department performing like services.

Approved April 1, 1963.

Chap. 191. AN ACT TO CLARIFY DESIGNATION OF APPOINTEES TO THE STATE BOARD OF EXAMINERS OF PLUMBERS.

Be it enacted, etc., as follows:

The first paragraph of section 36 of chapter 13 of the General Laws is hereby amended by adding at the end the following sentence: — When making an appointment to the board, the governor shall designate the appointee as the master plumber, sanitary engineer, or journeyman plumber member of the board. *Approved April 1, 1963.*

Chap. 192. AN ACT INCREASING THE SUM OF MONEY WHICH THE TOWN OF MAYNARD IS AUTHORIZED TO PAY TO THE TRUSTEE OF CONSOLIDATED HOMES CORPORATION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 713 of the acts of 1962 is hereby amended by striking out, in line 3, the word "twenty-two" and inserting in place thereof the word: — twenty-five.

SECTION 2. Any action taken by the town of Maynard pursuant to the authority granted by chapter seven hundred and thirteen of the acts of nineteen hundred and sixty-two, as amended by section one of this act, at its annual town meeting held in the current year shall be as valid and effective as though this act had been in full force and effect at the time of the posting of the warrant for said meeting.

Approved April 1, 1963.

Chap. 193. AN ACT PROVIDING FOR THE ESTABLISHMENT IN THE TOWN OF PLAINVILLE OF A FIRE DEPARTMENT HAVING A MINIMUM MEMBERSHIP OF THREE PERSONS UNDER THE CONTROL OF AN OFFICER TO BE KNOWN AS THE CHIEF OF THE FIRE DEPARTMENT.

Be it enacted, etc., as follows:

SECTION 1. The town of Plainville may establish a fire department, having a minimum membership of three persons, under the control of an officer to be known as the chief of the fire department, who shall be appointed in the manner provided by section forty-two of chapter forty-eight of the General Laws and who shall have the powers and duties set forth in said section and in section forty-three of said chapter.

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-four 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-three, entitled 'An Act providing for the establishment in the town of Plainville of a fire department having a minimum membership of three persons under the control of an officer to be known as the chief of the fire department', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise. *Approved April 1, 1963.*

Chap. 194. AN ACT PROVIDING THAT NO PERSON MAY TELL FORTUNES FOR MONEY UNLESS LICENSED.

Be it enacted, etc., as follows:

Chapter 140 of the General Laws is hereby amended by inserting after section 185H the following section: —

Section 185I. No person shall tell fortunes for money unless a license therefor has been issued by the local licensing authority. Said license shall be granted only to applicants who have resided continuously in the city or town in which the license is sought for at least twelve months immediately preceding the date of the application. No such license shall be transferred or assigned. The fee for each license granted under this section shall be two dollars. Whoever tells fortunes for money unless licensed under this section shall be punished by a fine of not more than one hundred dollars. *Approved April 1, 1963.*

Chap. 195. AN ACT REPEALING THE LAW PROHIBITING THE HOLDING OF MASKED BALLS.

Be it enacted, etc., as follows:

Section one hundred and eighty-five of chapter one hundred and forty of the General Laws is hereby repealed. *Approved April 1, 1963.*

Chap. 196. AN ACT AUTHORIZING THE METROPOLITAN TRANSIT AUTHORITY TO ACCEPT FEDERAL GRANTS FOR OR IN AID OF CERTAIN PLANNING, STUDIES, ESTIMATES OF COST, AND CAPITAL EXPENDITURES.

Be it enacted, etc., as follows:

SECTION 1. The last paragraph of section 9 of chapter 544 of the acts of 1947 is hereby amended by adding at the end the following two sentences: — In carrying out these duties the trustees may apply for, receive, and accept from a federal agency grants for or in aid of the planning, studies and estimates of cost authorized by this section when the authority shall be designated by the governor as a planning agency within the area constituting the authority, and, when so designated, shall work with the appropriate federal and state agencies or commissions. The trustees may apply for, receive and accept from any federal agency, grants for or in aid of capital expenditures for construction, reconstruction, renovation, improvement and extension of rapid transit or other transportation facilities and improvement of physical facilities and equipment.

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

Approved April 1, 1963.

Chap. 197. AN ACT PROVIDING THAT THE LAW RELATIVE TO UNLAWFUL DISCRIMINATION IN CONNECTION WITH THE SALE OR LEASE OF MULTIPLE DWELLING OR CONTIGUOUSLY LOCATED HOUSING ACCOMMODATIONS SHALL APPLY TO ALL HOUSING ACCOMMODATIONS OFFERED FOR SALE OR LEASE TO THE PUBLIC, EXCEPT TWO FAMILY DWELLINGS OCCUPIED IN PART BY THE OWNER.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 151B of the General Laws is hereby amended by adding after subsection 12, added by section 1 of chapter 239 of the acts of 1959, the following subsection: —

13. The term "other covered housing accommodations" includes all housing accommodations not specifically covered under subsections 10, 11 and 12 which are directly or through an agent made generally available to the public for sale or lease or rental, by advertising in a newspaper or otherwise, by posting of a sign or signs or a notice or notices on the premises or elsewhere, by listing with a broker, or by any other means of public offering.

SECTION 2. Section 4 of said chapter 151B is hereby amended by inserting after subsection 6 the following subsection: —

7. For the owner, lessee, sublessee, real estate broker, assignee or managing agent of other covered housing accommodations or of land intended

for the erection of any housing accommodation included under subsections 10, 11, 12 or 13 of section one, or other person having the right of ownership or possession or right to rent or lease, or sell, or negotiate for the sale or lease of such land or accommodations, or any agent or employee of such a person: — (*a*) to refuse to rent or lease or sell or negotiate for sale or lease or otherwise to deny to or withhold from any person or group of persons such accommodations or land because of the race, creed, color, national origin, or national ancestry of such person or persons; (*b*) to discriminate against any person because of his race, creed, color, national origin or national ancestry in the terms, conditions or privileges of such accommodations or land or the acquisition thereof, or in the furnishing of facilities and services in connection therewith; or (*c*) to cause to be made any written or oral inquiry or record concerning the race, creed, color, national origin or national ancestry of the person seeking to rent or lease or buy any such accommodation or land; provided, however, that this subsection shall not apply to the leasing of a single apartment or flat in a two family dwelling, the other occupancy unit of which is occupied by the owner as his residence.

Approved April 1, 1963.

Chap. 198. AN ACT PROVIDING THAT ALL SESSIONS OF THE SECOND DISTRICT COURT OF PLYMOUTH BE HELD AT HINGHAM.

Be it enacted, etc., as follows:

Section 1 of chapter 218 of the General Laws is hereby amended by striking out the first paragraph under the caption *Plymouth* and inserting in place thereof the following paragraph: — The second district court of Plymouth, held at Hingham; Abington, Hingham, Whitman, Rockland, Hull, Hanover, Scituate, Norwell and Hanson.

Approved April 1, 1963.

Chap. 199. AN ACT RELATIVE TO EMERGENCY OPERATORS OF SCHOOL BUSES.

Be it enacted, etc., as follows:

Section 7B of chapter 90 of the General Laws is hereby amended by striking out clause 4, as most recently amended by section 1 of chapter 515 of the acts of 1962, 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; provided, however, that in the case of an emergency such school bus may, for a period not to exceed three consecutive days, be operated by any person duly licensed to operate a motor vehicle other than as provided herein.

Approved April 1, 1963.

Chap. 200. AN ACT TO AUTHORIZE THE TOWNS OF SHERBORN AND NATICK TO ENTER INTO AGREEMENTS RELATIVE TO DUMPING FACILITIES.

Be it enacted, etc., as follows:

For the purpose of providing adequate dumping facilities for the inhabitants of the towns of Sherborn and Natick, the town of Sherborn, acting through its board of health and board of selectmen, and the town of Natick acting through its board of health and board of selectmen, are hereby authorized to enter into an agreement or agreements for the acquisition and use in common of adequate dumping facilities for both towns under such terms and conditions as may be agreed upon between the two towns by action of their town meetings. Said towns are hereby further authorized to appropriate and spend such sums as may be necessary to accomplish the purposes of this act.

Approved April 1, 1963.

Chap. 201. AN ACT REQUIRING THAT SALES OF LANDS OF LOW VALUE HELD BY A MUNICIPALITY UNDER TAX TITLES BE ADVERTISED IN A NEWSPAPER.

Be it enacted, etc., as follows:

The third paragraph of section 79 of chapter 60 of the General Laws, as appearing in section 1 of chapter 594 of the acts of 1941, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Upon the recording of the affidavit the treasurer may sell all the parcels included therein, severally or together, at public auction to the highest bidder, first giving notice of the time and place of sale by publication fourteen days at least before the sale in a newspaper published in the town, if any, otherwise in the county and by posting a notice of the sale in some convenient and public place in the town fourteen days at least before the sale; provided, that the treasurer at such auction may reject any bid which he deems inadequate.

Approved April 1, 1963.

Chap. 202. AN ACT PROVIDING FOR THE REVOCATION OR SUSPENSION OF THE POWER OF CERTAIN EDUCATIONAL INSTITUTIONS TO GRANT DEGREES.

Be it enacted, etc., as follows:

Chapter 69 of the General Laws is hereby amended by inserting after section 30 the following section: —

Section 30A. The board of collegiate authority shall establish standards relative to faculty, equipment, courses of study, financial organization, facilities, physical plant and leadership which shall apply to any educational institution for which said board has approved the certificate of organization or an article of amendment under the provisions of section thirty.

If said board has reason to believe that any such institution does not comply with such standards it may, after a hearing, suspend or revoke the power of such institution to grant degrees. Proceedings under this

section shall be deemed to be adjudicatory proceedings as defined in section one of chapter thirty A and shall be subject to the provisions of said chapter thirty A, except that (1) pending a final decision by the court the institution shall continue to have the power to grant degrees, (2) no suspension or revocation under this section shall become effective until the time for filing a petition for review has expired and (3) the board shall forthwith notify the state secretary upon any suspension or revocation under this section becoming effective.

Approved April 1, 1963.

Chap. 203. AN ACT PROHIBITING PROFANE, OBSCENE OR IMPURE LANGUAGE OR SLANDEROUS STATEMENTS FROM BEING DIRECTED AT A PARTICIPANT OR AN OFFICIAL IN A SPORTING EVENT.

Be it enacted, etc., as follows:

Chapter 272 of the General Laws is hereby amended by inserting after section 36 the following section: —

Section 36A. Whoever, having arrived at the age of sixteen years, directs any profane, obscene or impure language or slanderous statement at a participant or an official in a sporting event, shall be punished by a fine of not more than fifty dollars. *Approved April 1, 1963.*

Chap. 204. AN ACT MAKING AVAILABLE FUNDS FOR THE COST OF SNOW AND ICE REMOVAL ON PUBLIC WAYS AND CERTAIN OTHER HIGHWAY ACTIVITIES FOR THE FISCAL YEAR ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND SIXTY-THREE.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain appropriations previously made for the department of public works, the sum set forth in section two of this act is hereby made available by transfer within the Highway Fund to said department, to be in addition to any other amounts 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 appropriations in chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two.

SECTION 2.

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		
2900–20 2900–08	}	From the unexpended balance remaining in item 2900–20 of section two of chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two, the sum of one million eighty-five thousand dollars is hereby transferred and made available for the purposes of item 2900–08 of section two of said chapter five hundred and ninety-one.

SECTION 3. For the purpose of making available for expenditure until June thirtieth, nineteen hundred and sixty-three, certain balances of appropriations which otherwise would revert on March thirty-first, nineteen hundred and sixty-three, the following schedule of items and amounts is hereby reappropriated: —

2900–02		$51,779 19
2900–04		1,875 00
2900–12		24,298 86
2900–36		90,562 83
2950–19	(Section 4A of chapter 797 of the acts of 1960)	223,200 00

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

Approved April 1, 1963.

Chap. 205. AN ACT TO AUTHORIZE MASSACHUSETTS UNIVERSALIST CONVENTION TO MERGE WITH UNITARIAN UNIVERSALIST ASSOCIATION.

Be it enacted, etc., as follows:

SECTION 1. Massachusetts Universalist Convention, a corporation established by chapter sixty-six of the acts of eighteen hundred and fifty-nine, is hereby authorized to merge with Unitarian Universalist Association, a corporation established by virtue of chapters one hundred and forty-eight and eight hundred and twenty-seven of the acts of nineteen hundred and sixty of the State of New York.

SECTION 2. Upon the completion of the merger authorized as aforesaid Massachusetts Universalist Convention 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 Massachusetts Universalist Convention as part of the activities of said Unitarian Universalist Association.

SECTION 3. Upon such merger becoming effective, all property of Massachusetts Universalist Convention, 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 Massachusetts Universalist Convention and with respect to such bequests, devises, gifts and transfers as would have been possessed by 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 proceedings, 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 Massachusetts Universalist Convention had such merger not been effected.

SECTION 4. Unitarian Universalist Association shall be deemed to have assumed, and shall be liable for all the liabilities and obligations of Massachusetts Universalist Convention.

SECTION 5. The merger shall not be completed: —

(*a*) unless at a meeting called for the purpose Massachusetts Univer-

salist Convention shall, by a majority vote of its members present and voting, have accepted this act; and

(*b*) unless after acceptance as aforesaid by Massachusetts Universalist Convention, the board of trustees of Unitarian Universalist Association (which board has been duly authorized by its members to accept acts of this kind) shall, at a regular or special meeting, also by a majority vote of said trustees present and voting, have accepted this act.

SECTION 6. The merger shall be complete and effective upon the filing with the secretary of the commonwealth of certificates signed by the secretary, or some other officer thereunto duly authorized, of Massachusetts Universalist Convention and by the recording secretary, or some other officer thereunto duly authorized, of Unitarian Universalist Association, each of whom shall make affidavit setting forth detailed compliance with the provisions of section five. Said certificates shall be filed not later than ninety days after the meeting of said trustees at which this act is accepted by them.

SECTION 7. Any question arising as to the powers, rights, privileges and responsibilities of Unitarian Universalist Association with respect to the property of Massachusetts Universalist Convention, including all bequests, devises, gifts and transfers of any kind heretofore and hereafter made to, and for the benefit of, Massachusetts Universalist Convention, and also any other questions arising as to the legal effect of this act on 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.

SECTION 8. For the purpose of acceptance this act shall take effect upon its passage. *Approved April 1, 1963.*

Chap. 206. AN ACT RELATIVE TO THE APPROVAL OF PRELIMINARY PLANS UNDER THE SUBDIVISION CONTROL LAW.

Be it enacted, etc., as follows:

The third sentence of section 81S of chapter 41 of the General Laws, as appearing in chapter 189 of the acts of 1959, is hereby amended by striking out, in line 2, the word "tentatively", so as to read as follows: — Within sixty days after submission of a preliminary plan each board shall approve such preliminary plan with or without modifications suggested by it or agreed upon by the person submitting the plan or shall disapprove such preliminary plan, and, in the case of disapproval, shall state its reasons therefor. *Approved April 1, 1963.*

Chap. 207. AN ACT RELATIVE TO THE PROCEDURE IN APPEALS TO BOARDS OF APPEAL UNDER ZONING ORDINANCES AND BY-LAWS.

Be it enacted, etc., as follows:

SECTION 1. Section 13 of chapter 40A of the General Laws, as amended by section 1 of chapter 325 of the acts of 1955, is hereby further amended by striking out the second paragraph.

SECTION 2. Said chapter 40A is hereby further amended by striking out section 16, as appearing in section 2 of chapter 368 of the acts of

1954, and inserting in place thereof the following section: — *Section 16.* Any appeal under section thirteen shall be taken within thirty days from the date of the order or decision which is being appealed, by filing a notice of appeal, specifying the grounds thereof, with the city or town clerk, who shall forthwith transmit copies thereof to such officer or board whose order or decision is being appealed, and to the members of the board of appeals. Such officer or board shall forthwith transmit to the board of appeals all documents and papers constituting the record of the case in which the appeal is taken. *Approved April 1, 1963.*

Chap. 208. AN ACT PROVIDING FOR THE SUBMISSION TO THE VOTERS OF THE TOWN OF ASHLAND OF THE QUESTION OF ESTABLISHING A FIRE DEPARTMENT UNDER THE CONTROL OF A CHIEF OF THE FIRE DEPARTMENT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law, the following question shall be placed upon the official ballot to be used for the election of town officers at the annual town meeting to be held in the town of Ashland in the year nineteen hundred and sixty-three: — "Shall the town accept the provisions of sections forty-two to forty-four, inclusive, of chapter forty-eight of the General Laws, which provide for the establishment of a fire department under the control of a chief of the fire department?" If a majority of the votes in answer to said question is in the affirmative, the provisions of sections forty-two to forty-four, inclusive, of chapter forty-eight of the General Laws shall thereupon apply to and be effective in said town, but not otherwise.

SECTION 2. The action taken by the town of Ashland at its annual town meeting in the year nineteen hundred and sixty-three in voting to accept the provisions of sections forty-two to forty-four, inclusive, of chapter forty-eight of the General Laws shall be as valid and effective as though this act had been in full force and effect at the time of the posting of the warrant for said meeting. *Approved April 1, 1963.*

Chap. 209. AN ACT INCREASING THE PROPORTION OF THE COST OF CONSTRUCTING AND MAINTAINING THE SEWERAGE SYSTEM IN THE TOWN OF LEE WHICH MAY BE PAID BY SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Section 7 of chapter 303 of the acts of 1945 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The town shall, by vote, determine what proportion of the cost of said system or systems of sewerage and sewage disposal the town shall pay; provided, that it shall pay not less than one fourth of the whole cost.

SECTION 2. This act shall take effect upon its acceptance by the town of Lee. *Approved April 1, 1963.*

Chap. 210. AN ACT PROVIDING THAT THE STATE SECRETARY SHALL NOT RECEIVE A GREATER NUMBER OF SIGNATURES ON NOMINATION PAPERS THAN ARE REQUIRED TO MAKE A NOMINATION, INCREASED BY TWO FIFTHS.

Be it enacted, etc., as follows:

Section 7 of chapter 53 of the General Laws is hereby amended by striking out the last three sentences, as amended by section 2 of chapter 183 of the acts of 1954, and inserting in place thereof the following three sentences: — The registrars need not certify a greater number of names than are required to make a nomination, increased by two fifths thereof. Names not certified in the first instance shall not thereafter be certified on the same nomination papers. The state secretary shall not receive nomination papers for a candidate after receiving such papers containing a sufficient number of certified names to make a nomination, increased by two fifths thereof.

Approved April 1, 1963.

Chap. 211. AN ACT RELATING TO DIVIDEND OPTIONS IN LIFE INSURANCE POLICIES.

Be it enacted, etc., as follows:

The first paragraph of section 140 of chapter 175 of the General Laws is hereby amended by striking out the third sentence, as appearing in the Tercentenary Edition, and inserting in place thereof the following sentence: — Each such dividend shall annually, at the option of the holder of the policy, (*a*) be payable in cash, or (*b*) applied in reduction of premiums, or (*c*) to the purchase of a paid-up addition, or (*d*) be left with the company to accumulate to the credit of the policy and be payable at the maturity thereof, or be withdrawable in cash on demand by the holder of the policy, or applied as hereinafter set forth; but if no election is made by the holder of the policy prior to any anniversary thereof, the dividend for that anniversary shall be applied under option (*c*) or held under option (*d*), whichever option is designated by the terms of the policy; and if any premium on the policy is not paid at the expiration of the days of grace and dividends have been applied under option (*c*) or held under option (*d*), the company may keep the policy in force by applying the cash value of any paid-up additions or any dividend accumulations to the payment due on the policy if the cash value of such additions or the amount of such accumulations is sufficient to make said payment in full, and shall forthwith mail a notice to the holder thereof at his last known address, stating the amount of such cash values or of such accumulations which have been so applied, and the amount, if any, of paid-up additions and the cash value thereof remaining or, in the case of dividend accumulations the balance, if any, remaining to the credit of the policy; notwithstanding anything herein provided, the share of the surplus so apportioned to a term policy shall not be available for the purchase of a paid-up addition, and nothing herein contained shall operate to continue a policy in force beyond the period which the cash value of any paid-up addition or any dividend accumulation so applied would carry the policy under its full premium rate, nor beyond the term for which the policy was originally issued, and that the affidavit of any

officer, clerk or agent of the company, or of any one authorized to mail such notice, that the notice required by this section has been duly mailed by the company, shall be prima facie evidence that such notice was duly given.

Approved April 1, 1963.

Chap. 212. AN ACT RELATIVE TO THE USE OF A TELEPHONE BY CERTAIN PERSONS WHO HAVE BEEN PLACED UNDER ARREST.

Be it enacted, etc., as follows:

Section 33A of chapter 276 of the General Laws, as most recently amended by chapter 269 of the acts of 1960, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence: — Any such person shall be informed forthwith upon his arrival at such station or place of detention, of his right to so use the telephone, and such use shall be permitted within one hour thereafter.

Approved April 1, 1963.

Chap. 213. AN ACT PROVIDING LIFE TENURE FOR CHARLES C. CHRONOPOULOS, INCUMBENT OF THE OFFICE OF SERGEANT OF POLICE OF THE TOWN OF TYNGSBOROUGH.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Charles C. Chronopoulos, incumbent of the office of sergeant of police of the town of Tyngsborough, shall be unlimited, but he may be removed therefrom, lowered in rank or compensation or transferred 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 Tyngsborough at the annual town meeting to be held in the year nineteen hundred and sixty-four 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-three, entitled 'An Act providing life tenure for Charles C. Chronopoulos, incumbent of the office of sergeant of police of the town of Tyngsborough', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved April 1, 1963.

Chap. 214. AN ACT AUTHORIZING THE TOWN OF MARSHFIELD TO RECEIVE AND ADMINISTER THE PROPERTY OF THE CEDAR GROVE CEMETERY IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The Proprietors of the Cedar Grove Cemetery Association, situated in the town of Marshfield, 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. *Approved April 1, 1963.*

Chap. 215. AN ACT PROVIDING LIFE TENURE FOR GRANT E. MORSE, INCUMBENT OF THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF SALISBURY.

Be it enacted, etc., as follows:

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

SECTION 2. This act shall take effect upon its acceptance by the town of Salisbury. *Approved April 1, 1963.*

Chap. 216. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF HAMPSHIRE TO BORROW MONEY FOR THE CONSTRUCTION AND EQUIPPING OF AN ADDITION TO THE COUNTY COURT HOUSE, AND FOR CERTAIN REPAIRS AND ALTERATIONS TO THE EXISTING COUNTY COURT HOUSE.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Hampshire are hereby authorized to raise and expend a sum not exceeding six hundred

thousand dollars for the construction, originally equipping and furnishing, on land now owned by said county, of an addition, with an elevator, to the county court house, including plans and specifications, architect's fees and expenses, and necessary repairs and alterations to the existing county court house.

SECTION 2. For the purposes authorized in section one, 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, not exceeding in the aggregate, six hundred thousand dollars, as may be necessary, and may issue bonds or notes of the county therefor which shall bear on their face the words, County of Hampshire County Court House Addition, Act of 1963. Each authorized issue shall constitute a separate loan. Such loans shall be payable in 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.

SECTION 3. Said county treasurer, with the approval of said county commissioners, may issue temporary notes of the county, payable in not more than one year from their dates, in anticipation of the issue of serial bonds or notes under this act, and may renew the same, 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 April 3, 1963.

Chap. 217. AN ACT PROVIDING THAT THE INSPECTOR OF GAS PIPING AND GAS APPLIANCES IN BUILDINGS SHALL BE A LICENSED PLUMBER OR LICENSED GAS FITTER.

Be it enacted, etc., as follows:

Chapter 143 of the General Laws is hereby amended by striking out section 30, added by section 2 of chapter 737 of the acts of 1960, and inserting in place thereof the following section: — *Section 30.* Each city and town shall provide by ordinance or by-law for the appointment of an inspector of gas piping and gas appliances in buildings who shall be a licensed plumber or licensed gas fitter. Said inspector shall enforce the rules and regulations adopted by the board established under section twelve H of chapter twenty-five. *Approved April 3, 1963.*

Chap. 218. AN ACT AUTHORIZING THE CITY OF CHICOPEE TO PAY THE EXPENSES OF CERTAIN FORMER CITY OFFICIALS INCURRED IN DEFENDING THEMSELVES AGAINST LEGAL ACTIONS BROUGHT AGAINST THEM IN THEIR OFFICIAL CAPACITIES.

Be it enacted, etc., as follows:

For the purpose of discharging a moral obligation, the city of Chicopee may appropriate and pay to the following former officials of said city the sums set forth after their respective names: — Frank N. Bury, three hundred dollars; Cecile L. Murray, three hundred dollars; Frank Slowik, three hundred dollars; Irene Brouillard, three hundred dollars; and Fernand Brouillard, two hundred and fifty dollars, as reimbursement for expenses incurred in defending themselves, as they were, in the case of the first three named persons, members of the board of public welfare of said city, and as they were, in the case of the last two named persons, matron and master of the Chicopee infirmary, respectively, against legal actions brought against them in their official capacities in the year nineteen hundred and sixty. *Approved April 3, 1963.*

Chap. 219. AN ACT EXTENDING THE TIME DURING WHICH ARMORIES MAY BE USED FOR NON-MILITARY PURPOSES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately extend the time during which armories may be used for non-military purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Paragraph (2) of subsection (*e*) of section 122 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, in line 1, the word "three" and inserting in place thereof the word: — nine, — so as to read as follows: — (2) For a period not exceeding nine days for any exhibition of the products of labor, agriculture or industry, including any automobile exhibition conducted by a responsible organization, and, for the purpose of decorating the premises, for such additional time immediately preceding said period, not exceeding eighteen hours, as may be approved by the military custodian and the adjutant general, and for the purpose of removing decorations, exhibits or equipment, for such additional time immediately following said period, not exceeding eighteen hours, as may so be approved; provided, that the compensation for such uses shall in no case be less than the fair rental value, for the entire period during which the armory or air installation is occupied by any such exhibit or equipment, of halls of a similar nature in the same or a similar city or town, together with a sum sufficient to cover the expenses of providing such guards and labor as may be necessary to protect the armory or air installation while so used and to remove and replace items of military equipment while so used. Subject to the foregoing limitation, such compensation shall be fixed by the adjutant general with the approval of the commander-in-chief and shall be paid as provided in subsection (*d*). *Approved April 4, 1963.*

Chap. 220. AN ACT TO PLACE ATTENDANT NURSES AT THE LONG ISLAND HOSPITAL DIVISION OF THE BOSTON HOSPITAL DEPARTMENT UNDER THE CIVIL SERVICE LAWS AND RULES.

Be it enacted, etc., as follows:

SECTION 1. The position of attendant nurse at the Long Island Hospital Division of the Boston Hospital Department shall be classified under the civil service laws and rules. The incumbents of the position shall have unlimited tenure of office subject, however, to said laws and rules.

SECTION 2. This act shall take effect upon its acceptance by the city of Boston. *Approved April 4, 1963.*

Chap. 221. AN ACT TO GIVE TENURE TO INCUMBENTS OF POSITIONS OF LICENSED PRACTICAL NURSES IN THE EMPLOY OF THE BOSTON CITY HOSPITAL, THE BOSTON SANATORIUM DIVISION AND THE LONG ISLAND HOSPITAL DIVISION OF THE BOSTON HOSPITAL DEPARTMENT.

Be it enacted, etc., as follows:

SECTION 1. No person permanently employed as a licensed practical nurse at the Boston City Hospital, the Sanatorium Division and the Long Island Hospital Division of the Boston Hospital Department, who has actually performed the duties of said position continuously for a period of six months, shall be discharged, removed, suspended, laid off, transferred from such office or employment without his consent, lowered in rank or compensation, nor shall his office or position be abolished, except for just cause in the manner provided in sections forty-three and forty-five of chapter thirty-one of the General Laws. The provisions of section forty-six A of said chapter thirty-one shall apply to any person so employed.

SECTION 2. This act shall take effect upon its acceptance by the city of Boston. *Approved April 4, 1963.*

Chap. 222. AN ACT PROVIDING FOR THE ISSUANCE OF AN INJUNCTION FOR VIOLATION OF THE LAW RELATIVE TO UNTRUE, DECEPTIVE OR MISLEADING ADVERTISING.

Be it enacted, etc., as follows:

Section 91 of chapter 266 of the General Laws, as amended by section 1 of chapter 217 of the acts of 1958, is hereby further amended by adding at the end the following paragraph: —

Whoever violates the provisions of this section may be enjoined therefrom by a petition in equity brought by the attorney general or any aggrieved party. *Approved April 5, 1963.*

Chap. 223. AN ACT AUTHORIZING THE BOARD REGULATING GAS FITTING TO ELECT A CHAIRMAN.

Be it enacted, etc., as follows:

The first paragraph of section 12H of chapter 25 of the General Laws is hereby amended by striking out the first sentence, as appearing in

section 1 of chapter 737 of the acts of 1960, and inserting in place thereof the following three sentences: — There shall be in the department a board consisting of the chairman of the commission or a representative from his department designated by him, the commissioner of public safety or a representative from his department designated by him, and the commissioner of public health or a representative from his department designated by him. The board shall annually elect a chairman. He may designate a member of the board to act as chairman during his absence or disability. *Approved April 5, 1963.*

Chap. 224. AN ACT EXTENDING THE TIME FOR ACCEPTANCE OF AN ACT AUTHORIZING CONSOLIDATION OF FLORENCE CRITTENTON LEAGUE OF COMPASSION AND HASTINGS HOUSE UNDER THE NAME OF CRITTENTON HASTINGS HOUSE OF THE FLORENCE CRITTENTON LEAGUE.

Be it enacted, etc., as follows:

Section 4 of chapter 237 of the acts of 1961 is hereby amended by striking out, in line 1, the words "one year" and inserting in place thereof the words: — three years. *Approved April 8, 1963.*

Chap. 225. AN ACT MAKING A CHANGE IN THE COMPOSITION OF COMMERCIAL BANK RESERVES.

Be it enacted, etc., as follows:

Subsection B of section 27 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 clause 1 and inserting in place thereof the following clause: —

1. Lawful currency of the United States, silver certificates, or notes and bills issued by a federal reserve bank.	Not less than 15%

Approved April 8, 1963.

Chap. 226. AN ACT AUTHORIZING THE BOARD OF WATER AND SEWER COMMISSIONERS OF THE TOWN OF WILMINGTON TO USE CERTAIN PARK LAND FOR WATER SUPPLY PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The board of water and sewer commissioners of the town of Wilmington are hereby authorized to use certain park land in said town for water supply purposes, said land being bounded and described as follows: — All of the park land owned by said town lying westerly of Main street, southwesterly of the location of the Boston and Maine Railroad, and easterly and southeasterly of Spring brook and Maple Meadow brook.

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

Approved April 8, 1963.

Chap. 227. AN ACT FURTHER REGULATING THE POWERS AND DUTIES OF THE BOARD OF DIRECTORS OF A CREDIT UNION AND AUTHORIZING SUCH BOARD TO APPOINT AN EXECUTIVE COMMITTEE OR MEMBERSHIP OFFICER.

Be it enacted, etc., as follows:

Section 16 of chapter 171 of the General Laws is hereby amended by striking out the third sentence, as appearing in the Tercentenary Edition, and inserting in place thereof the following sentence: — It shall make recommendations to the members of the credit union relative to the maximum amount to be loaned to any one member; the need of amendments to the by-laws, and other matters upon which, in its opinion, the members should act at any regular or special meeting., — and by adding at the end the following sentence: — The board of directors may appoint an executive committee or a membership officer from among the board, other than the treasurer, an assistant treasurer, or a loan officer, and authorize such committee or officer to approve applications for membership under such conditions as the board may prescribe; except that the committee or officer so authorized shall submit to the board at each monthly meeting a list of approved or pending applications for membership received since the previous monthly meeting, together with such other related information as the by-laws or the board require. *Approved April 8, 1963.*

Chap. 228. AN ACT FURTHER EXTENDING THE APPLICATION OF CERTAIN PROVISIONS OF LAW RELATIVE TO PLUMBING TO CERTAIN TOWNS.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 142 of the General Laws, as amended by chapter 332 of the acts of 1958, is hereby further amended by striking out, in line 6, the word "five" and inserting in place thereof the word: — two, — so as to read as follows: — *Section 2.* Sections one to seven, inclusive, sections eleven and twelve, sections fourteen to twenty, inclusive, and section twenty-two shall apply to all cities, and section thirteen shall apply to all cities except Boston. Sections one through twenty-two, except section twenty-one, shall apply to all towns having a population of more than two thousand and all such towns shall have a plumbing code which shall be established in compliance with this chapter and all rules and regulations made thereunder by the examiners.

SECTION 2. Said chapter 142 is hereby amended by striking out section 13, as most recently amended by chapter 157 of the acts of 1954, and inserting in place thereof the following section: — *Section 13.* Each city, except Boston, and each town which has two thousand inhabitants or more or which has a system of water supply or sewerage, shall by ordinance or by-law prescribe regulations for the materials, construction, alteration and inspection of all pipes, tanks, faucets, valves and other fixtures by and through which water or sewage is used and carried; and shall provide that such pipes, tanks, faucets, valves or other fixtures shall not be placed in any building in such city or town, except in accordance with plans approved by said inspector of buildings, if any, otherwise by the board of health; and shall further provide that no plumbing

shall be done, except to repair leaks or, in any town in the county of Barnstable, to turn on or shut off the water supply for a single family dwelling, without a permit first being issued therefor, upon such terms and conditions as such cities or towns shall prescribe. This section shall not prevent boards of health from making such regulations relative to plumbing and house drainage authorized by law prior to July sixth, eighteen hundred and ninety-four, as are not inconsistent with any ordinance or by-law made under authority of this section.

Approved April 8, 1963.

Chap. 229. AN ACT AUTHORIZING CERTAIN CHANGES IN THE CHARTER OF THE BREWSTER LADIES LIBRARY ASSOCIATION.

Be it enacted, etc., as follows:

Notwithstanding any provision of the articles of organization or of the charter of the Brewster Ladies Library Association which was granted under the provisions of section eleven of chapter two hundred and twenty-four of the acts of eighteen hundred and seventy, said corporation shall consist of the members, who may be divided into classes, as provided for in its by-laws from time to time in effect. Said corporation shall have the power from time to time to adopt by-laws and amend the same by vote of at least a majority or a greater number, if the by-laws so provide, of the members present and voting at a meeting of members at which a quorum consisting of fifteen or more members is present; and said corporation shall have the power to hold real and personal estate for the purposes aforesaid to the amount from time to time permitted by law. *Approved April 8, 1963.*

Chap. 230. AN ACT AUTHORIZING THE RETAIL SALE OF POULTRY AND EGGS BY CERTAIN PERSONS ON SUNDAY.

Be it enacted, etc., as follows:

Section 6 of chapter 136 of the General Laws, as appearing in section 2 of chapter 616 of the acts of 1962, is hereby amended by striking out clause (25) and inserting in place thereof the following clause: —

(25) The retail sale of tobacco products, soft drinks, confectioneries, baby foods, fresh fruit and fresh vegetables, dairy products and eggs, and the retail sale of poultry by the person who raises the same.

Approved April 8, 1963.

Chap. 231. AN ACT AUTHORIZING AFFILIATED HOSPITALS CENTER, INC. TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE, WITHOUT LIMITATION.

Be it enacted, etc., as follows:

Affiliated Hospitals Center, Inc., a charitable, medical, educational, and scientific corporation, organized under the 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 any amount, 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 from time to time heretofore or hereafter amended, of said corporation; and also upon such terms and for such purposes and

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trusts as may be expressed in any deed or instrument of conveyance or gift made to said corporation, provided, the same shall not be inconsistent with the terms and purposes of the aforesaid Agreement of Association and Articles of Organization, as from time to time heretofore or hereafter amended. *Approved April 8, 1963.*

Chap. 232. AN ACT EXTENDING THE DATE WITHIN WHICH COUNTIES, CITIES, TOWNS AND DISTRICTS MAY ACCEPT CERTAIN PROVISIONS OF LAW RELATIVE TO RETIREMENT OF CERTAIN WAR VETERANS AND VALIDATING PRIOR ACCEPTANCES BY CERTAIN CITIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 490 of the acts of 1961 is hereby amended by striking out section 3 and inserting in place thereof the following section: — *Section 3.* This act shall take effect as of February first, nineteen hundred and sixty-one, as to veterans employed by the commonwealth or the metropolitan district commission, and shall take effect as to veterans employed by a county, city, town or district upon its acceptance prior to January first, nineteen hundred and sixty-four, by a majority vote of the county commissioners, by vote of the city council in a city having a Plan D or Plan E charter, by the mayor in any other city, by majority vote of the selectmen, or by majority vote of the prudential committee or a body having similar powers, as the case may be.

SECTION 2. The acceptance of chapter four hundred and ninety of the acts of nineteen hundred and sixty-one by vote of the city council in any city having a Plan D or Plan E charter, is hereby ratified, validated and confirmed to the same extent as if section three of said chapter four hundred and ninety, as amended by section one of this act, had been in effect at the time of such acceptance. *Approved April 8, 1963.*

Chap. 233. AN ACT PERMITTING TIME OFF WITHOUT LOSS OF PAY FOR EMPLOYEES IN CITIES AND TOWNS TO ATTEND UNION CONVENTIONS.

Be it enacted, etc., as follows:

Chapter 40 of the General Laws is hereby amended by inserting after section 21B the following section: —

Section 21C. An employee of a city or town which accepts this section may be granted a leave of absence with pay while attending a convention of an employee union as an officer, delegate or alternate delegate. *Approved April 8, 1963.*

Chap. 234. AN ACT PROVIDING FOR A UNIFORM PETITION FOR RECOUNT IN CITY AND TOWN ELECTIONS TO BE FURNISHED BY THE STATE SECRETARY.

Be it enacted, etc., as follows:

Section 135 of chapter 54 of the General Laws is hereby amended by striking out the second paragraph, as amended by chapter 45 of the acts of 1957, and inserting in place thereof the following paragraph: —

Such petition shall be on a form approved and furnished by the state secretary, shall be sworn to by one of the subscribers before a notary public, and shall contain a statement that they have reason to believe and do believe that the records, or copies of records, made by the election officers of such ward or town, or of such precinct in a town having more than twenty-five hundred voters and voting by precincts, are erroneous, specifying wherein they deem such records or copies thereof to be in error, or that challenged votes were cast by persons not entitled to vote therein, and that they believe a recount of the ballots cast in such ward, precinct or town will affect the nomination or election of one or more candidates voted for at such primary, preliminary election or election, specifying the candidate or candidates or will affect the decision of a question voted upon at such election, specifying the question, the city or town clerk shall forthwith transmit such petition and statement, and the envelopes or containers containing the ballots cast, sealed, to the registrars of voters, together with the original tally sheets.

Approved April 8, 1963.

Chap. 235. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE CITY OF WORCESTER MAY BORROW FOR OFF-STREET PARKING IN SAID CITY.

Be it enacted, etc., as follows:

Section 4 of chapter 365 of the acts of 1955, as amended by section 3 of chapter 480 of the acts of 1957, is hereby further amended by striking out, in lines 4 and 5, the words "two million five hundred thousand" and inserting in place thereof the words: — four million.

Approved April 8, 1963.

Chap. 236. AN ACT PROVIDING FOR CHANGES IN THE FILING DATES OF NOMINATION PAPERS FOR OFFICES TO BE VOTED FOR AT STATE AND PRESIDENTIAL PRIMARIES AND ELECTIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 10 of chapter 53 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by section 2 of chapter 20 of the acts of 1946, and inserting in place thereof the following paragraph: — All certificates of nomination and nomination papers of candidates for offices to be filled at a state election shall be filed on or before the fifteenth Tuesday preceding the day of the election, except that such certificates or nomination papers for candidates for offices to be filled by all the voters of the commonwealth or for congressman shall be filed on or before the fourteenth Tuesday preceding the day of the election. If there is a special election to fill any state office, all certificates of nomination and nomination papers shall be filed on or before the sixth Tuesday preceding the day of such election.

SECTION 2. Section 48 of said chapter 53 is hereby amended by striking out the first paragraph, as amended by section 6 of chapter 406 of the acts of 1953, and inserting in place thereof the following paragraph: — Nomination papers of candidates to be voted on at presidential primaries shall be filed with the state secretary on or before the eighth Tuesday preceding the day of the primaries. Nomination papers of

candidates to be voted on at state primaries shall be filed with the state secretary on or before the eighth Tuesday preceding the day of the primaries, except that such nomination papers of candidates for nomination for any office to be filled by all the voters of the commonwealth, or for congressman, shall be so filed on or before the seventh Tuesday preceding the day of the primaries. In the case of primaries before special elections, such nomination papers shall be filed on or before the third Tuesday preceding the day of the primaries.

Approved April 8, 1963.

Chap. 237. AN ACT RELATIVE TO CERTAIN SURVIVORS' BENEFITS IN NON-CONTRIBUTORY PENSION SYSTEMS.

Be it enacted, etc., as follows:

SECTION 1. Option B of section 77A of chapter 32 of the General Laws, as appearing in section 1 of chapter 750 of the acts of 1957, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: — A lesser amount of yearly pension which shall be payable to such employee during his lifetime, with a provision that one half of the yearly amount of such lesser pension shall be continued during the lifetime of and paid to his widow who was his spouse at time of his retirement. The yearly amount of such lesser pension shall be determined so that the value, on the date the retirement and pension becomes effective, of the prospective payments to such employee and to such widow shall be the actuarial equivalent of the value on such date of the full pension specified in option A of this section.

SECTION 2. Option B of section 85J of said chapter 32, as appearing in section 1 of chapter 71 of the acts of 1961, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: — A lesser amount of yearly pension which shall be payable to such policeman or fire fighter during his lifetime, with a provision that two thirds of the yearly amount of such lesser pension shall be continued during the lifetime of and paid to his widow who was his spouse at the time of his retirement. The yearly amount of such lesser pension shall be determined so that the value, on the date the retirement and pension becomes effective, of the prospective payments to such policeman or fire fighter and to such widow shall be the actuarial equivalent of the value on such date of the full pension specified in option A of this section. *Approved April 8, 1963.*

Chap. 238. AN ACT AUTHORIZING THE CITY OF FALL RIVER TO PAY A SUM OF MONEY TO EILEEN E. MOYNAGH.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, the city of Fall River is hereby authorized to appropriate and pay to Eileen E. Moynagh of said city, the sum of five hundred and forty dollars and forty-five cents as compensation for the loss of salary and medical expenses incurred by her as a result of an injury she received on March seventh, nineteen hundred and sixty-one, while in the Westall School yard in said city. *Approved April 8, 1963.*

Chap. 239. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW PROVIDING THAT PERSONS WHO ENTERED THE MILITARY OR NAVAL SERVICES OF THE UNITED STATES DURING A CERTAIN PERIOD MAY COUNT SUCH SERVICE AS CREDITABLE FOR RETIREMENT PURPOSES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith that certain members of retirement systems who entered the military or naval service of the United States during a certain period may count such service as creditable for purposes of retirement, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The third subparagraph of paragraph (*h*) of subdivision (1) of section 4 of chapter 32 of the General Laws, as most recently amended by section 2 of chapter 544 of the acts of 1962, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence: — The provisions of sections nine and nine A of chapter seven hundred and eight of the acts of nineteen hundred and forty-one, as amended, and as may be further amended, shall be applicable to any person referred to in section one of said chapter seven hundred and eight who is a member of any retirement system established under the provisions of this chapter whose last discharge or release from military service was under honorable conditions as defined in defense department regulations.

SECTION 2. This act shall take effect as of July first, nineteen hundred and sixty-two. *Approved April 9, 1963.*

Chap. 240. AN ACT MAKING CORRECTIVE CHANGES IN THE LAW RELATIVE TO THE APPEAL OF CERTAIN GRIEVANCES OF STATE EMPLOYEES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith a right of appeal to any state employee who is aggrieved by the classification of his office or position, 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 49 of chapter 30 of the General Laws, as most recently amended by section 68 of chapter 757 of the acts of 1962, is hereby further amended by striking out the last sentence and inserting in place thereof the following four sentences: — If the bureau 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 director 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 bureau 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 director and the house and senate committees on ways and means in accordance with paragraph (5) of section forty-five.

SECTION 2. This act shall take effect as of January third, nineteen hundred and sixty-three. *Approved April 9, 1963.*

Chap. 241. AN ACT PROVIDING THAT BOARDS OF REGISTRATION SHALL REVOKE THE CERTIFICATES OF REGISTRATION OF PERSONS MAKING FALSE STATEMENTS UNDER OATH IN THEIR APPLICATIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 112 of the General Laws is hereby amended by striking out the caption preceding section 61, as appearing in the Tercentenary Edition, and inserting in place thereof the following caption: — GENERAL PROVISIONS RELATIVE TO EACH BOARD OF REGISTRATION OR EXAMINATION IN THE DIVISION OF REGISTRATION OF THE DEPARTMENT OF CIVIL SERVICE AND REGISTRATION.

SECTION 2. Said section 61, as so appearing, is hereby amended by inserting after the word "registration", the first time it appears in line 2, the words: — or examination.

SECTION 3. Said section 61, as so appearing, is hereby further amended by adding at the end the following paragraph: —

Each such board, if it appears after a hearing that a statement in an application to it for certification, registration, licensure or authority, which is required to be under oath or affirmation or to contain or be verified by a written declaration that it is made under penalties of perjury, is false and known to the applicant to be false, shall refuse to grant or issue or shall revoke or cancel such certificate, registration, license or authority. The provisions of this paragraph shall not affect, but shall be in addition to, any other penalty provided by law.

Approved April 9, 1963.

R.E. FED TAX LIENS

Chap. 242. AN ACT FURTHER REGULATING THE PROCEDURE FOR RECORDING OR FILING FEDERAL TAX LIENS ON REAL AND PERSONAL PROPERTY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 36 of the General Laws is hereby amended by striking out section 24 and inserting in place thereof the following section: — *Section 24.* Notice of a federal tax lien on any real property or fixtures may, upon payment of a filing and recording fee of four dollars and whether the title of the real property involved is registered or unregistered, be filed with the register of deeds of the county where the real property or fixtures are situated who shall record such notice. Each register of deeds shall cause competent persons to prepare and keep current an alphabetical listing of all taxpayers against whom such a federal tax lien has been recorded commencing with the year nineteen

hundred and fifteen. Certificates of discharge or certificates releasing specific property from such liens may upon payment of a like fee be filed with the same register of deeds wherein the notice of lien was filed. The register of deeds shall record the certificate and make a note of reference thereto on the margin of the record of the notice referred to in such certificate. Certification by the secretary of the treasury of the United States or his delegate of notices of liens, certificates discharging liens and certificates releasing specific property from liens shall entitle them to be recorded, and no other attestation, certification or acknowledgment shall be necessary.

SECTION 2. Section 46 of chapter 185 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following clause: —

Sixth, Liens in favor of the United States for unpaid taxes arising or existing under the Internal Revenue Code of 1954 as amended from time to time.

SECTION 3. Section 78 of said chapter 185, as most recently amended by section 1 of chapter 306 of the acts of 1955, is hereby further amended by inserting after the word "shall", in line 5, the words: —, except in the case of notices, releases and discharges of federal tax liens, — so as to read as follows: — *Section 78.* A writing of any description or a copy of any writ required by law to be filed or recorded in the registry of deeds in order to create or preserve any lien, right or attachment upon unregistered land, if intended to affect registered land shall, except in the case of notices, releases and discharges of federal tax liens, in lieu of recording, be filed and registered in the office of the assistant recorder for the registry district where the land lies, and, in addition to any particulars required in such papers for recording with records of deeds, shall also contain a reference to the number of the certificate of title of the land to be affected, and the volume and page of the registration book in which the certificate is registered, and also, if the attachment, right or lien is not claimed on all the land in any certificate of title, shall contain a description sufficiently accurate for identification of the land intended to be affected.

SECTION 4. Section 80 of said chapter 185, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "land", in line 9, the words: —, except releases and discharges of liens for federal taxes, — so as to read as follows: — *Section 80.* Attachments on mesne process and liens of every description upon registered land shall be continued, reduced, discharged and dissolved by any method sufficient in law to continue, reduce, discharge or dissolve like liens on unregistered land. All certificates or other instruments permitted or required by law to be recorded in the registry of deeds to give effect to the continuance, reduction, discharge or dissolution of attachments or other liens upon unregistered land, or to give notice of such continuance, reduction, discharge or dissolution, shall, in the case of like liens upon registered land, except releases and discharges of liens for federal taxes, be filed with the assistant recorder and registered in the registration book, in lieu of recording.

SECTION 5. Chapter 255 of the General Laws is hereby amended by adding after section 39A the following section: —

Section 39B. As used in this section the following words shall have the following meanings: —

"Security interest", an interest in personal property which secures payment or performance of an obligation;

"Security agreement", an agreement which creates or provides for a security interest and, without limitation, includes a security agreement under the Uniform Commercial Code, a pledge, assignment, chattel mortgage, chattel trust, trust deed, factor's lien, equipment trust, conditional sale, trust receipt, other lien or title retention contract and a lease or consignment intended as security;

(1) Notices of liens on personal property for taxes payable to the United States, certificates discharging such liens and certificates releasing specific property from such liens may be filed as follows:

(*a*) If said personal property is subject to a statute of the United States which provides for a national registration or filing of all security interests in such property, in the office designated in the statute;

(*b*) If said personal property is not subject to a statute of the United States referred to in clause (*a*), in the office in which a security agreement or financing statement or notice with respect to the property would be filed in order to perfect a mortgage or comparable non-possessory security interest in tangible personal property belonging to the person named in the relevant notice or certificate.

(2) Certification by the secretary of the treasury of the United States or his delegate of notices of liens, certificates discharging liens, and certificates releasing specific property from liens shall entitle them to be filed, and no other attestation, certification or acknowledgment shall be necessary.

(3) When a notice of tax lien is received, accompanied by a filing fee of three dollars, the person charged with the duty of managing and controlling the office in which said notice is received shall forthwith file the notice alphabetically or enter it in an alphabetical index showing the name and address of the person named in said notice, the serial number of the notice as used by the district director of internal revenue, the date of its receipt, and the amount of tax with the interest, penalties, and costs.

(4) When a certificate releasing specific property from a lien or certificate discharging a lien is received in the office in which the original notice of lien is filed, accompanied by a filing fee of three dollars, the filing officer shall file the certificate by securely attaching it to the original notice of lien and, if an alphabetical index is maintained, shall enter a notation of the filing, including the date of receipt, at the place of original entry.

SECTION 6. This act shall take effect on September first, nineteen hundred and sixty-three. *Approved April 9, 1963.*

Chap. 243. AN ACT PERMITTING THE VOTERS OF THE CITY OF CHICOPEE TO VOTE FOR TWO OF THE NOMINATED CANDIDATES FOR THE OFFICE OF ASSESSOR IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 44 of the acts of 1945 is hereby amended by striking out, in line 15, the word "one" and inserting in place thereof the word: — two.

SECTION 2. This act shall take effect upon its acceptance by the city of Chicopee. *Approved April 9, 1963.*

Chap. 244. AN ACT PROVIDING LIFE TENURE FOR LEO G. PELLETIER, INCUMBENT OF THE OFFICE OF HIGHWAY SURVEYOR OF THE TOWN OF TYNGSBOROUGH.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Leo G. Pelletier, incumbent of the office of highway surveyor of the town of Tyngsborough shall be unlimited, but he may be removed therefrom, lowered in rank or compensation, or transferred 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 Tyngsborough at the annual town meeting to be held in the year nineteen hundred and sixty-four 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-three, entitled 'An Act providing life tenure for Leo G. Pelletier, incumbent of the office of highway surveyor of the town of Tyngsborough', 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 April 9, 1963.

Chap. 245. AN ACT PROVIDING LIFE TENURE FOR MICHAEL KILOSKI, INCUMBENT OF THE POSITION OF PATROLMAN OF THE POLICE DEPARTMENT OF THE TOWN OF TYNGSBOROUGH.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Michael Kiloski, incumbent of the position of patrolman of the police department of the town of Tyngsborough shall be unlimited, but he may be removed therefrom, lowered in rank or compensation, or transferred 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 Tyngsborough at the annual town meeting to be held in the year nineteen hundred and sixty-four 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-three, entitled 'An Act providing life tenure for Michael Kiloski, incumbent of the position of patrolman of the police department of the town of Tyngsborough', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved April 9, 1963.

Chap. 246. AN ACT PROVIDING THAT PROPERTY OWNED BY THE SPRINGFIELD AREA DEVELOPMENT CORPORATION SHALL BE EXEMPT FROM TAXATION.

Be it enacted, etc., as follows:

Section 14 of chapter 192 of the acts of 1960 is hereby amended by inserting after the first paragraph the following paragraph: —

Real property owned by the corporation shall not be subject to taxation by the city or town in which it is located until ten years from the date of its acquisition or until such property is leased, rented or otherwise disposed of, whichever is first. *Approved April 9, 1963.*

Chap. 247. AN ACT RELATIVE TO THE USE OF CERTAIN FUNDS BY CITIES AND TOWNS FOR HIGHWAY PURPOSES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make certain funds of the accelerated highway program immediately available to cities and towns for the construction of certain highways and the erection and maintenance of traffic lights, 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 4 of chapter 782 of the acts of 1962 is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

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, or for the construction under section thirty-four of chapter ninety of the General Laws of town highways of a type equal to that currently used by said town as approved by the department, or for the erection or maintenance of traffic lights; provided, however, that such sums shall not be available for the construction, surfacing or resurfacing of off-street parking areas. *Approved April 10, 1963.*

Chap. 248. AN ACT MAKING CERTAIN CHANGES IN THE FORM OF REPRESENTATIVE TOWN GOVERNMENT IN THE TOWN OF WATERTOWN.

Be it enacted, etc., as follows:

SECTION 1. The selectmen of the town of Watertown shall divide the town into not less than five nor more than fifteen voting precincts. 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. The boundaries of the precincts shall be reviewed and may be wholly or partly revised by the selectmen 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 a vote of a representative town meeting held not later than the twentieth day of November in such year. The selectmen within ten days after the establishment or revision of precincts shall file a report of their action with the town clerk, the registrars of voters and the assessors, 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 unless a description of precincts shall be published in a newspaper having a general circulation in the town. 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 selectmen with the town clerk. Whenever the 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 2. 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 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. A town meeting member may become a candidate for re-election by giving written notice to the town clerk not later than fourteen days prior to the last day on which the nomination papers of candidates for other town offices must be filed.

SECTION 3. 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 fifteen registered voters in the precinct to be town meeting members. 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 town meeting members from the precinct shall determine the same by ballot. 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. The membership of the representative town meeting also shall include any town officers and such other persons as may be designated in the by-laws of the town as town meeting members at large.

SECTION 4. If, in any election following adoption of this act, two or more candidates for town meeting member receive an equal number of votes for the last position, the members elected in such precinct shall determine by ballot which of these candidates shall serve as a town meeting member. 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, as provided in section three of this act. Town meeting members from any precinct whose boundaries are revised shall serve until the election of such new members. The town clerk, after every election of town meeting members, shall notify each member by mail of his election. 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 5. A town meeting member may resign by filing a written resignation with the town clerk, effective upon the date of filing. A member who moves from the town shall cease to be a member, and a member who moves from one precinct to another may serve only until the next annual town meeting. A vacancy in the number of town meeting members shall be filled until the next annual election by the unsuccessful candidate receiving the highest number of votes at the preceding annual election in his precinct and who consents to accept the office. Such candidate shall be deemed to be elected and the town clerk shall give notice of his election upon the filing of his written acceptance. If there be no such candidate, the vacancy shall be filled by the remaining members from the precinct as provided in section six.

SECTION 6. 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 five days before the time of such meeting. At said meeting a majority of the members of the precinct shall constitute a quorum and shall elect from their own number a chairman and a clerk. 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 until the next annual town meeting.

SECTION 7. A moderator shall be elected by ballot at the annual town meeting, 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. If the moderator is absent, or in case of a vacancy, a moderator pro tempore may be elected by the town meeting members. 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.

SECTION 8. 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. The members of the representative 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 representative town meeting. Forty per cent of the town meeting 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. The representative town meeting may make such rules consistent with law as it may consider necessary for conducting the meetings.

SECTION 9. 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 10. All votes of the representative town meeting shall be deemed operative upon the dissolution of the meeting, except that affirmative votes on the following matters shall not be operative until the expiration of five days, exclusive of Saturdays, Sundays and holidays, from the dissolution of the meeting:

(*a*) authorizing the expenditure of twenty thousand dollars or more for the acquisition of land, or for the construction, alteration or enlargement of any building, or for other than usual departmental appropriations, or authorizing the incurring of debt, except temporary loans in anticipation of revenue;

(*b*) establishing a new board or office;

(*c*) abolishing an old board or office;

(*d*) merging two or more boards or offices;

(*e*) fixing the term of office of town officers where such term is optional;

(*f*) increasing or reducing the numbers of members of a board;

(*g*) adopting a new by-law;

(*h*) amending or repealing an existing by-law. If within such period of five days, exclusive of Saturdays, Sundays and holidays, a petition signed by not less than three per cent of the registered voters of the town, with their names and addresses as they appear on the voting list, is filed with the selectmen asking that any question involved in votes as itemized in (*a*) through (*h*) of this section be submitted to the voters of the town at large, then the selectmen after the expiration of five days shall call a special meeting for the sole purpose of presenting the question to the voters at large. Each question submitted shall be placed on the official ballot in the following form: — "Shall the town vote to approve the action of the representative town meeting whereby it was voted (insert brief description of the substance of the vote)?" The polls for voting upon such a question shall be opened at two o'clock in the afternoon and closed at eight o'clock in the evening. The vote shall be taken by ballot and the check list shall be 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 votes cast by the registered voters of the town voting thereon, but an action of the representative town meeting shall not be reversed unless at least twenty per cent of all the registered voters shall so vote thereon. If such a petition for a referendum is not filed within the prescribed five days, the vote of the representative town meeting shall become operative.

SECTION 11. The town shall have the capacity to act through and be bound by the action of its town meeting members who, when duly warned, called, and convened from time to time, shall constitute a representative town meeting. The representative town meeting shall have and may exercise all powers vested in a municipal corporation so far as is consistent with the provisions of this act. 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 12. All representative town meetings held in the town shall be limited to the members of the representative town meeting, constituted in the manner provided by this act. Said meetings shall be open to the public. Any registered voter of the town who is not a town meeting member shall have the privilege to speak at least once upon any matter at such a meeting subject to such limitations as the town meeting members may determine, but he shall have no vote. It shall be the duty of the selectmen and the chairman of each elected board or committee of the town, the chairman of the finance committee, and the head of each town department to attend every representative town meeting, except that portion which is to be acted upon or determined by ballot.

SECTION 13. 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 14. Chapter 205 of the Special Acts of 1919, as amended, is hereby repealed.

SECTION 15. This act shall be submitted for acceptance to the qualified voters of the town of Watertown at the annual town election to be held in the year nineteen hundred and sixty-four. 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-three, entitled 'An Act making certain changes in the form of representative town government in the town of Watertown', be accepted?" 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 not accepted by the registered voters of the town when first submitted, it may again be submitted for acceptance in like manner from time to time at any annual town election within five years thereafter, upon petition signed by at least ten registered voters of the town.

Approved April 10, 1963.

Chap. 249. AN ACT REQUIRING LIFE INSURANCE COMPANIES TO ESTABLISH CLAIM FLUCTUATION RESERVES.

Be it enacted, etc., as follows:

Chapter 175 of the General Laws is hereby amended by inserting after section 9 the following section: —

Section 9A. (1) In addition to the reserve liability of life insurance companies computed in accordance with the requirements of section nine, the commissioner shall each year compute or cause to be computed for each domestic life insurance company, except as provided in

subdivision 2, a reserve liability for claim fluctuations, hereinafter designated as the claim fluctuation reserve, which shall be a part of its entire reserve liability of each such company. To provide for the reserve liability computed in accordance with the requirements of this section each such company shall hold funds in an amount equal thereto above all its other liabilities. The reserve liability required by this section shall be computed at the end of each calendar year by adding to the amount of the reserve liability for claim fluctuations computed at the end of the preceding year (*a*) interest at the rate of two and one-half per cent, (*b*) for term insurance policies with premiums payable less than fifteen years, one per cent of the tabular net premiums, and (*c*) for all other life insurance policies, including provisions for total and permanent disability or for accidental death benefits in, or supplementary to, all such policies, two per cent of the tabular net premiums, and by deducting from the total of the foregoing (*a*) incurred claim losses which (i) result from a common loss or event, (ii) involve at least five lives, and (iii) total, exclusive of reinsurance, if any, at least five hundred thousand dollars, (*b*) the excess, if any, of the incurred claim losses for the year (exclusive of the losses specified in (*a*)) over the expected claim losses for the year calculated on the basis of such claim losses occurring at the rate of one hundred and five per cent of the average rate for the immediately preceding five years, (*c*) the increase, if any, in the amount of any special contingency reserve for claim losses established by such company as required by law, (*d*) the net loss from operations of the company, if any, and (*e*) the excess, if any, of the claim fluctuation reserve, computed in accordance with the requirements of this section, over six per cent of the reserve liability computed in accordance with the requirements of section nine.

(2) This section shall apply to any of the life insurance policies of a domestic life insurance company, if its board of directors elects to comply with and become subject to the provisions of this section and forwards to the commissioner appropriate notice of such determination.

Approved April 10, 1963.

Chap. 250. AN ACT AUTHORIZING CONSOLIDATION OF THE NORTH SHORE CHILDREN'S FRIEND SOCIETY AND THE FAMILY SERVICE ASSOCIATION OF SALEM UNDER THE NAME OF CHILDREN'S FRIEND AND FAMILY SERVICE SOCIETY OF THE NORTH SHORE, INCORPORATED.

Be it enacted, etc., as follows:

SECTION 1. North Shore Children's Friend Society, incorporated under chapter eighty-one of the acts of eighteen hundred and forty-one, and Family Service Association of Salem, incorporated under general law, are hereby authorized to consolidate into one corporation under the name of Children's Friend and Family Service Society of the North Shore, Incorporated which shall in all respects be a continuation of and shall have all the powers, privileges and exemptions of each of said existing consolidating corporations, and shall be subject to all the duties, liabilities and restrictions provided by law in so far as they relate to the said existing consolidating corporations.

SECTION 2. Upon such consolidation, all property, real and personal, and all rights and interests, legal or equitable, of said existing consolidating corporations and all devises, bequests, conveyances and gifts heretofore and hereafter made to or for any of said existing consolidating corporations shall vest in or for the benefit of said consolidated corporation and otherwise shall be held by said consolidated corporation subject to the same terms, conditions, limitations and trusts as they are now held by said existing consolidating corporations or would have been held by said existing consolidating corporations but for this act, and the treasurers of said existing consolidating corporations are hereby respectively authorized to execute and deliver all papers and documents that they may deem necessary or proper for the purpose of confirming in the consolidated corporation the record title to the property of the existing consolidating corporations.

SECTION 3. Upon such consolidation the members of the existing consolidating corporations shall be the members of the consolidated corporation until such time as the consolidated corporation may, by an amendment to its by-laws, provide for a different membership, and the officers and trustees of North Shore Children's Friend Society, shall be, until their successors are chosen and qualified, the officers and trustees of the consolidated corporation which shall, except as herein provided with respect to the initial membership and name, be governed by the by-laws of North Shore Children's Friend Society, in effect at the time of consolidation, until amended by the consolidated corporation.

SECTION 4. Upon the acceptance of this act within one year after its passage by each of the existing corporations at meetings duly called for the purpose, duly certified copies of the respective votes of acceptance shall be filed in the registry of deeds for Essex County and with the state secretary and the consolidation of the corporations so accepting this act shall thereupon be complete. Nothing herein shall affect any existing corporation not so accepting this act.

Approved April 10, 1963.

Chap. 251. AN ACT PROVIDING FOR THE APPOINTMENT OF THE TOWN TREASURER AND TAX COLLECTOR OF THE TOWN OF IPSWICH BY THE BOARD OF SELECTMEN OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any law to the contrary, the board of selectmen of the town of Ipswich shall appoint a suitably qualified person to the office of town treasurer and tax collector of said town, and upon the appointment and qualification of the person initially so appointed the elective office of town treasurer and tax collector shall be abolished. The town treasurer and tax collector shall have all the powers, perform the duties and be subject to the liabilities and penalties now or hereafter conferred or imposed by law on town treasurers and tax collectors, shall be appointed for a term of three years and shall serve until his successor is appointed and qualified.

SECTION 2. This act shall take effect on April first, nineteen hundred and sixty-five, if accepted by the town of Ipswich at its annual town meeting in the year nineteen hundred and sixty-four.

Approved April 10, 1963.

Chap. 252. AN ACT EXTENDING THE CORPORATE EXISTENCE OF BRISTOL REALTY COMPANY.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section seven of chapter one hundred and fifty-six of the General Laws, Bristol Realty Company shall continue to be a corporation for a further term of fifty years from October second, nineteen hundred and sixty-three, 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.

Approved April 10, 1963.

Chap. 253. AN ACT INCREASING LIMITS UPON DEPOSITS IN SAVINGS BANKS AND PROVIDING CERTAIN ADDITIONAL EXEMPTIONS FROM SUCH LIMITS.

Be it enacted, etc., as follows:

SECTION 1. Section 21 of chapter 168 of the General Laws is hereby amended by striking out paragraph 1, as amended by section 1 of chapter 177 of the acts of 1959, and inserting in place thereof the following paragraph: — 1. *Amounts Limited.* — Such corporation may receive on deposit from any person for his own account or for the accounts of one or more distinct estates or trusts and deposits on any joint account provided for in section fourteen of chapter one hundred and sixty-seven to the amount in the case of each such account of not more than thirty thousand dollars, exclusive of interest accumulated thereon and upon such interest.

SECTION 2. Paragraph 2 of said section 21 of said chapter 168 is hereby amended by striking out the first sentence, as amended by chapter 175 of the acts of 1956, and inserting in place thereof the following sentence: — The limitations of paragraph 1 of this section shall not apply to deposits of the following classes: — deposits by trustees appointed pursuant to the Self Employed Individuals Tax Retirement Act of 1962; deposits by the commonwealth or any town, city or county of the commonwealth or by any instrumentality of any thereof; deposits by a religious, charitable or educational corporation or organization, labor union, credit union, or fraternal benefit society; deposits in the name of a judge of probate, or by order of any court; deposits of any trust fund held by a town for public uses; deposits of funds representing replacement reserves or similar accumulations required under the provisions of any mortgage held by such corporation and insured by the federal housing administrator, referred to in paragraph 11 of section thirty-five and in section fifty-one of chapter one hundred and sixty-seven; deposits of the funds of the Savings Banks Employees Retirement Association; deposits in such corporation acquired by any person or persons by inheritance or bequest; deposits of the funds of any private retirement or pension system or association, provided that the deposit accounts of any one such private system or association shall not, except by the accumulation of interest, be permitted to exceed, at any one time, seventy-five thousand dollars or one and one half per cent of

the deposits of such savings bank, whichever is the greater; and deposits of funds of any housing authority, referred to in section twenty-six K of chapter one hundred and twenty-one.

SECTION 3. Section 22 of said chapter 168 is hereby amended by striking out the first paragraph, as amended by section 2 of chapter 177 of the acts of 1959, and inserting in place thereof the following paragraph: — Either party to a joint account also may make deposits for his individual account, but the deposits in his individual account and in all joint accounts to which he is a party shall not at any one time exceed thirty thousand dollars, exclusive of accumulated interest.

SECTION 4. The second paragraph of said section 22 of said chapter 168, as appearing in section 1 of chapter 432 of the acts of 1955, is hereby amended by striking out, in lines 4 and 5, the words "in the amount provided above for joint accounts", — so as to read as follows: — The surviving owner of a joint account may maintain the balance of the account in the amount appearing at the time of the decease of the joint owner, and such corporation may allow interest additions and accumulations thereon. *Approved April 10, 1963.*

Chap. 254. AN ACT AUTHORIZING GROUP ACCIDENT AND SICKNESS INSURANCE COVERAGE OF INDEPENDENT CONTRACTOR NEWSPAPERBOYS.

Be it enacted, etc., as follows:

SECTION 1. Section 110 of chapter 175 of the General Laws is hereby amended by striking out subdivision (B), as amended by section 1 of chapter 532 of the acts of 1952, and inserting in place thereof the following subdivision: —

(B) (1) The employer, whether an individual, corporation, copartnership or association, or a municipal corporation or department thereof, including a police or fire department or volunteer fire department, in case of such a general or blanket policy issued by a domestic mutual life or other domestic mutual company to such employer; or (2) the college, school or other institution of learning, in case of such a policy so issued to such institution; or (3) the head or principal of the college, school or other institution of learning, in case of such a policy so issued to the head or principal of such institution; or (4) such person as the organization for health, recreation or military instruction or treatment, the automobile club, the underwriters' corps, salvage bureau or like organization or the trade union or association of workers, or an association described in subdivision (C) of this section shall designate, in case of such a policy issued to such organization or union or association; or (5) such person as the trustees of a fund established as described in clause (*a*) or clause (*h*) of subdivision (A) of this section shall designate, in case of such a policy so issued to such trustees; or (6) a newspaper or newspaper distributor described in subdivision (D), shall alone be a member of the company and entitled to one vote by virtue of such policy at the meetings of the company.

SECTION 2. Said section 110 of said chapter 175 is hereby further amended by striking out subdivision (D), as amended by section 2 of said chapter 532, and inserting in place thereof the following two subdivisions: —

(D) Nothing in section one hundred and eight shall be construed to apply to or affect or prohibit the issue of any general or blanket policy of insurance to any newspaper or newspaper distributor employing independent contractor newspaperboys under which the independent contractor newspaperboys associated therewith, are insured against loss or damage from disease or specified accidental bodily injuries or death caused by such injuries, contracted or sustained while exposed to the hazards of their occupation, for a premium intended to cover the risks of all persons insured under such policy. A policy on which the premiums are paid by a newspaper or newspaper distributor wholly from funds of or contributed by such newspaper or newspaper distributor insuring all eligible employees, shall be deemed a general or blanket policy within the meaning of this section. A policy on which the premiums are paid by the policy holder, either partly from funds of or contributed by such policy holder and partly from funds contributed by the insured independent contractor newspaperboys or wholly from funds contributed by such newspaperboys and the benefits of which are offered to all eligible newspaperboys, and insuring not less than seventy-five per cent of all eligible newspaperboys shall be deemed to be a general or blanket policy within the meaning of this section.

(E) Any blanket or general policy issued under subdivision (A), (C) or (D) of this section may also insure the dependents of employees or members or other persons insured thereunder in respect to medical, surgical and hospital expenses, and the employees or members or other persons may contribute part or all of the premium for such insurance.

Approved April 11, 1963.

Chap. 255. AN ACT INCREASING THE NUMBER OF SHARES IN A CO-OPERATIVE BANK WHICH MAY BE HELD BY A PERSON INDIVIDUALLY OR BY TWO OR MORE PERSONS.

Be it enacted, etc., as follows:

Section 16 of chapter 170 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by section 6 of chapter 333 of the acts of 1961, and inserting in place thereof the following paragraph: — Except as otherwise provided in this chapter and in other applicable provisions of law, no person individually shall hold in any one such corporation, at the same time, more than one hundred and fifty serial shares and more than a combined total of one hundred and fifty paid-up and savings shares in the denomination of one hundred dollars or more than seventy-five serial shares and more than the combined total of seventy-five paid-up and savings shares in the denomination of two hundred dollars; and no two or more persons, as provided in section fifteen, shall hold more than three hundred serial shares and more than the combined total of three hundred paid-up and savings shares in the denomination of one hundred dollars or more than one hundred and fifty serial shares and more than the combined total of one hundred and fifty paid-up and savings shares in the denomination of two hundred dollars, and each person so holding shares with one or more other persons also may hold shares individually, but the total amount of shares in such corporation held at the same time by such person both individually and with one or more other persons shall not exceed in the

denomination of one hundred dollars three hundred serial shares and the combined total of three hundred paid-up and savings shares or in the denomination of two hundred dollars one hundred and fifty serial shares and the combined total of one hundred and fifty paid-up and savings shares. Said limitations upon individual holdings shall apply to shares held by more than one fiduciary in the same estate and to shares held for each estate where the same person is fiduciary in two or more distinct estates. *Approved April 11, 1963.*

Chap. 256. AN ACT INCREASING THE AMOUNT OF PROPERTY THAT MAY BE HELD BY THE LABAN PRATT HOSPITAL.

Be it enacted, as follows:

Chapter 246 of the acts of 1946 is hereby amended by striking out section 2 and inserting in place thereof the following section: — *Section 2.* Said corporation shall have authority for the purpose aforesaid, and no other, to hold real and personal estate to the amount of one million five hundred thousand dollars. *Approved April 11, 1963.*

Chap. 257. AN ACT PROVIDING THAT THE COMMISSIONER OF CORPORATIONS AND TAXATION MAY PETITION THE SUPERIOR COURT FOR THE REMOVAL OF CITY OR TOWN TREASURERS UNDER CERTAIN CONDITIONS.

Be it enacted, etc., as follows:

Section 39B of chapter 41 of the General Laws is hereby amended by striking out the first sentence, as amended by chapter 256 of the acts of 1951, and inserting in place thereof the following sentence: — If, in the opinion of the commissioner of corporations and taxation, hereinafter referred to as the commissioner, the safety of any city or town funds or sums due such city or town for taxes or otherwise may be jeopardized by the continuation in office of a city or town collector or treasurer, the commissioner may petition the superior court for the removal of such officer. *Approved April 11, 1963.*

Chap. 258. AN ACT RELATIVE TO THE POWERS OF THE ALCOHOLIC BEVERAGES CONTROL COMMISSION IN APPROVING CERTAIN PRICE SCHEDULES FILED WITH SAID COMMISSION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to establish forthwith minimum consumer resale prices for certain alcoholic beverages, 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:

Paragraph (*d*) of section 25C of chapter 138 of the General Laws (see section 1 of chapter 567 of the acts of 1952) is hereby amended by striking out the second paragraph, as appearing in chapter 385 of the acts of 1952, and inserting in place thereof the following paragraph: —

No such filing, however, shall take effect unless within thirty days thereafter the commission shall approve such prices as not being excessive, inadequate, or unfairly discriminatory; provided, however, that such approval shall not be deemed a rule or regulation within the meaning of section twenty-four or section seventy-one, nor shall such approval be subject to the provisions of chapter thirty A.

Approved April 11, 1963.

Chap. 259. AN ACT AUTHORIZING THE ISSUANCE OF COMBINATION POLICIES FOR CREDIT INSURANCE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately enable all qualified insurers, as a public service, to participate in the newly organized Foreign Credit Insurance Association so as to facilitate the foreign trade of the United States, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 175 of the General Laws is hereby amended by inserting after section 117A the following section under the caption CREDIT INSURANCE: —

Section 117B. Two or more companies authorized to transact business under clause Tenth of section forty-seven may issue a single policy of insurance against loss or damage on account of the hazards specified in such clause on which each company shall be severally liable for a specified percentage of any loss or claim. Such policy shall be executed on behalf of the companies by a duly authorized person and need not be countersigned by a resident agent of more than one of such companies in the commonwealth.

No such policy shall be issued or delivered until a copy of the form thereof has been on file for thirty days with the commissioner, unless before the expiration of said thirty days he shall approve the form of the policy in writing; nor if the commissioner notifies the companies in writing within said thirty days that in his opinion the form of the policy 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; nor unless the corporate names of all the companies are affixed thereto; nor unless such policy contains in substance the following: —

(1) A provision specifying the percentage of loss or claim for which each such company shall be liable.

(2) A provision that any notice, sworn statement, or proof of loss which may be required by the provisions of the policy may be rendered, made, or given to any one of such companies or to the agent named in the policy as the duly authorized agent of the companies, and that such notice, sworn statement, or proof of loss so rendered, made, or given shall be valid and binding as to all such companies.

(3) A provision that, in any action or suit under the policy, service of process may be made on any one of such companies and that such service shall be deemed valid and binding service upon all such companies.

Policies issued under this section which are subscribed by one or more mutual companies and persons insured under such policies and dividends and assessments thereunder shall, as to such companies, be subject to the provisions of the second, third, fourth and fifth paragraphs of section one hundred and two B and, except as otherwise provided in said paragraphs, sections seventy-six, eighty so far as applicable, eighty-one and eighty-three, relative to policies issued by mutual fire companies, persons insured under such policies, and dividends and assessments thereunder. Nothing in this section shall be construed as affecting, except as provided herein, any provision of law relative to the rights, powers, duties and liabilities of mutual companies and persons insured thereby.

SECTION 2. The first paragraph of section 18 of said chapter 175, as most recently amended by section 2 of chapter 392 of the acts of 1962, is hereby further amended by striking out, in line 5, the words "and one hundred and seventeen A" and inserting in place thereof the words: —, one hundred and seventeen A and one hundred and seventeen B.

Approved April 12, 1963.

Chap. 260. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SIXTY-THREE TO PROVIDE FUNDS FOR THE EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain appropriations previously made, the sums set forth in section two of this act are hereby made available from the General Fund or ordinary revenue of the commonwealth, 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 appropriations in chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two.

SECTION 2.

GENERAL FUND.

STATE PURPOSES APPROPRIATIONS.

Boards and Commissions serving under Governor and Council.

Section two of chapter seven hundred and ninety-one of the acts of nineteen hundred and sixty-two is hereby amended by striking out, in the heading appearing above item 0441-01, the words "*Commission on Administration and Finance.*" and inserting in place thereof the following: — *Executive Office for Administration and Finance.*

Item

0441-01 Item 0441-01 of section two of chapter seven hundred and ninety-one of the acts of nineteen hundred and sixty-two is hereby amended by striking out the wording and inserting in place thereof the following: —

For the office of the commissioner of administration, including not more than thirty-three permanent positions, to be in addition to any federal funds available for the purpose; 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.

Item

0443–01, 0445–01, 0441–10 The unexpended balances remaining in item 0443–01 of section two of chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two and item 0445–01 of section two of chapter seven hundred and ninety-one of the acts of nineteen hundred and sixty-two are hereby transferred and made available for the purposes of the following item: —

0441–10 For the fiscal affairs division, including not more than one hundred and five permanent positions, to be in addition to any federal funds available for the purpose; provided, that the comptroller shall transfer to the General Fund the sum of seven thousand and fifty dollars from the Highway Fund in addition to the sums provided to be so transferred in said items 0443–01 and 0445–01.

0441–20 For the central services division, including not more than four permanent positions, to be in addition to any federal funds available for the purpose $10,600

0446–01, 0441–21 The unexpended balance remaining in item 0446–01 of section two of chapter seven hundred and ninety-one of the acts of nineteen hundred and sixty-two is hereby transferred and made available for the purposes of the following item: —

0441–21 For the bureau of building construction, within the central services division, including not more than forty-eight permanent positions, to be in addition to any federal funds available for the purpose.

0450–01, 0441–22 The unexpended balance remaining in item 0450–01 of section two of chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two is hereby transferred and made available for the purposes of the following item: —

0441–22 For the bureau of state buildings, within the central services division, and for the maintenance of the state house and the Ford building, including not more than one hundred and seventy-two permanent positions.

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

Approved April 12, 1963.

Chap. 261. AN ACT AUTHORIZING THE CITY OF NEWBURYPORT TO CONSTRUCT AND OPERATE A SYSTEM OR SYSTEMS OF SEWERAGE AND SEWAGE DISPOSAL.

Be it enacted, etc., as follows:

SECTION 1. Chapter 233 of the acts of 1889, chapter 227 of the acts of 1896, and chapter 59 of the acts of 1900 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 2. The city of Newburyport, hereinafter called the city, may lay out, construct, maintain and operate a system or systems of common sewers for a part or the whole of its territory, with such connections and other works as may be required for a system or systems of sewerage and sewage treatment and disposal, and may construct such sewers in said city as may be necessary.

SECTION 3. The city may make and maintain, in any way therein where common sewers are constructed, such connecting sewers within the limits of such way as may be necessary to connect any estate which abuts upon the way.

SECTION 4. The mayor, as soon as may be after the effective date of this act, shall appoint, subject to confirmation by the city council, at least three but not more than five citizens of said city who shall constitute a board of sewer commissioners, hereinafter called the board. Each member of said board shall be appointed for a term of not in excess of

three years, and the appointments shall be so made that the terms of not more than two members shall expire in any single year. In any year in which any appointments are required to be made hereunder, such appointments shall be made on or before the first Monday of February. All members shall hold office until their respective successors are appointed. The commission shall annually in the month of February choose by ballot, from its own membership, a chairman and a secretary.

SECTION 5. The board, acting for and on behalf of said city, may request the mayor and the city council to take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, water rights, rights of way or easements, public or private, in said city, necessary for accomplishing any purpose mentioned in this act, and may construct such sewers under or over any bridge, railroad, railway, boulevard or other public way, or within the location of any railroad, and may enter upon and dig up any private land, public way or railroad location, for the purpose of laying such sewers and of maintaining and repairing the same, and may do any other thing proper or necessary for the purposes of this act; provided, that they shall not take in fee any land of a railroad corporation, and that they shall not enter upon or construct any sewer within the location of any railroad corporation except at such time and in such manner as they may agree upon with such corporation, or, in case of failure to agree, as may be approved by the department of public utilities.

SECTION 6. Any person injured in his property by any action of the board under this act may recover damages from said city under said chapter seventy-nine.

SECTION 7. The city council shall determine whether the city shall pay the whole or any portion of the cost of said system or systems of sewerage and sewage disposal and, if a portion, the amount thereof. If said city council votes that the city is to pay less than the whole cost, in providing for the payment of the remaining portion of the cost of said system or systems, the city council may avail itself of any or all of the methods permitted by the General Laws, and the provisions of said General Laws relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments, to liens therefor and to interest thereon, shall apply to assessments made under this act, except that interest shall be at the rate of four per cent per annum.

SECTION 8. For the purpose of paying the necessary expenses and liabilities incurred under this act, the city may from time to time, within five years after the passage of this act, borrow such sums as may be necessary, not exceeding in the aggregate one million, three hundred and seventy-seven thousand dollars and may issue bonds or notes therefor, which shall bear on their face the words, Newburyport Sewerage Loan, Act of 1963. 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. The board may in its discretion prescribe for the users of said sewer system or systems such annual rentals or charges based on the benefits derived therefrom as it may deem proper, subject, however, to such rules and regulations as may be fixed by vote of the city council.

SECTION 11. All contracts made by the board shall be made in the name of the city and shall be signed by the board, but no contract shall be made or obligations incurred by said board for any purpose in excess of the amount of money appropriated by the city therefor.

SECTION 12. The board may, from time to time, prescribe rules and regulations for the connection of estates and buildings with sewers, and for inspection of the materials, the construction, alteration and use of all connections entering into such sewers, and may prescribe penalties, not exceeding twenty dollars, for each violation of any such rule or regulation. Such rules and regulations shall be published at least once a week for three successive weeks in a newspaper published in the city of Newburyport, and shall not take effect until such publications have been made.

SECTION 13. No act shall be done under authority of the preceding sections, except in the making of surveys and other preliminary investigations, until the plan for said system or systems of sewerage and sewage disposal has been approved by the state department of public health.

SECTION 14. The duties and responsibilities of the board may be broadened at any time upon a majority vote of the city council so as to include, in addition to the matters herein enumerated, jurisdiction over all or any part of the matters under the control or supervision of the street and sewer department of said city.

SECTION 15. This act shall take effect upon its acceptance by the city of Newburyport. No expenditure shall be made and no liability shall be incurred hereunder until such acceptance.

Approved April 15, 1963.

Chap. 262. AN ACT VALIDATING CERTAIN PROCEEDINGS OF THE TOWN OF IPSWICH.

Be it enacted, etc., as follows:

SECTION 1. The vote of the town of Ipswich adopted by ballot on December twenty-seventh, nineteen hundred and sixty-two, pursuant to section eight of article three of the town by-laws, appropriating a sum of money for sewer purposes and authorizing bonds therefor, is hereby ratified and confirmed in all respects notwithstanding the fact that such vote was not passed at a deliberative session of a town meeting, and such vote shall constitute full authority to the treasurer and selectmen of the town to issue bonds of the town in accordance therewith.

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

Approved April 15, 1963.

Chap. 263. AN ACT AUTHORIZING THE CITY OF BOSTON TO CONSTRUCT BUS TERMINALS ON PROPERTY ACQUIRED FOR PUBLIC OFF-STREET PARKING FACILITIES AND TO LEASE THE SAME TO COMMON CARRIERS OF PASSENGERS FOR HIRE.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 474 of the acts of 1946 is hereby amended by inserting after clause (*e*) the following clause: —

(*e*½) The power to construct and maintain, but not to operate, on any property acquired for the purposes of this act after January first, nineteen hundred and sixty-three, or determined after said date to be devoted to such purposes under clause (*b*), and to lease to any person, including the Metropolitan Transit Authority, for operation for such period, not exceeding three years, and upon such terms as the board shall determine, such terminal for buses of said authority or of common carriers of passengers for hire, and such facilities accessory and incidental thereto, as the board with the approval of the commissioner of traffic and parking of the city shall determine.

SECTION 2. Section 3 of said chapter 474 is hereby amended by inserting after the sixth sentence, as appearing in section 2 of chapter 316 of the acts of 1950, the following sentence: — The preceding provisions of this section shall not apply to leases under clause (*e*½) of section one.

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

Approved April 15, 1963.

Chap. 264. AN ACT REGULATING THE DISCONNECTING, REMOVAL OR DISPLACEMENT OF WIRES OVER RAILROAD CROSSINGS, AND PROVIDING FOR THE REIMBURSEMENT OF A RAILROAD FOR CERTAIN EXPENSES IN CONNECTION THEREWITH.

Be it enacted, etc., as follows:

Chapter 160 of the General Laws is hereby amended by inserting after section 104 the following section: —

Section 104A. Whenever a person wishes to move a building, equipment or machinery over the right of way of a railroad corporation at the location of the crossing of said right of way and a public way and such movement will require the cutting, disconnecting or removal of any of the wires owned, operated or maintained by said railroad corporation in connection with its business, said railroad corporation shall forthwith cut, disconnect or remove the same, if such person has sent a written statement, signed by him, of the time when and the place, described by reference to such crossing, where he wishes such wires to be removed, and mailed, postage prepaid, to said corporation at least ten days before the time mentioned in said statement. Such person shall reimburse the railroad corporation for all costs incurred in connection with such movement, including the cost of protecting the trains, equipment and other property of the railroad corporation at the location, and the costs of cutting, disconnecting or removing the wires and replacing the same.

Approved April 15, 1963.

Chap. 265. AN ACT AUTHORIZING THE DELIVERY OF LINEN SUPPLIES, LAUNDRY AND DIAPERS ON LEGAL HOLIDAYS.

Be it enacted, etc., as follows:

Section 14 of chapter 136 of the General Laws, as appearing in section 2 of chapter 616 of the acts of 1962, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: — Notwithstanding any provision of this chapter to the contrary, dancing or any game, sport, fair, exposition, play, entertainment or public diversion, including events authorized under chapter one hundred and twenty-eight A, may be conducted on any legal holiday and any labor, business or work necessary or incidental thereto may be performed 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 legal holiday. The delivery of linen supplies, laundry and diapers shall not be prohibited on any legal holiday, nor shall hunting, if otherwise lawful, be prohibited on any legal holiday.

Approved April 15, 1963.

Chap. 266. AN ACT DESIGNATING THE METROPOLITAN DISTRICT COMMISSION BATHHOUSE IN THE CITY OF REVERE AS THE WILLIAM H. J. ROWAN BATHHOUSE.

Be it enacted, etc., as follows:

Upon the completion by the metropolitan district commission of the bathhouse being constructed on Revere Beach boulevard in the city of Revere, said bathhouse shall be known and designated as the William H. J. Rowan Bathhouse, in memory of William H. J. Rowan, a former member of the house of representatives. Said commission shall erect at said bathhouse a suitable tablet or marker bearing said designation.

Approved April 15, 1963.

Chap. 267. AN ACT TO REQUIRE SEPARATE FILING OF SUB-BIDS FOR MARBLE, TILE AND TERRAZZO.

Be it enacted, etc., as follows:

Section 44C of chapter 149 of the General Laws is hereby amended by striking out the second sentence, as amended by chapter 645 of the acts of 1962, and inserting in place thereof the following sentence: — Such specifications shall have a separate section for each of the following classes of work if in the estimate of the awarding authority such class of work will exceed one thousand dollars: (1) roofing and flashing; (2) metal windows; (3) waterproofing, damp-proofing and calking; (4) miscellaneous and ornamental iron; (5) lathing and plastering; (6) acoustical tile; (7) marble; (8) tile; (9) terrazzo; (10) resilient floors; (11) glass and glazing; (12) painting; (13) plumbing; (14) heating, ventilating and air-conditioning; (15) electrical work, including direct electrical radiation for heating; (16) elevators; and (17) any other class of work for which the awarding authority deems it necessary or convenient to receive sub-bids; provided that the awarding authority may, in addition, receive a combined sub-bid on the marble, tile and

terrazzo work, but in that event, the marble, tile and terrazzo work shall each be a class of work for which the sub-bidder must list the information in paragraph E of the "Form for Sub-Bid".

Approved April 15, 1963.

Chap. 268. AN ACT AUTHORIZING SAVINGS BANKS TO MAKE LOANS SECURED BY DEPOSIT ACCOUNTS AND CLARIFYING THE RIGHT OF FIDUCIARIES TO SUCH LOANS.

Be it enacted, etc., as follows:

Section 40 of chapter 168 of the General Laws is hereby amended by striking out the first sentence, as amended by section 7 of chapter 169 of the acts of 1962, and inserting in place thereof the following two sentences: — Such corporation shall, upon application of a depositor or either of two joint depositors therein, including any depositor or depositors acting in a fiduciary capacity or a guardian or conservator of a depositor or depositors, make a loan to him, secured by his deposit account, in an amount not exceeding said account, for a time not extending beyond the end of the dividend period in which the loan was made; provided, however, that no such loan secured by a special notice account shall be made except upon an application in writing received by such corporation not less than ninety days prior to the date on which such loan is made. If an appropriate notation is made on the deposit book at the time of the loan indicating that the same has been made, the deposit book may be retained by the depositor.

Approved April 15, 1963.

Chap. 269. AN ACT INCREASING THE LIMIT ON THE AMOUNT AND MAXIMUM TERM OF IMPROVEMENT LOANS BY SAVINGS BANKS.

Be it enacted, etc., as follows:

Paragraph 10 of section 35 of chapter 168 of the General Laws, as appearing in section 1 of chapter 432 of the acts of 1955, is hereby amended by striking out the second and third sentences and inserting in place thereof the following two sentences: — Such loan shall not exceed two thousand five hundred dollars, exclusive of interest or discount from the date of the note, with respect to any one parcel of such real estate. The loan shall be payable not more than eight years from the date of the note, but the note or mortgage shall provide that in any event it shall become due and payable simultaneously with the transfer of the mortgaged premises or with the payment of the balance due on that mortgage.

Approved April 15, 1963.

Chap. 270. AN ACT PROVIDING SICK LEAVE FOR HOURLY EMPLOYEES OF THE BOSTON HOUSING AUTHORITY.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, hourly rate maintenance employees of the Boston Housing Authority shall be entitled to sick leave on the same terms and conditions as are applicable to administrative personnel of said Authority.

Approved April 15, 1963.

Chap. 271. AN ACT AUTHORIZING THE CITY OF MALDEN TO PAY COMPENSATION TO, AND CERTAIN MEDICAL BILLS OF, LOUIS ROMANO.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the city of Malden is hereby authorized to pay to Louis Romano, a member of the Malden auxiliary police, a sum not to exceed thirty-five hundred dollars as compensation for loss of wages and medical bills resulting from an injury sustained by him on October thirty-first, nineteen hundred and fifty-nine, while in the performance of his duty as an auxiliary police officer.

SECTION 2. This act shall take effect upon its acceptance by the city of Malden. *Approved April 15, 1963.*

Chap. 272. AN ACT AUTHORIZING SAVINGS BANKS TO LEND UPON NOTES SECURED BY THE PLEDGE AS COLLATERAL OF MORE THAN ONE LEASEHOLD.

Be it enacted, etc., as follows:

Paragraph 6 of section 38 of chapter 168 of the General Laws, as appearing in section 1 of chapter 432 of the acts of 1955, is hereby amended by striking out the first two paragraphs and inserting in place thereof the following two paragraphs: — A lease or leases to one or more corporations or associations as defined in section twenty-four, any such corporation or association being herein called the lessee, upon real estate occupied or to be occupied by the lessee for business, commercial or industrial purposes and situated in this commonwealth or in a state contiguous thereto. Such lease or leases as the case may be and all of the rentals and other sums payable thereunder shall be assigned and pledged by the lessor to such savings bank as security for the loan, and such rentals shall be sufficient to provide for repayment of the loan within the unexpired term of the lease or leases. There shall be an agreement in writing between such bank and any lessee which shall provide that, upon written request by the bank, such lessee will make all payments of rentals and other sums thereafter due under the lease or leases directly to such bank. As additional security for such loan a first mortgage or first mortgages of the leased real estate shall be given by the owner thereof to such bank for the payment of the loan. Any loan made under this paragraph shall be payable at or prior to the expiration of the lease or of the last expiring of the leases securing the same but not exceeding twenty years from the date of the note secured thereby, and the leased real estate shall be subject to revaluation or inspection as provided by paragraph 6 of section thirty-six.

Before making any such loan, at least two members of the board of investment shall certify in writing (*a*) to the credit standing of such lessee or lessees, according to their best judgment or as determined upon the opinion of a certified public accountant approved by said board, and (*b*) to the value of such lease or leases and of the real estate to be mortgaged, according to their best judgment or as determined upon the signed opinion in writing of an appraiser approved by said board.

Approved April 15, 1963.

Chap. 273. AN ACT EXCEPTING FROM THE REQUIREMENTS OF REVALUATION AND INSPECTION CERTAIN RESIDENTIAL PROPERTIES MORTGAGED TO SECURE LOANS BY SAVINGS BANKS.

Be it enacted, etc., as follows:

Clause (*b*) of paragraph 6 of section 36 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: — Every parcel of real estate mortgaged to secure a loan, other than the parcels referred to in clause (*a*) of this paragraph, shall be revalued, as long as the loan is held, commencing not later than the end of the third calendar year after the year in which the loan is made or acquired and thereafter at intervals of five calendar years, in the manner provided in said clause or, in lieu of revaluation, such parcel shall be inspected for the purpose of determining the general physical condition of the mortgaged property, including its state of preservation or deterioration and any other information deemed by the board of investment as materially affecting the value of such parcel, except that, in the case of any parcel of real estate on which is located a residence which is designed for not more than four families and which is mortgaged to secure a loan in the unpaid principal amount of thirty thousand dollars or less, such periodic inspection or revaluation need not be made, provided however, that in the event that a payment of interest or principal upon any such loan or on account of real estate taxes upon the parcel mortgaged to secure the same shall be in default, inspection for the purpose aforesaid shall be made within ninety days from the date of such default in payment of interest or principal or within one hundred eighty days from the date of such default in payment on account of taxes, as the case may be, and thereafter periodic revaluation or inspection shall continue in accordance with the foregoing provisions of this clause until such loan shall no longer be in default.

Approved April 15, 1963.

Chap. 274. AN ACT AUTHORIZING THE SALE AND MANUFACTURE OF DIETETIC ICE CREAM, SO CALLED.

Be it enacted, etc., as follows:

SECTION 1. Section 65G of chapter 94 of the General Laws is hereby amended by striking out the paragraph defining "Imitation frozen dessert", as appearing in section 1 of chapter 373 of the acts of 1934, and inserting in place thereof the following paragraph: — "Imitation frozen dessert", any frozen substance, mixture or compound, regardless of the name under which it is sold or exchanged, or offered or exposed for sale or exchange, or advertised, which is made in imitation or semblance of any frozen dessert, or is prepared or frozen in the manner in which any frozen dessert is customarily prepared or frozen, and which is not ice cream, frozen custard, ice milk, milk sherbet, or water ice or ice sherbet, as defined herein. A frozen dietary dairy dessert authorized to be manufactured and sold under section sixty-five T shall not be construed to be an imitation frozen dessert.

SECTION 2. Section 65L of said chapter 94 is hereby amended by striking out paragraph (*b*), as appearing in section 7 of chapter 356 of

the acts of 1957, and inserting in place thereof the following paragraph: —

(*b*) No person shall sell or exchange, offer for sale or exchange, or advertise for sale, any frozen dessert or ice cream mix, if the brand name of the frozen dessert or ice cream mix or the label upon it or the advertising accompanying it shall give a false indication of its origin, character, composition or place of manufacture, or is otherwise false or misleading in any particular. The above shall not prohibit the sale of a frozen dietary dairy dessert authorized to be manufactured and sold under section sixty-five T.

SECTION 3. Said chapter 94 is hereby further amended by inserting after section 65S the following section: —

Section 65T. The department may promulgate regulations establishing standards of identity for frozen dietary dairy desserts. The department may also establish regulations pertaining to the manufacture and sale of frozen dietary dairy desserts.

Approved April 15, 1963.

Chap. 275. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC PARKS OF THE CITY OF SPRINGFIELD TO CONSTRUCT BUILDINGS EXCEEDING SIX HUNDRED SQUARE FEET IN AREA IN FOREST PARK AND BLUNT PARK IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section seven of chapter forty-five of the General Laws, the department of public parks of the city of Springfield is hereby authorized to construct and maintain one or more buildings each exceeding six hundred square feet in area in both Forest park and Blunt park in said city.

SECTION 2. This act shall take effect upon its acceptance by the city of Springfield. *Approved April 15, 1963.*

Chap. 276. AN ACT RELATIVE TO THE SUSPENSION BY THE REGISTRAR OF MOTOR VEHICLES OF THE RIGHT TO OPERATE MOTOR VEHICLES.

Be it enacted, etc., as follows:

The first paragraph of section 22 of chapter 90 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "registrar", in line 15, the words: — or until his right to operate has been restored by the registrar.

Approved April 15, 1963.

Chap. 277. AN ACT RELATIVE TO THE AUTHORITY OF SAVINGS BANKS, CO-OPERATIVE BANKS AND TRUST COMPANIES TO MAKE CERTAIN PARTICIPATION LOANS INSURED BY THE FEDERAL HOUSING ADMINISTRATOR.

Be it enacted, etc., as follows:

Section 51 of chapter 167 of the General Laws is hereby amended by inserting after the first sentence the following sentence: — A savings

bank, co-operative bank or trust company may also in participation with one or more other such corporations make or acquire any of the loans referred to in clause (*b*) which are secured by mortgages on real property held in fee simple. *Approved April 15, 1963.*

Chap. 278. AN ACT FURTHER REGULATING THE ISSUANCE OF A JUNIOR OPERATOR'S LICENSE TO OPERATE MOTOR VEHICLES.

Be it enacted, etc., as follows:

The fourth sentence of section 8 of chapter 90 of the General Laws, as appearing in chapter 687 of the acts of 1962, is hereby amended by inserting after the word "certificate", in line 4, the words: — or such other satisfactory evidence of his age as the registrar may require.

Approved April 15, 1963.

Chap. 279. AN ACT RELATIVE TO PERSONAL LOANS BY CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

Section 26 of chapter 170 of the General Laws is hereby amended by adding at the end the following subsection: —

8. Such corporations having assets of five million dollars or more may make loans to one or more responsible borrowers upon a note in such form and at such rate of interest and subject to such other charges as the security committee shall by rules or regulations determine; provided, that such rates and charges shall not exceed the maximums authorized or from time to time established or re-established under section one hundred of chapter one hundred and forty with respect to loans subject to such section. Such loan shall be payable and shall be paid in instalments at intervals of not exceeding one month and all within a period of not exceeding thirty-six months from the date of the note. Such note may provide for the payment of the first instalment on a date not more than three months from the date of the note or of some one subsequent instalment on a date not more than three months from the date of the last prior instalment, and may, in the discretion of such corporation, be secured or unsecured. The total obligation of any one person to any such corporation in this class of investment shall not exceed fifteen hundred dollars, exclusive of interest or discount from the date of the note; and the aggregate balance of such loans made by any such corporation, at any time outstanding, shall not exceed two per cent of its deposits. A corporation having assets of less than five million dollars may make such loans with the prior written approval of the commissioner and under such regulations, if any, as he may deem necessary. *Approved April 15, 1963.*

Chap. 280. AN ACT REGULATING THE SALE AND INSTALLATION OF SEAT SAFETY BELTS.

Be it enacted, etc., as follows:

Chapter 94 of the General Laws is hereby amended by inserting after section 295X the following section: —

Section 295Y. No person shall sell or offer for sale a seat safety belt to be used in a motor vehicle which does not comply with such minimum standards as the registrar of motor vehicles may prescribe. No person shall for compensation install a seat safety belt in a motor vehicle except in the manner prescribed by said registrar. Whoever violates the provisions of this section shall be punished by a fine of not more than twenty dollars. *Approved April 15, 1963.*

Chap. 281. AN ACT PROVIDING LIFE TENURE FOR SAMUEL MURRAY, INCUMBENT OF THE OFFICE OF SUPERINTENDENT OF STREETS OF THE TOWN OF ROWE.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Samuel Murray, incumbent of the office of superintendent of streets of the town of Rowe, 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 town of Rowe. *Approved April 15, 1963.*

Chap. 282. AN ACT AUTHORIZING THE CITY OF FALL RIVER TO PAY A SUM OF MONEY TO RAYMOND F. FAHEY, JR.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, and to correct an error, the treasurer of the city of Fall River is hereby authorized to pay, subject to appropriation, to Raymond F. Fahey, Jr. of said city, the sum of one hundred and twenty-four dollars and eighty cents, representing an increase in his compensation for services rendered as a junior building custodian in the real estate building department of said city during the period from April first to December thirty-first, nineteen hundred and sixty-one, said payment to be in addition to any compensation already paid to him for such services.

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

Approved April 16, 1963.

Chap. 283. AN ACT TO ASCERTAIN THE WILL OF THE VOTERS OF THE TOWN OF SAUGUS RELATIVE TO A CHANGE IN THE PRESENT FORM OF GOVERNMENT.

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 next annual town meeting in the town of Saugus: — "Shall the present form of government in the town of Saugus be terminated and the legislature erect and constitute a city government to be operated under Plan B as defined in chapter forty-three of the General Laws?" If a majority of the votes in answer to said question is in the affirmative, such action shall be deemed as an application for such change to the legislature within the meaning of Article II of Articles of Amendment to the Constitution of the Commonwealth of Massachusetts, but not otherwise. *Approved April 16, 1963.*

Chap. 284. AN ACT REQUIRING THE STATE SECRETARY TO ISSUE A CERTIFICATE ACKNOWLEDGING THE TIME AND DATE OF THE FILING OF NOMINATION PAPERS TO THE PERSON FILING THE SAME.

Be it enacted, etc., as follows:

The first paragraph of section 48 of chapter 53 of the General Laws is hereby amended by adding at the end the following sentence: — The state secretary shall forthwith issue to the candidate or other person filing such nomination papers a certificate acknowledging the time and date of the receipt thereof. *Approved April 16, 1963.*

Chap. 285. AN ACT REDEFINING THE WORDS "REST HOME" AS USED IN THE LAW REGULATING THE LICENSING OF SUCH HOMES.

Be it enacted, etc., as follows:

Section 71 of chapter 111 of the General Laws, as most recently amended by section 1 of chapter 545 of the acts of 1957, is hereby amended by striking out the seventeenth sentence and inserting in place thereof the following sentence: — A rest home is defined as any institution, however named, which is advertised, announced or maintained for the express or implied purpose of providing care incident to old age to three or more persons over sixty years of age who are ambulatory but who need supervision or medical care but do not need professional nursing services. *Approved April 16, 1963.*

Chap. 286. AN ACT PROVIDING FOR A SECOND ASSISTANT CLERK FOR THE DISTRICT COURT OF NEWTON.

Be it enacted, etc., as follows:

The third sentence of the first paragraph of section 10 of chapter 218 of the General Laws, as most recently amended by section 1 of chapter 504 of the acts of 1960, is hereby further amended by inserting after the word "Worcester", in line 7, the words: —, the district court of Newton. *Approved April 16, 1963.*

Chap. 287. AN ACT PROHIBITING THE WITHDRAWAL OF ACCEPTANCE OF NOMINATION BY A PERSON WHOSE NAME WAS NOT PRINTED ON THE BALLOT AT A PRIMARY BUT WAS NOMINATED.

Be it enacted, etc., as follows:

Section 3 of chapter 53 of the General Laws is hereby amended by inserting after the first sentence, as appearing in section 1 of chapter 334 of the acts of 1943, the following sentence: — When such acceptance has been filed, it may not thereafter be withdrawn.

Approved April 16, 1963.

Chap. 288. AN ACT AUTHORIZING THE CITY OF BOSTON TO CONTRACT TO PROVIDE FIRE-FIGHTING SERVICES FOR THE TAX EXEMPT PROPERTY OF THE MASSACHUSETTS PORT AUTHORITY IN SAID CITY.

Be it enacted, etc., as follows:

The city of Boston, acting by its fire commissioner with the approval of its mayor, and the Massachusetts Port Authority are hereby respectively authorized to make contracts from time to time whereby for such annual fee as said city and authority shall mutually agree the city will provide fire-fighting services for the tax exempt property of said authority in said city. *Approved April 16, 1963.*

Chap. 289. AN ACT TO INCREASE THE AMOUNT OF PROPERTY WHICH MAY BE HELD BY THE TRUSTEES OF RESERVATIONS.

Be it enacted, etc., as follows:

Chapter 352 of the acts of 1891 is hereby amended by striking out section 2 and inserting in place thereof the following section: — *Section 2.* Said corporation may acquire and hold by grant, gift, devise, purchase or otherwise, real estate such as it may deem worthy of preservation for the enjoyment of the public and such other property, both real and personal as may be necessary or proper to support or promote the objects of the corporation, but not exceeding in the aggregate the sum of ten million dollars. *Approved April 16, 1963.*

Chap. 290. AN ACT CONTINUING THE TEMPORARY TAX IMPOSED BY THE COMMONWEALTH ON AMOUNTS WAGERED AT CERTAIN HORSE AND DOG RACING MEETINGS CONDUCTED UNDER THE PARI-MUTUEL OR CERTIFICATE SYSTEM OF WAGERING.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make available immediately revenue for the General Fund, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

In addition to any amount required to be withheld under the provisions of section five of chapter one hundred and twenty-eight A of the General Laws by a licensee conducting a horse or dog racing meeting, such licensee shall withhold an amount equal to two per cent of the total amount wagered on each day of such meeting conducted during the year nineteen hundred and sixty-three, and shall pay the same to the state racing commission on the day following. All receipts paid into the state treasury under this act shall be credited to the General Fund, notwithstanding any provision of section fifteen of said chapter one hundred and twenty-eight A to the contrary. *Approved April 18, 1963.*

Chap. 291. AN ACT RELATIVE TO THE MOLESTING, ATTACKING OR KILLING OF DEER BY DOGS IN HAMPSHIRE COUNTY AND THE TOWNS OF HARDWICK, BARRE, PETERSHAM AND ATHOL IN WORCESTER COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Section 88 of chapter 131 of the General Laws is hereby amended by striking out the last sentence, as most recently amended by section 1 of chapter 399 of the acts of 1961, and inserting in place thereof the following sentence: — The provisions of this section shall not apply in Berkshire, Franklin, Hampden or Hampshire counties, or the towns of Hardwick, Barre, Petersham or Athol in Worcester county.

SECTION 2. Said chapter 131 is hereby further amended by striking out section 88A, as most recently amended by section 2 of said chapter 399, and inserting in place thereof the following section: — *Section 88A.* Any person who owns, keeps or possesses a dog which during the period from the close of the rabbit season to the first day of May in each year is found molesting, attacking or killing deer in Berkshire, Franklin, Hampden or Hampshire counties, or the towns of Hardwick, Barre, Petersham or Athol in Worcester county, shall be punished by a fine of twenty-five dollars. An enforcement officer in the division of law enforcement of the department of natural resources may, without any liability on his part, destroy any dog found molesting, attacking or killing deer in said counties during said period. The provisions of section sixteen shall not be applicable to this section.

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

Approved April 18, 1963.

Chap. 292. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF ESSEX COUNTY TO INSTALL AN ELEVATOR IN THE SUPERIOR COURT BUILDING IN THE CITY OF LAWRENCE.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Essex county are hereby authorized to expend a sum not exceeding sixty-eight thousand dollars for the installation of an elevator in the superior court building in the city of Lawrence. Said commissioners may make additions to said building or parts thereof, and remodel or alter said building, and do all things necessary for such installation.

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

Approved April 18, 1963.

Chap. 293. AN ACT AUTHORIZING THE BOARD OF REGIONAL COMMUNITY COLLEGES TO ESTABLISH ACTIVITY FEES IN REGIONAL COMMUNITY COLLEGES.

Be it enacted, etc., as follows:

Chapter 15 of the General Laws is hereby amended by adding after section 27 the following section: —

Section 28. The Massachusetts board of regional community colleges may fix the amount of student activity fee to be paid by each student

at any regional community college. All student activity fees and all receipts from student activities shall be retained by the director of the college in a revolving fund or revolving funds, and shall be expended as the director of the college may direct in furthering student activities; provided that the foregoing shall not authorize any action in contravention of the requirements of section one of Article LXII of the amendments to the constitution. The said fund or funds shall be subject to annual audit by the state auditor. *Approved April 18, 1963.*

Chap. 294. AN ACT AUTHORIZING THE CITY OF PEABODY TO PAY A CERTAIN UNPAID BILL.

Be it enacted, etc., as follows:

SECTION 1. The city of Peabody is hereby authorized to appropriate and pay the sum of one thousand eight hundred and thirty-two dollars and two cents to United X-ray Corp. of Mass. for goods furnished to the Josiah B. Thomas Hospital of said city, bills for which were incurred, but not encumbered, prior to the year nineteen hundred and sixty-two.

SECTION 2. This act shall take effect upon its acceptance by the city of Peabody. *Approved April 18, 1963.*

Chap. 295. AN ACT PROVIDING LIFE TENURE FOR ARCHIE H. COHEN, INCUMBENT OF THE OFFICE OF WORKMEN'S COMPENSATION AGENT OF THE CITY OF REVERE.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Archie H. Cohen, incumbent of the office of workmen's compensation agent of the city of Revere, shall be unlimited, but he may be removed therefrom for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall take effect upon its acceptance by the city council and the city manager of the city of Revere.

Approved April 18, 1963.

Chap. 296. AN ACT AUTHORIZING THE CITY OF PEABODY TO ACQUIRE CERTAIN LAND BY EMINENT DOMAIN FOR USE AS A SITE FOR A SCHOOL BUILDING.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, the city council of the city of Peabody may purchase, or take by eminent domain under chapter seventy-nine of the General Laws, or otherwise acquire, any land within the city of Peabody, not appropriated to public purposes, for future use as a site for school building construction, if such site has been approved for the purpose by the school committee of said city, subject to the availability of an appropriation therefor as required by section fourteen of chapter forty of the General Laws. Said property if and after acquired shall not be used for any other purpose than school sites or additions.

Approved April 18, 1963.

Chap. 297. AN ACT PROVIDING THAT THE GOVERNOR SHALL ANNUALLY ISSUE A PROCLAMATION SETTING APART THE FIRST SUNDAY IN APRIL AS VETERANS OF WORLD WAR I HOSPITAL DAY.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by striking out section 12T, inserted by section 2 of chapter 265 of the acts of 1955, and inserting in place thereof the following section: — *Section 12T.* The governor shall annually issue a proclamation setting apart the twenty-second day of February as Washington Day, the first Sunday in April as Veterans of World War I Hospital Day, the second Sunday in May as Mothers' Day, the third Sunday in June as Fathers' Day, the seventh day of August as Purple Heart Day, the first Sunday in December as Disabled American Veterans' Hospital Day and the second Saturday in December as Army and Navy Union Day; and recommending that said days be observed by the people in an appropriate manner.

Approved April 18, 1963.

Chap. 298. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS AND THE METROPOLITAN DISTRICT COMMISSION TO REGULATE PEDESTRIAN TRAFFIC AT CERTAIN INTERSECTIONS.

Be it enacted, etc., as follows:

The first paragraph of section 18A of chapter 90 of the General Laws, as appearing in section 1 of chapter 409 of the acts of 1962, is hereby amended by striking out the first two sentences and inserting in place thereof the following two sentences: — The department on ways within their control and at the intersection of state highways, and other ways, the metropolitan district commission on ways within their control and at the intersection of metropolitan district commission roadways, except state highways, and other ways, the traffic and parking commission of the city of Boston, the traffic commission or traffic 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 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 or traffic director, 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 human muscular power, as well as including a person on foot. *Approved April 18, 1963.*

Chap. 299. AN ACT PROVIDING THAT THE PLANNING BOARD NOTIFY THE CLERK OF THE CITY OR TOWN IF CONSTRUCTION OF WAYS OR INSTALLATION OF SERVICES FAILS TO COMPLY WITH RULES AND REGULATIONS.

Be it enacted, etc., as follows:

The eighth paragraph of section 81U of chapter 41 of the General Laws, as appearing in section 1 of chapter 377 of the acts of 1958, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence: — If the board determines that said construction or installation has not been completed, it shall specify in a notice sent by registered mail to the applicant and to the clerk of the city or town the details wherein said construction or installation fails to comply with its rules and regulations and upon failure so to do within forty-five days after the receipt by said clerk of said statement all obligations under the bond shall cease and terminate by operation of law, any deposit shall be returned and any such covenant shall become void.

Approved April 18, 1963.

Chap. 300. AN ACT INCREASING THE PENALTIES FOR VIOLATION OF LAWS RELATIVE TO THE TAKING, SALE OR POSSESSION OF CERTAIN LOBSTERS, AND THE SHIPPING OF LOBSTERS AND LOBSTER MEAT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 130 of the General Laws is hereby amended by striking out section 41, as appearing in section 1 of chapter 598 of the acts of 1941, and inserting in place thereof the following section: — *Section 41.* Whoever takes, sells or has in possession any female lobster bearing eggs or any female edible crab shall be punished by a fine of not less than fifty nor more than one hundred dollars for every such lobster or crab or by imprisonment for not less than one nor more than three months; but a person who takes any such lobster or crab and immediately returns it alive to the waters from which it was taken shall not be subject to such penalty. This section shall not apply to lobsters spawning in fish cars or pounds if they are immediately liberated alive in the coastal waters, nor to the taking, sale or possession of lobsters as provided in section forty-three.

SECTION 2. Said chapter 130 is hereby further amended by striking out section 44, as most recently amended by chapter 151 of the acts of 1959, and inserting in place thereof the following section: — *Section 44.* Whoever sells, or offers for sale, or has in possession for a period longer than is necessary for immediate measuring, or for any purpose other than legally disposing of same, a lobster measuring less than three and three sixteenths inches in length, alive or dead, cooked or uncooked, measured from the rear of the eye socket along a line parallel to the center line of the body shell to the rear end of the body shell, shall be punished by a fine of not less than twenty-five nor more than fifty dollars for every such lobster, and such lobster shall be seized and forfeited, and shall be disposed of by the director to the best interests of the commonwealth. If the measurement of any such lobster taken from one or the other eye sockets is of the required length, such lobster shall be

deemed to be a legal lobster. In all prosecutions under this section any mutilation of any lobster which affects its measurement as aforesaid shall be prima facie evidence that the lobster was or is less than the required length. This section shall not apply to common carriers having lobsters in possession for the purpose of transportation.

SECTION 3. Said chapter 130 is hereby further amended by striking out section 45, as appearing in section 1 of chapter 598 of the acts of 1941, and inserting in place thereof the following section: — *Section 45.* Whoever cooks, buys, sells, offers or exposes for sale, gives away, or knowingly delivers, transports, ships, or receives for food purposes any lobster, or similar species of crustacea, or any part thereof, which is uncooked and dead, or which was cooked after it was dead shall be punished by a fine of not less than two hundred and fifty nor more than five hundred dollars, or by imprisonment for not less than ten nor more than sixty days, or both.

SECTION 4. Section 47 of said chapter 130, as so appearing, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence: — Violation of any provision of this section shall be punished by a fine of not less than two hundred and fifty nor more than five hundred dollars. *Approved April 18, 1963.*

Chap. 301. AN ACT FURTHER REGULATING THE INVESTMENT BY SAVINGS BANKS IN MORTGAGE LOANS INSURED BY THE FEDERAL HOUSING ADMINISTRATOR OR GUARANTEED IN PART BY THE ADMINISTRATOR OF VETERANS' AFFAIRS.

Be it enacted, etc., as follows:

Paragraph 11 of section 35 of chapter 168 of the General Laws, as amended by chapter 289 of the acts of 1960, is hereby amended by striking out the second and third paragraphs and inserting in place thereof the following paragraph: —

The aggregate balance of principal, outstanding at any one time, in such mortgage loans authorized by this paragraph shall not exceed the total of the aggregate book value of loans secured by mortgages on real estate located in the commonwealth and in states contiguous to the commonwealth within fifty miles from the town in which the main office of such corporation is located or thirty-seven and one half per cent of the deposits of such corporation, whichever is the lesser.

Approved April 22, 1963.

Chap. 302. AN ACT CONFIRMING THE CORPORATE STATUS OF FIRST PARISH CHURCH OF SCITUATE-UNITARIAN, INC. AND CHANGING ITS NAME TO FIRST PARISH CHURCH OF SCITUATE-UNITARIAN.

Be it enacted, etc., as follows:

SECTION 1. First Parish Church of Scituate-Unitarian, Inc., hereinafter referred to as the parish, a religious society gathered in January, sixteen hundred and thirty-four, and heretofore known by the following names: — The Northerly Sosciaty in Scittuate, The North Precint, The First Church of Christ and Precint in the Town of Scituate, The Church of Christ in the North Precint, The First Church and Parish

in Scituate, The First Church and Congregation in Scituate, The First Precinct, The First Parish in Scituate, Church and Society of the First Parish in Scituate, The First Parish (Unitarian) Church of Scituate, and North Parish in Scituate, is declared to be an existing religious society whose incorporation as such is hereby confirmed.

SECTION 2. Chapter two of the acts of eighteen hundred and three is hereby repealed, and the corporation established thereunder is hereby dissolved.

All property of said corporation, including all bequests, devises, gifts and transfers of any kind, heretofore and hereafter made for the benefit of said corporation, shall be transferred to and vest in the parish without further act or deed, and said property, without distinction between principal and interest, shall henceforth be used for the general purposes of the parish, provided only that property transferred and vested as aforesaid shall be subject to such restrictions, if any, as have been or are imposed by the donors or by operation of law other than any provision set forth in said chapter two of said acts of eighteen hundred and three; and the parish shall be deemed to have assumed and shall be liable for all the liabilities and obligations of said corporation. The parish may acquire and hold real and personal property necessary for its purposes without limit. At a meeting called for the purpose, the parish may enact by-laws for carrying out its purposes, including the management and investment of its funds, and may, in accordance with applicable general laws, amend or repeal by-laws so enacted.

SECTION 3. The name of the parish shall, upon the effective date of this act, be First Parish Church of Scituate-Unitarian, but it may at any time change its name in the manner provided by any applicable general laws.

SECTION 4. The provisions of this act shall not take effect:

(*a*) unless at a meeting called for the purpose, the parish shall by a majority vote of its members present and voting accept the same, and

(*b*) unless at a meeting called for the purpose, the corporation established under the provisions of chapter two of the acts of eighteen hundred and three shall by a majority vote of its members present and voting accept the same in so far as they relate to said corporation.

Certificates of acceptance, filed respectively by the clerk of the parish and the clerk or secretary of said corporation in the office of the secretary of state, shall be conclusive evidence of the acceptance of said provisions, and upon such filing the provisions of this act shall become effective.

Approved April 23, 1963.

Chap. 303. AN ACT CLARIFYING THE LAW RELATIVE TO ACCEPTANCE OF THE OFFICE OF THE TREASURER OF AN ELECTED POLITICAL COMMITTEE.

Be it enacted, etc., as follows:

Section 5 of chapter 52 of the General Laws, as appearing in section 1 of chapter 346 of the acts of 1938, is hereby amended by adding at the end the following sentence: — The treasurer of such committee shall qualify for his office by filing a written acceptance thereof with the state secretary, as provided in section four of chapter fifty-five.

Approved April 23, 1963.

Chap. 304. AN ACT AUTHORIZING THE TOWN OF PLYMOUTH TO CONSTRUCT AND OPERATE A SYSTEM OR SYSTEMS OF SEWERAGE AND SEWAGE DISPOSAL.

Be it enacted, etc., as follows:

SECTION 1. The town of Plymouth, hereinafter called the town, may lay out, construct, maintain and operate a system or systems of common sewers for a part or the whole of its territory, with such connections and other works as may be required for a system or systems of sewerage and sewage treatment and disposal, and may construct such sewers in said town as may be necessary.

SECTION 2. The town may make and maintain, in any way therein where common sewers are constructed, such connecting sewers within the limits of such way as may be necessary to connect any estate which abuts upon the way.

SECTION 3. The town may, at the meeting when this act is accepted, vote that the selectmen shall act as a board of sewer commissioners. If the town does not so vote at said meeting, the town shall elect by ballot, at any town meeting not later than the second annual meeting after the commencement of construction hereunder of a system or systems of sewerage and sewage disposal, a board of three sewer commissioners, who shall be citizens of the town, to hold office, if elected at an annual meeting, one until the expiration of one year, one until the expiration of two years, and one until the expiration of three years, from such annual town meeting, and until their successors are qualified, or, if elected at a special meeting, one until the expiration of one year, one until the expiration of two years, and one until the expiration of three years from the next succeeding annual town meeting, and until their successors are qualified, and thereafter, at each annual town meeting when the term of a member expires, the town shall elect one member of the board to serve for three years and until his successor is qualified. Any selectman shall be eligible to election to said board. In either case, whether the town votes that its selectmen shall act as a board of sewer commissioners, or elects a board of sewer commissioners, the town may at any time thereafter, by any or all the methods permitted by general law, provide for the election of a board of three sewer commissioners, or that the selectmen may act as a board of sewer commissioners, as the case may be.

SECTION 4. Said board of sewer commissioners, acting for and on behalf of said town, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, water rights, rights of way or easements, public or private, in said town, necessary for accomplishing any purpose mentioned in this act, and may construct such sewers under or over any bridge, railroad, railway, boulevard or other public way, or within the location of any railroad, and may enter upon and dig up any private land, public way or railroad location, for the purpose of laying such sewers and of maintaining and repairing the same, and may do any other thing proper or necessary for the purposes of this act; provided, that they shall not take in fee any land of a railroad corporation, and that they shall not enter upon or construct any sewer within the location of any railroad corporation except at such time and in such manner as they may agree upon with such corporation, or, in case of failure to agree, as may be approved by the department of public utilities.

SECTION 5. Until the board of sewer commissioners has first been elected as provided in this act or the selectmen have first been authorized by vote to act as such board, as the case may be, but not in any event later than the second annual meeting after the commencement of the work of construction authorized hereby, the town may carry on such work by a duly authorized committee of the town. The committee shall serve without pay and shall have all the powers and authority given to the board of sewer commissioners in this act or by general law. Whenever the phrase "said board of sewer commissioners" or "said board" hereinafter occurs, it shall mean and include the board of sewer commissioners, the selectmen acting as such or the committee of the town provided for in this section, as the case may be.

SECTION 6. Any person injured in his property by any action of said board of sewer commissioners under this act may recover damages from said town under said chapter seventy-nine.

SECTION 7. The town shall, by vote, determine whether it shall pay the whole or a portion of the cost of said system or systems of sewerage and sewage disposal and if a portion, what proportion. If the town votes to pay less than the whole cost, in providing for the payment of the remaining portion of the cost of said system or systems the town may avail itself of any or all of the methods permitted by General Laws, and the provisions of said General Laws relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments, to liens therefor and to interest thereon, shall apply to assessments made under this act, except that interest shall be at the rate of four per cent per annum. At the same meeting at which it determines that any portion of the cost is to be borne by the town, it may by vote determine by which of such methods the remaining portion of said cost shall be provided for. The collector of taxes of said town shall certify the payment or payments of such assessments, or apportionments thereof to the sewer commissioners, or to the selectmen acting as such, who shall preserve a record thereof.

SECTION 8. For the purpose of paying the necessary expenses and liabilities incurred under this act, the town may from time to time, within five years after the passage of this act, borrow such sums as may be necessary, not exceeding, in the aggregate, two million dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Plymouth Sewerage Loan, Act of 1963. 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 Plymouth if there be any, and if not, then in some newspaper published in the county of Plymouth and shall not take effect until such publications have been made.

SECTION 13. No act shall be done under authority of the preceding sections except in the making of surveys and other preliminary investigations, until the plan for said system or systems of sewerage and sewage disposal has been approved by the state department of public health.

SECTION 14. This act shall take full effect upon its acceptance by the town of Plymouth within four years after its passage, but not otherwise. No expenditure shall be made and no liability incurred hereunder until such acceptance. *Approved April 23, 1963.*

Chap. 305. AN ACT PROVIDING THAT LOANS OF LESS THAN THREE THOUSAND DOLLARS SHALL BE SUBJECT TO CERTAIN PROVISIONS OF LAW REGULATING THE VALIDITY OF ASSIGNMENT OF WAGES.

Be it enacted, etc., as follows:

Section 2 of chapter 154 of the General Laws is hereby amended by striking out the first sentence, as amended by section 6 of chapter 689 of the acts of 1956, and inserting in place thereof the following sentence: — No assignment of or order for wages or salary to be earned in the future to secure a loan of less than three thousand dollars shall be valid against an employer of the person making such assignment or order until the assignment or order is accepted in writing by the employer, nor until the assignment or order and the acceptance of the same have been filed and recorded with the clerk of the city or town where the person making the assignment or order resides if he is a resident of the commonwealth, or in which he is employed if he is not a resident thereof; nor shall it be valid unless said assignment is substantially in the form prescribed in section five. *Approved April 23, 1963.*

Chap. 306. AN ACT INCREASING THE SALARIES OF ASSISTANT CLERKS OF DISTRICT COURTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 218 of the General Laws is hereby amended by striking out section 80, as most recently amended by section 3 of chap-

ter 801 of the acts of 1960, and inserting in place thereof the following section: — *Section 80.* In courts, except the municipal court of the Roxbury district and the municipal court of the West Roxbury district, in which the salaries of clerks are established by section seventy-nine, the salaries of first assistant clerks shall be equal to eighty-seven and one half per cent, and the salaries of all other assistant clerks shall be equal to seventy-five per cent, of the minimum salary of the clerks of their respective courts.

The first assistant clerks shall receive an annual step-in-range increase amounting to eighty-seven and one half per cent of the step-in-range as set forth in the salary schedule in paragraph (2) of section seventy-nine until the sum of eighty-seven and one half per cent of the maximum salary of their respective clerk is attained, and all other assistant clerks shall receive a step-in-range increase amounting to seventy-five per cent of the step-in-range as set forth in said salary schedule until the sum of seventy-five per cent of the maximum salary of their respective clerk is attained.

SECTION 2. This act shall take effect on July first, nineteen hundred and sixty-three. *Approved April 23, 1963.*

Chap. 307. AN ACT FURTHER REGULATING THE CONTENT OF NOMINATION PAPERS FOR CITY AND TOWN OFFICES.

Be it enacted, etc., as follows:

The second paragraph of section 8 of chapter 53 of the General Laws is hereby amended by striking out the second and third sentences, as appearing in section 4 of chapter 334 of the acts of 1943, and inserting in place thereof the following two sentences: — Certificates of nomination and nomination papers for city or town offices need not include a designation of the party which the candidate represents. Except in the case of nomination papers of candidates for town offices no nomination paper shall contain the name of more than one candidate.

Approved April 23, 1963.

Chap. 308. AN ACT PROVIDING FOR VOTER REGISTRATION SESSIONS IN CERTAIN HOSPITALS, NURSING HOMES AND REST HOMES.

Be it enacted, etc., as follows:

Chapter 51 of the General Laws is hereby amended by striking out section 42B, as amended by section 19 of chapter 437 of the acts of 1962, and inserting in place thereof the following section: — *Section 42B.* The registrars or election commissioners shall hold a registration session in any factory, mill, hospital, nursing home or rest home within their city or town on or before the last day for registration for the biennial state primary or election if, in the case of said primary, not less than forty-eight days before said primary or, in the case of said election, not less than forty-six days before said election but not earlier than the second day following the primary, ten or more voters of such city or town file a petition with said registrars or commissioners for the holding of a registration session in such factory, mill, hospital, nursing home or rest home, signed by them with their names and addresses as they appear on

the voting list of said city or town and stating that ten or more persons employed in said factory or mill or employed or resident in said hospital, nursing home or rest home desire and are entitled to be registered as voters in said city or town. Such registration session shall then be held if, at the time such petition is filed, the said registrars or commissioners are in receipt of permission in writing from the tenant or, if there is no tenant, from the owner of said factory, mill, hospital, nursing home or rest home to use his premises for the purpose of holding said session. 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. *Approved April 23, 1963.*

Chap. 309. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF DUKES COUNTY TO RAISE A CERTAIN SUM OF MONEY FOR THE COUNTY'S SHARE OF THE COST OF CONSTRUCTING OR RECONSTRUCTING THE MUNICIPAL WHARF IN THE TOWN OF GOSNOLD.

Be it enacted, etc., as follows:

For the purpose of meeting the county's share of the cost of constructing or reconstructing the municipal wharf in the town of Gosnold, the cost of which is to be defrayed by the use of state, county and town funds, the county commissioners of the county of Dukes County are hereby authorized to raise and pay over to the state treasurer such sum, not exceeding ten thousand dollars, as may be appropriated therefor. *Approved April 23, 1963.*

Chap. 310. AN ACT AUTHORIZING THE CITY OF QUINCY TO INCREASE THE PENSION OF LAWRENCE E. DONOVAN.

Be it enacted, etc., as follows:

SECTION 1. The city of Quincy is hereby authorized to pay to Lawrence E. Donovan, former superintendent of parking meters and traffic signs in said city, a pension in the amount that he would have received if he had been retired under the provisions of sections seventy-seven and seventy-seven B of chapter thirty-two of the General Laws. Said Lawrence E. Donovan may within thirty days after the effective date of this act elect either of the options provided under section seventy-seven A of said chapter thirty-two for the payment of his pension.

SECTION 2. This act shall take effect upon its acceptance by the city of Quincy. *Approved April 23, 1963.*

Chap. 311. AN ACT AUTHORIZING THE TOWN OF SHREWSBURY TO DEFER THE PAYMENT, WITHOUT INTEREST THEREON, ON CERTAIN BETTERMENT ASSESSMENTS FOR THE LAYING OF WATER PIPES.

Be it enacted, etc., as follows:

SECTION 1. The board of selectmen, acting as the water commission of the town of Shrewsbury, in making an order for the assessment of betterments upon land for the laying of water pipes shall, in instances

where land is not built upon, extend the time of payment of the assessment until such land is built upon or for a fixed time. No interest shall be incurred because of such extension.

SECTION 2. The board of selectmen, acting as the water commission of the town of Shrewsbury, in making an order for the assessment of betterments upon land for the laying of water pipes may, in instances where land is built upon prior to a vote of the town meeting authorizing the laying of said water pipes, extend the time of payment of one half of the assessment until a service connection is made to the property or for a fixed time. No interest shall be incurred because of such extension.

SECTION 3. The board of selectmen, acting as the water commission of the town of Shrewsbury, in making an order for the assessment of betterments upon land for the laying of water pipes may, in instances where a tract of land is partly built upon, apply the provisions of section one of this act to that part of the tract which is not built upon and apply the provisions of section two of this act to that part of the tract which is built upon in arriving at the portion of the total assessment on which the time of payment may be extended without incurring interest.

SECTION 4. This act shall take effect upon its acceptance by the town of Shrewsbury. *Approved April 24, 1963.*

Chap. 312. 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 fifteen thousand dollars annually.

SECTION 2. This act shall be submitted for acceptance to the registered voters of the city of Haverhill at its regular city election in the current year in the form of the following question, which shall be placed upon the official ballot to be used at said election: — "Shall an act passed by the General Court in the current year, entitled 'An Act 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 April 24, 1963.*

Chap. 313. 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 sixteen thousand, three hundred sixty-eight dollars and nine cents, as set forth in the list on file in the office of the director of accounts in the department of corporations and

taxation, as are legally unenforceable against said city, by reason of their being incurred in excess of available appropriations; 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: — assessors, $500.72; civil defense, $7.85; city collector, $6.71; municipal hospital, $3363.58; park department, $155.64; personnel department, $4050.73; police department, $416.56; streets and engineering department, $80.00; traffic bureau, $241.41; veterans' services department, $6024.24; and water department, $1520.65.

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.

Approved April 24, 1963.

Chap. 314. AN ACT AUTHORIZING THE CITY OF LOWELL TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Lowell 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 six thousand eight hundred sixty-six dollars and eighty-six cents, as set forth in the list on file in the office of the director of accounts in the department of corporations and taxation, as are legally unenforceable against said city, by reason of their being incurred in excess of available appropriations, and as are certified for payment by, and were contracted for, the welfare department; provided, that the money so appropriated to pay such bills shall be raised by taxation in said city.

SECTION 2. No bill shall be approved by the city auditor of said city for payment or paid by the treasurer thereof under authority of this act unless and until certificates have been signed and filed with said city auditor, stating under the penalties of perjury that the goods, materials or services for which bills have been submitted were ordered by an official or an employee of said city, and that such goods and materials were delivered to and actually received by said city or that such services were rendered to said city, or both.

SECTION 3. Any person who knowingly files a certificate required by section two, which is false and who thereby receives payment for goods,

materials or services which were not received by or rendered to said city, shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both.

Approved April 24, 1963.

Chap. 315. AN ACT AUTHORIZING THE CITY OF QUINCY TO PAY A CERTAIN UNPAID BILL.

Be it enacted, etc., as follows:

SECTION 1. The city of Quincy is hereby authorized to appropriate the sum of one thousand seven hundred and ten dollars, and after such appropriation, the treasurer of said city is hereby authorized to pay said sum to The Emerson-Sack-Warner Corp. for labor rendered and materials furnished by said corporation to the Quincy City Hospital.

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 labor and materials for which bills have been submitted were ordered by an official or an employee of said city, and that such materials were delivered and actually received by said city or that such labor was 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 labor and materials 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.

Approved April 24, 1963.

Chap. 316. AN ACT AUTHORIZING THE CITY OF WORCESTER TO CONVEY CERTAIN PARK LAND TO WORCESTER POLYTECHNIC INSTITUTE.

Be it enacted, etc., as follows:

The city of Worcester may convey to Worcester Polytechnic Institute, an educational corporation organized in the commonwealth, certain land on Massachusetts avenue in said city, held by it for park purposes, bounded and described as follows: —

Beginning at a point on the northeasterly line of Massachusetts Avenue and two (2) feet northeasterly of the drill hole in a stone monument marked W. H., said point being one hundred twenty-nine and twenty-seven hundredths (129.27) feet northwesterly of the northwesterly line of Park Avenue;

Thence by a curve to the left, the radius of which is one hundred seventy and eighty-three hundredths (170.83) feet, by the northeasterly line of Massachusetts Avenue, ninety-one and fifty-three hundredths (91.53) feet to a point two (2) feet northerly of the drill hole in a stone monument marked W. H.;

Thence on a line tangent to said curve, north 71° 48′ west, by the northerly line of Massachusetts Avenue, one hundred forty-eight and four tenths (148.4) feet to a point two (2) feet northerly of the drill hole in a stone monument marked W. H.;

Thence by a curve to the left, the radius of which is one hundred eighty-eight and six hundredths (188.06) feet by the northerly line of Massachusetts Avenue, one hundred eighty-six and eighty-seven hundredths (186.87) feet to a point two (2) feet northwesterly of the drill hole in a stone monument marked W. H.;

Thence by a curve to the right, the radius of which is one hundred twenty-four and seventy-seven hundredths (124.77) feet by the northerly line of Massachusetts Avenue, one hundred twenty-nine and twenty-one hundredths (129.21) feet to a point two (2) feet northerly of the drill hole in a stone monument marked W. H.;

Thence on a line tangent to said curve, north 69° 24′ west, by the northerly line of Massachusetts Avenue, one hundred two and twenty-three hundredths (102.23) feet to a point two (2) feet northerly of the drill hole in a stone monument marked W. H.;

Thence by a curve to the right, the radius of which is forty-seven and twenty-five hundredths (47.25) feet, by the easterly line of Massachusetts Avenue, one hundred twenty-three and four hundredths (123.04) feet to a point two (2) feet southerly of the drill hole in a stone monument marked W. H.;

Thence on a line tangent to said curve, north 79° 48′ east, by the southerly line of Massachusetts Avenue, thirty-six and fifty-three hundredths (36.53) feet to a point two (2) feet southerly of the drill hole in a stone monument marked W. H.;

Thence by a curve to the left, the radius of which is two hundred three and fifty-one hundredths (203.51) feet, by the southeasterly line of Massachusetts Avenue, one hundred four and seven hundredths (104.07) feet to a point two (2) feet southeasterly of the drill hole in a stone monument marked W. H.;

Thence on a line tangent to said curve, north 50° 30′ east, by the southeasterly line of Massachusetts Avenue, nine hundred ninety-two and sixty-one hundredths (992.61) feet to a point two (2) feet southeasterly of the drill hole in a stone monument marked W. H.;

Thence deflecting 90° to the right, south 39° 30′ east, by the southwesterly line of Massachusetts Avenue, fifty (50.0) feet to a point two (2) feet southeasterly of the drill hole in a stone monument marked W. H.;

Thence by a curve to the left, the radius of which is eight hundred one and eight tenths (801.8) feet, by the southwesterly line of Drury Lane, three hundred six and seventy-eight hundredths (306.78) feet to a point;

Thence on a line tangent to said curve, north 39° 39′ west, by land of the grantor, twenty-three and sixty-four hundredths (23.64) feet to a drill hole in a stone bound;

Thence by a curve to the left, the radius of which is thirty-six (36) feet, by land of the grantor sixty-two and eighteen hundredths (62.18) feet to a drill hole in a stone bound;

Thence on a line tangent to said curve, south 41° 23′ west, by land of grantor, one hundred thirty-five and eighty-eight hundredths (135.88) feet to the drill hole in a stone bound;

Thence by a curve to the left, the radius of which is three hundred fifteen and seventy-six hundredths (315.76) feet, by land of grantor, one hundred one and seventy-two hundredths (101.72) feet to a point;

Thence by a curve to the right, the radius of which is three hundred fifteen and seventy-six hundredths (315.76) feet, by land of grantor, one hundred forty-three and nineteen hundredths (143.19) feet to a point;

Thence on a line tangent to said curve, south 48° 54′ west, parallel to and one hundred eighty (180) feet distant from the northwesterly line of Park Avenue and by land of grantor, two hundred forty-nine and twenty-seven hundredths (249.27) feet to the drill hole in a stone bound;

Thence by a curve to the left, the radius of which is fifty and seventy-three hundredths (50.73) feet by land of grantor, seventy-nine and sixty-nine hundredths (79.69) feet to the point of beginning; containing 356,980 square feet of land, more or less. *Approved April 24, 1963.*

Chap. 317. AN ACT PROVIDING THAT ANY PRIOR SERVICE IN THE CITY OF LYNN SHALL BE INCLUDED IN COMPUTING VACATIONS OF MEMBERS OF THE REGULAR POLICE OR FIRE FORCE OF SAID CITY.

Be it enacted, etc., as follows:

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

SECTION 2. This act shall take effect upon its acceptance by the city of Lynn. *Approved April 24, 1963.*

Chap. 318. AN ACT RELATIVE TO THE LIMITATION ON THE TERM OF PERSONAL LOANS BY CREDIT UNIONS AND AUTHORIZING CREDIT UNIONS TO MAKE LOANS GUARANTEED BY THE MASSACHUSETTS HIGHER EDUCATION ASSISTANCE CORPORATION TO CERTAIN NON-MEMBERS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 24 of chapter 171 of the General Laws is hereby amended by inserting after clause (*b*), as amended by chapter 57 of the acts of 1960, the following clause: —

(*c*) Loans guaranteed by the Massachusetts Higher Education Assistance Corporation, except that such loans may also be made to persons other than members.

SECTION 2. Subdivision (A) of said section 24 of said chapter 171, is hereby amended by striking out the first paragraph, as amended by section 1 of chapter 158 of the acts of 1959, and inserting in place thereof the following paragraph: — Each personal loan shall be payable within thirty months from the date of the note except that if such loan is secured by satisfactory collateral it may be payable within thirty-six months from the date of the note. All such loans shall be paid or renewed on or before the due date.

SECTION 3. Said section 24 of said chapter 171 is hereby further amended by adding after subdivision (B) the following subdivision: —

(C) LOANS GUARANTEED BY THE MASSACHUSETTS HIGHER EDUCATION ASSISTANCE CORPORATION.

A credit union may make loans to aid and assist students to fulfill a program of higher education if such loans are guaranteed in whole or in part by the Massachusetts Higher Education Assistance Corporation as follows:

1. A student shall be eligible for a loan in a credit union if a member of his family is a member of the credit union.

2. The provisions of subdivision (A) shall not be applicable to loans made under this subdivision. *Approved April 24, 1963.*

Chap. 319. AN ACT EXTENDING THE EXISTENCE OF THE MASHPEE ADVISORY COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 223 of the acts of 1932, as most recently amended by chapter 139 of the acts of 1960, is hereby further amended by striking out, in line 7, the word "sixty-three" and inserting in place thereof the word: — sixty-six.

SECTION 2. This act shall take effect as of April fifteenth, nineteen hundred and sixty-three. *Approved April 24, 1963.*

Chap. 320. AN ACT REGULATING THE USE OF THE SECRET BALLOT IN REPRESENTATIVE TOWN MEETINGS.

Be it enacted, etc., as follows:

Section 15 of chapter 39 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following paragraph: —

In any town having a representative town meeting form of government the town meeting members shall not use the secret ballot when voting in the exercise of the corporate powers of said town unless two thirds of the town meeting members present and voting thereon vote that a secret ballot be used. *Approved April 24, 1963.*

Chap. 321. AN ACT PERMITTING LENGTH LIMITATIONS FOR MOTOR VEHICLES TO BE EXCEEDED WHEN ANY VEHICLE IS BEING TOWED BECAUSE OF DISABLEMENT OR EMERGENCY.

Be it enacted, etc., as follows:

Section 19 of chapter 90 of the General Laws is hereby amended by inserting after the second sentence, as appearing in chapter 573 of the acts of 1951, the following sentence: — The foregoing limitations on length shall not apply to any vehicle or combination of vehicles being towed because of disablement or emergency.

Approved April 24, 1963.

Chap. 322. AN ACT RELATIVE TO THE PERSONNEL OF THE REGISTRY OF MOTOR VEHICLES HAVING POWER TO INSPECT RECORDS OF LICENSED DEALERS IN SECOND HAND MOTOR VEHICLES.

Be it enacted, etc., as follows:

Chapter 140 of the General Laws is hereby amended by striking out section 66, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 66.* The commissioner

of public safety, the police commissioner in Boston, the chief of police of any other city, the selectmen of a town or any police officer authorized by any of said officials, or any person having police powers under section twenty-nine of chapter ninety may at any time enter upon any premises used by any person licensed under section fifty-nine for the purpose of carrying on his licensed business, ascertain how he conducts the same, and examine all second hand motor vehicles or parts thereof kept or stored in or upon the premises, and all books, papers and inventories relating thereto. *Approved April 24, 1963.*

Chap. 323. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF ESSEX COUNTY TO APPROPRIATE MONEY FOR INSURANCE COVERAGE FOR STUDENTS AT THE ESSEX AGRICULTURAL AND TECHNICAL INSTITUTE WHO ARE INJURED WHILE PARTICIPATING IN ATHLETIC ACTIVITIES.

Be it enacted, etc., as follows:

Chapter 74 of the General Laws is hereby amended by inserting after section 31B the following section: —

Section 31C. The county commissioners of Essex county, subject to the approval of the trustees of the Essex agricultural and technical institute, are hereby authorized to enter into agreements providing for the payment of insurance covering the reasonable hospital, medical, and surgical expenses incurred by, or in behalf of, any student in the institute by reason of injuries sustained by him while participating, or practicing or training for participation, in any game, meet, or contest conducted or held as a part of or in connection with the physical education, athletic program, or interscholastic sports program of said institute, and to request that a sufficient sum for the payment of a proper charge for such insurance be included in the annual appropriation act.

Approved April 24, 1963.

Chap. 324. AN ACT PROVIDING FOR THE ESTABLISHMENT OF AN ALTERNATE TYPE OF GUARANTY FUND IN CREDIT UNIONS WHICH ARE MEMBERS OF THE MASSACHUSETTS CREDIT UNION SHARE INSURANCE CORPORATION.

Be it enacted, etc., as follows:

Section 19 of chapter 171 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding after the first sentence the following sentence: — Notwithstanding the provisions of the preceding sentence relative to the establishment of the guaranty fund a credit union which is a member of the Massachusetts Credit Union Share Insurance Corporation, may, in lieu of the said guaranty fund, set apart as a guaranty fund not less than ten per cent of the gross income which has accumulated during the next preceding dividend period until such time as said guaranty fund together with all other surplus accounts shall equal seven per cent of the assets of such credit union; and thereafter shall add to such guaranty fund at the end of each such period eight per cent of the gross income until such time as the guaranty fund together with all other surplus accounts shall equal fifteen per cent of the assets. *Approved April 24, 1963.*

Chap. 325. AN ACT RELATIVE TO THE MAKING AND ACQUISITION OF LOANS AND ADVANCES INSURED OR GUARANTEED PURSUANT TO THE SERVICEMEN'S READJUSTMENT ACT OF 1944.

Be it enacted, etc., as follows:

Chapter 46 of the acts of 1945 is hereby amended by striking out section 1, as amended by chapter 108 of the acts of 1961, and inserting in place thereof the following section: — *Section 1.* Subject to such regulations as the commissioner of banks deems to be necessary or advisable in respect to trust companies, banking companies, savings banks, co-operative banks or credit unions, and to such regulations as the commissioner of insurance deems to be necessary or advisable in respect to insurance companies, any trust company, banking company, savings bank, co-operative bank, credit union or insurance company organized under the laws of this commonwealth is authorized to make and acquire such loans and advances of credit to qualified veterans of World War II and to any veteran eligible by virtue of active service in the armed forces of the United States on or after June twenty-seventh, nineteen hundred and fifty, and prior to such date as shall be determined by presidential proclamation or concurrent resolution of the congress, as are guaranteed in whole or in part by the administrator of veterans' affairs or his successor or successors in such office under the act of congress known as the Servicemen's Readjustment Act of 1944, or any amendment thereof, to acquire any one or more such other loans as are guaranteed in whole or in part, or sold with the benefit of a repurchase agreement, by said administrator or his said successor or successors, pursuant to said act, or any amendment thereof, or pursuant to any regulation issued pursuant to said act, and to obtain such guarantees, insurance or repurchase agreements, to collect and apply payments due upon and otherwise to service any such mortgage loan so guaranteed, insured or having the benefit of such repurchase agreement, and with respect to such mortgage loan to make agreements with any mortgagees thereof to collect and apply payments due upon and otherwise to service any such mortgage loan. Mortgage loans acquired hereunder with the benefit of a repurchase agreement shall be on real estate located in the commonwealth.

Approved April 24, 1963.

Chap. 326. AN ACT PROVIDING THAT CERTAIN FOOD PRODUCTS APPROVED BY THE COMMISSIONER OF PUBLIC HEALTH MAY BE PLACED IN MILK CONTAINERS.

Be it enacted, etc., as follows:

Section 48 of chapter 94 of the General Laws, as amended by section 6 of chapter 757 of the acts of 1955, is hereby further amended by inserting after the word "thereof", in line 7, the words: —, food products approved by the commissioner of public health for use in such vessel.

Approved April 24, 1963.

Chap. 327. AN ACT RELATIVE TO THE PAYMENT OF SHARES AND ACCOUNTS STANDING IN THE NAME OF DECEASED SHAREHOLDERS IN CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

Chapter 170 of the General Laws is hereby amended by striking out section 19, as appearing in section 1 of chapter 371 of the acts of 1950, and inserting in place thereof the following section: — *Section 19.* The value of any shares and accounts standing in the individual name of a deceased shareholder shall be paid to his legal representative; provided, that if the value thereof does not exceed seven hundred and fifty dollars and there has been no demand for payment by a duly appointed executor or administrator, payment may be made, in the discretion of the treasurer or other duly authorized officer of the corporation or pursuant to special vote of the board of directors, after the expiration of thirty days from the death of such shareholder, to the husband, widow or next of kin of such deceased, upon presentation of a copy of the death certificate and the surrender of the passbook or certificate evidencing the shares or accounts. Payments made as provided in this section shall discharge the liability of the corporation to all persons with respect to such shares and accounts. *Approved April 24, 1963.*

Chap. 328. AN ACT CONSOLIDATING THE ASSOCIATION OF UNIVERSALIST WOMEN AND THE ALLIANCE OF UNITARIAN WOMEN.

Be it enacted, etc., as follows:

SECTION 1. The Association of Universalist Women, a corporation established and existing under the laws of the District of Columbia, is hereby authorized to enter into a consolidation with the Alliance of Unitarian Women, a corporation established and existing under the laws of the commonwealth, under which consolidation said corporations shall thereafter become and be one corporation under a name to be adopted at the organizational meeting of the consolidated corporation, which consolidated corporation shall be a corporation existing under the laws of the commonwealth, only, and shall in all respects be a continuation of each of said existing corporations.

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

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

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

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

SECTION 6. Upon the acceptance of this act by the Association of Universalist Women and by the Alliance of Unitarian Women, the members of both those corporations shall be the members of the consolidated corporation until such time as the consolidated corporation may, by adoption or amendment of its by-laws, alter its membership.

SECTION 7. The consolidation shall not be completed:

(*a*) unless the same shall have been authorized by appropriate legislation enacted by the Congress of the United States for the District of Columbia;

(*b*) unless at meetings called for the purpose, each of said existing corporations, by not less than a majority vote of those present and voting, shall have accepted this act and any act of the Congress of the United States for the District of Columbia relating to the consolidation; and

(*c*) unless after the aforesaid authorization and acceptances said existing corporations shall have called and held an organization meeting of the consolidated corporation to be held at such time and place anywhere in the United States of America or Canada as said existing corporations may by separate vote designate at such meetings of acceptance, and each of the existing corporations shall at said meetings of acceptance designate its delegates to such organization meeting of the consolidated corporation for the purpose of adopting by-laws for the consolidated corporation and of electing initial officers, directors and other officers thereof.

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

SECTION 9. Any questions arising as to the powers, rights, privileges and responsibilities of the consolidated corporation with respect to its property and with respect to the property of the consolidating corporations, including all bequests, devises, gifts and transfers of any kind heretofore and hereafter made to or for the benefit of either of them, and also any other questions arising as to the legal effect of this act or any of the provisions thereof, may, notwithstanding any general or special law to the contrary, be initially and finally determined by the supreme judicial court upon the application of any person interested or of the attorney general. *Approved April 29, 1963.*

Chap. 329. AN ACT PROVIDING THAT A CERTAIN PERIOD OF MILITARY LEAVE OF ABSENCE SHALL BE COUNTED AS CREDITABLE SERVICE IN COMPUTING THE RETIREMENT BENEFITS OF EDWARD T. CLARK, INCUMBENT OF THE OFFICE OF CLERK AND TREASURER OF THE TOWN OF RANDOLPH.

Be it enacted, etc., as follows:

The period from March seventeenth, nineteen hundred and forty-four to April twenty-third, nineteen hundred and forty-five, inclusive, during which Edward T. Clark, incumbent of the office of clerk and treasurer of the town of Randolph was on military leave of absence from his employment in said town shall, upon his retirement, be counted as creditable service in computing his retirement benefits.

Approved April 29, 1963.

Chap. 330. AN ACT AUTHORIZING THE DEPARTMENT OF EDUCATION TO GRANT AN EASEMENT THROUGH CERTAIN LAND OF THE COMMONWEALTH TO THE CITY OF SALEM FOR SEWER EXTENSION PURPOSES.

Be it enacted, etc., as follows:

The department of education, in the name of and on behalf of the commonwealth, is hereby authorized to grant to the city of Salem a right of way for a sewer extension over and under certain land of the commonwealth, located in said city. Said easement shall consist of a strip of land, twenty feet wide and one hundred and thirty feet long, extending from Day avenue to Atlantic street. Upon the installation of said sewer extension or any repair of the same, the surface of said land shall be restored to its appearance and condition as existing immediately prior to such installation or repair.

Approved April 29, 1963.

Chap. 331. AN ACT PROHIBITING A PERSON FROM DISPLAYING TO CERTAIN OFFICERS A MOTOR VEHICLE OPERATOR'S LICENSE, ISSUED TO ANOTHER, FOR THE PURPOSE OF CONCEALING HIS IDENTITY.

Be it enacted, etc., as follows:

The first paragraph of section 23 of chapter 90 of the General Laws, as amended by chapter 74 of the acts of 1954, is hereby further amended by inserting after the word "vehicle", in line 13, the words: — , or whoever exhibits to an officer authorized to make arrests, when requested by said officer to show his license, a license issued to another person with intent to conceal his identity. *Approved April 29, 1963.*

Chap. 332. AN ACT AUTHORIZING ARREST WITHOUT A WARRANT FOR CERTAIN VIOLATIONS OF THE MOTOR VEHICLE LAWS IN AREAS TO WHICH THE PUBLIC HAS ACCESS AS INVITEES.

Be it enacted, etc., as follows:

Chapter 90 of the General Laws is hereby amended by striking out section 21, as most recently amended by section 1 of chapter 394 of the acts of 1962, and inserting in place thereof the following section: — *Section 21.* Any officer authorized to make arrests may arrest without warrant and keep in custody for not more than twenty-four hours, unless Sunday intervenes, any person operating a motor vehicle on any way who does not have in his possession a license to operate motor vehicles granted to him by the registrar, and who violates any statute, by-law, ordinance or regulation relating to the operation or control of motor vehicles and any officer authorized to make arrests, provided such officer is in uniform or conspicuously displaying his badge of office, may arrest without warrant any person, regardless of whether or not such person has in his possession a license to operate motor vehicles issued by the registrar, if such person upon any way or in any place to which the public has the right of access, or upon any way or in any place to which members of the public have access as invitees, operates a motor vehicle after his license or right to operate motor vehicles in this state has been suspended or revoked by the registrar, or whoever upon any way or place to which the public has the right of access, or upon any way or in any place to which members of the public have access as invitees, operates a motor vehicle while under the influence of intoxicating liquor or narcotic drugs, as defined in section one hundred and ninety-seven of chapter ninety-four, or under the influence of barbiturates, amphetamines, or other hypnotic or somnifacient drugs, or whoever uses a motor vehicle without authority knowing that such use is unauthorized, or any person who, while operating or in charge of a motor vehicle, shall refuse, when requested by such police officer, to give his name and address or the name and address of the owner of such motor vehicle, or who shall refuse on demand of such police officer, to produce his license to operate such vehicle or the certificate of registration for such vehicle for examination by such officer; and at or before the expiration of said period of time such person shall be brought before a magistrate and proceeded against according to law. An investigator or examiner appointed under section twenty-nine, may arrest without warrant, keep

in custody for a like period, bring before a magistrate and proceed against in like manner, any person operating a motor vehicle while under the influence of intoxicating liquor or narcotic drugs, as defined in section one hundred and ninety-seven of chapter ninety-four, or under the influence of barbiturates, amphetamines, or other hypnotic or somnifacient drugs, irrespective of his possession of such license.

Approved April 29, 1963.

MDC

Chap. 333. AN ACT AUTHORIZING AND DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO CONVEY CERTAIN LAND IN THE CITY OF MEDFORD TO THE MEDFORD HOUSING AUTHORITY FOR CONSTRUCTION OF A HOUSING PROJECT FOR THE ELDERLY.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission is hereby authorized and directed to convey in the name and on behalf of the commonwealth to the Medford Housing Authority, without any payment by said authority, for the construction by said authority of a federally-aided housing project for the elderly, a certain parcel of land situated off Riverside avenue in the city of Medford, and at the Southerly side of the property numbered 121 Riverside avenue, bounded and described as follows: —

Beginning at a point at the Northerly corner of the premises to be conveyed at the junction of land now or formerly of Harry R. and Marion T. Simpson and at land now or formerly of Benjamin Brown et al Trustees; thence the line runs South 46° 05′ 05″ West forty-nine and 50/100 (49.50) feet; thence the line runs South 31° 31′ 10″ West three hundred and ninety three (393) feet, more or less, to the relocated Northerly bank of the Mystic River; thence the line turns and runs about Easterly along the top of the bank of the relocated Mystic River four hundred and thirty five (435) feet, more or less to land of the Commonwealth of Massachusetts, Department of Public Works acquired by it for construction of a limited access highway on June 14, 1960; thence the line runs about Northerly along said land of the Commonwealth of Massachusetts, Department of Public Works four hundred and ninety (490) feet, more or less to land of owners unknown; thence the line runs about Westerly eighty (80) feet, more or less, to the point of beginning. The said parcel containing approximately 2.3 acres. Being all that parcel of land of the Metropolitan District Commission Northerly of the top of the bank of the relocated Mystic River and Westerly of the limited access highway known as Route 93 on the Southerly side of Riverside Avenue, and being a portion of the premises described in a deed recorded in Middlesex South District Deeds, Book 6291, Page 529.

If construction of housing for the elderly is not commenced on said land within five years after the date of passage of this act, or if at any time said land is used for purposes other than housing for the elderly, title to said land shall revert to the commonwealth.

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

Approved April 29, 1963.

Chap. 334. AN ACT AUTHORIZING THE ADJUTANT GENERAL TO CONVEY CERTAIN LAND OWNED BY THE COMMONWEALTH AND LOCATED IN THE CITY OF SAINT-MIHIEL, FRANCE, TO SAID CITY.

Be it enacted, etc., as follows:

The adjutant general, 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 Saint-Mihiel, France, by a deed approved as to form by the attorney general, a lot of land located in said city owned by the commonwealth, and containing approximately nine acres more or less, and being in part the same tract of land conveyed to the commonwealth by said city of Saint-Mihiel and in part purchased under authority of chapter four hundred and fifty-five of the acts of nineteen hundred and twenty-two. Said conveyance shall be made upon the condition that the portion of the land abutting the public highway from Verdun to Saint-Mihiel and running back to, and including, the rock escarpment known as "Les Roches" shall continue to be designated, in perpetuity, as "Parc Massachusetts", and shall be identified by suitable plaques and markers as the gift of the commonwealth of Massachusetts in memory of her heroic soldier dead. *Approved April 29, 1963.*

Chap. 335. AN ACT AUTHORIZING AND DIRECTING THE DIRECTOR OF CIVIL DEFENSE TO TRANSFER THE CONTROL OF CERTAIN LAND IN FRAMINGHAM FROM THE CIVIL DEFENSE AGENCY TO THE DEPARTMENT OF NATURAL RESOURCES.

Be it enacted, etc., as follows:

The director of civil defense is hereby authorized and directed to transfer from the civil defense agency to the department of natural resources all of the land in the town of Framingham remaining under the control of said agency which was acquired under the provisions of section one of chapter six hundred and twenty-six of the acts of nineteen hundred and fifty-six and of section one of chapter seven hundred and six of the acts of nineteen hundred and fifty-seven.

Approved April 29, 1963.

Chap. 336. AN ACT AUTHORIZING THE RAYNHAM CENTER WATER DISTRICT TO CONSTRUCT AND MAINTAIN WELLS ON CERTAIN LAND IN THE TOWN OF BRIDGEWATER AND TO SELL WATER TO SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of extending its water system and providing the inhabitants of certain sections of the town of Raynham with water, the Raynham Center Water District is hereby authorized to construct and maintain wells on certain land in the town of Bridgewater, bounded and described as follows: — Beginning at the Raynham-Bridgewater line on the southerly shore of Lake Nippinicket, thence running by said town line S 40° 59′ 30″ E approximately 530 feet; thence N 49° 00′ 30″ E approximately 115 feet to said lake, thence following the shore

line of said lake northwesterly and southwesterly about 800 feet to the point of beginning. Being land owned by Rozenas, Cepurneck and parties unknown. Said water district and the town of Bridgewater may enter into agreements for the laying of water mains and any necessary construction of other works for carrying out the purpose of this act. Said water district is hereby further authorized to supply and sell water to the town of Bridgewater upon such terms and conditions as may be agreed upon by said water district and town, but in the event they fail to agree upon a price, at a price to be determined by the department of public utilities.

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

Approved April 30, 1963.

Chap. 337. AN ACT PLACING THE OFFICE OF SUPERINTENDENT OF THE SANITATION DEPARTMENT OF THE CITY OF CHICOPEE UNDER THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

SECTION 1. The office of superintendent of the sanitation department of the city of Chicopee shall, upon the effective date of this act, be subject to the civil service laws and rules. Said office shall be filled as a result of an open competitive examination to be held by the division of civil service in accordance with said laws and rules.

SECTION 2. This act shall take effect upon its acceptance by the city of Chicopee. *Approved April 30, 1963.*

Chap. 338. AN ACT PROHIBITING A MINOR FROM OPERATING ANY MOTOR VEHICLE IN WHICH THERE IS ANY ALCOHOLIC BEVERAGE UNLESS HE IS ACCOMPANIED BY HIS PARENT OR LEGAL GUARDIAN.

Be it enacted, etc., as follows:

Chapter 90 of the General Laws is hereby amended by inserting after section 24B the following section: —

Section 24C. Whoever, being a minor and unaccompanied by his parent or legal guardian, operates a motor vehicle upon a public way, knowing that there is any alcoholic beverage, as defined in section one of chapter one hundred and thirty-eight, in such vehicle or on his person, shall be punished by a fine of not more than fifty dollars.

A conviction of a violation of this section shall be reported forthwith by the court to the registrar who shall suspend, for not less than one month nor more than three months, the license of such person to operate a motor vehicle. *Approved April 30, 1963.*

Chap. 339. AN ACT MAKING AN APPROPRIATION FOR THE CONTROL OF THE GYPSY MOTH AND THE LINDEN LOOPER BY THE DEPARTMENT OF NATURAL RESOURCES.

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 and linden loopers, 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 an emergency control program to eradicate certain insect pests, the sum set forth in section two of this act is hereby appropriated from the State Recreation Areas Fund, subject to the provisions of law regulating the disbursement of public funds and the approval thereof and the conditions pertaining to appropriations in chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two.

SECTION 2.

STATE RECREATION AREAS FUND.

STATE PURPOSES APPROPRIATION.

Department of Natural Resources.

Division of Forests and Parks.

Item		
4010–32	For the cost of suppressing the gypsy moth and linden looper	**$100,000**

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

Approved April 30, 1963.

Chap. 340. AN ACT PROVIDING THAT THE LAW REGULATING PROCEDURE AGAINST VIOLATORS OF MOTOR VEHICLE LAWS SHALL NOT BE APPLICABLE TO VIOLATIONS OF THE LAW REGULATING CARRIERS OF PROPERTY BY MOTOR VEHICLES.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 90C of the General Laws, as appearing in section 2 of chapter 789 of the acts of 1962, is hereby amended by striking out the definition "Automobile law violation" and inserting in place thereof the following definition: — "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, other than violations of section twenty A of chapter ninety or of the provisions of chapter one hundred and fifty-nine B.

SECTION 2. Said section 1 of said chapter 90C is hereby further amended by striking out the definition "Police officer" and inserting in place thereof the following definition: — "Police officer", any officer, other than an investigator or examiner of the commercial motor vehicle division of the department of public utilities, 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. *Approved April 30, 1963.*

Chap. 341. AN ACT TO AUTHORIZE SAVINGS BANKS TO MAKE CERTAIN LOANS IN PARTICIPATION WITH VARIOUS BANKING INSTITUTIONS.

Be it enacted, etc., as follows:

SECTION 1. Paragraph 8 of section 35 of chapter 168 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 1 of chapter 432 of the acts of 1955, and inserting in place thereof the following sentence: — Any such corporation may, in participation with one or more other such corporations, or with one or more co-operative banks, trust companies, national banking associations or savings and loan associations, if such institutions are authorized so to do, make mortgage loans of the classes referred to in paragraphs 1, 2, 3 and 4 of this section.

SECTION 2. Paragraph 7 of section 38 of said chapter 168, added by chapter 257 of the acts of 1960, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Any such corporation may, in participation with one or more other such corporations, and with one or more co-operative banks, trust companies, national banking associations or savings and loan associations, if such institutions are authorized so to do, make collateral loans of the class referred to in paragraph 6 of this section. *Approved April 30, 1963.*

Chap. 342. AN ACT PROVIDING THAT VACANCIES IN THE CITY COUNCIL OF THE CITY OF WESTFIELD SHALL BE FILLED BY WHICHEVER OF THE DEFEATED CANDIDATES FOR SUCH OFFICE RECEIVED THE HIGHEST NUMBER OF VOTES AT THE REGULAR MUNICIPAL ELECTION.

Be it enacted, etc., as follows:

SECTION 1. Section 25 of chapter 294 of the acts of 1920 is hereby amended by striking out the first paragraph and inserting in place thereof the following two paragraphs: — If a vacancy in the office of mayor occurs within six months next prior to an annual election, and more than fifteen days prior to the preliminary election held for the purpose of nominating candidates to be voted for at such annual election, the same shall be filled at such election, but if the vacancy occurs at any other time, or in case of the death of the mayor-elect, the city council shall order an election to fill the vacancy for the unexpired term, or for the entire term, as the case may be, provided that a vacancy occurring in the period between the expiration of a term of office and fifteen days prior to the regular preliminary election next preceding shall not be filled by election. If the mayor is absent or unable from any cause temporarily to perform his duties, or if his office is vacant, they shall be performed by the president of the city council. The person upon whom such duties shall devolve shall be called "acting mayor", and he shall possess the powers of mayor only in matters not admitting of delay, but shall have no power to make permanent appointments.

If at any time a vacancy occurs in the city council from any cause, the city clerk shall forthwith notify the city council thereof; and within fifteen days after such notification, the remaining city councillors shall choose, as city councillor for the unexpired term, whichever of the de-

feated candidates for the office of city councillor at the regular municipal election at which city councillors were elected for the term and office in which the vacancy occurs, who is eligible and willing to serve, received the highest number of votes at such election, or, if there is no such defeated candidate eligible and willing to serve, in the case of a vacancy in the office of councillor-at-large, any registered voter of the city duly qualified to vote for the office of city councillor-at-large, and in the case of a vacancy in the office of ward councillor, any registered voter of the city duly qualified to vote for the office of city councillor from the ward in which the vacancy occurs. If at a regular municipal election there is a failure to elect a city councillor, or if a person elected city councillor at such election dies or resigns before taking office, the city clerk shall, as soon as conveniently may be after the remaining city councillors-elect take office, notify the city council of such failure to elect, death or resignation; and within fifteen days after such notification, the members thereof shall choose, as city councillor for the unexpired term, whichever of the defeated candidates for the office of city councillor at such election, who are eligible and willing to serve, received the highest number of votes at such election for the office in which the vacancy occurs, or, if there is no such defeated candidate eligible and willing to serve, in the case of a vacancy in the office of councillor-at-large, any registered voter of the city duly qualified to vote for the office of city councillor-at-large, and in the case of a vacancy in the office of ward councillor, any registered voter of the city duly qualified to vote for the office of city councillor from the ward in which the vacancy occurs. If in any of the aforesaid events a choice is not made as hereinbefore provided within fifteen days after notification of the city council by the city clerk, the choice shall be made by the mayor, or, if there is no mayor, by the city councillor senior in length of service, or, if two or more councillors have the same length of service, by the city councillor senior both in age and length of service.

SECTON 2. This act shall be submitted for acceptance to the registered voters of the city of Westfield at the regular municipal 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-three, entitled 'An Act providing that vacancies in the city council of the city of Westfield shall be filled by whichever of the defeated candidates for such office received the highest number of votes at the regular municipal election', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise. *Approved April 30, 1963.*

Chap. 343. AN ACT AUTHORIZING THE CITY OF TAUNTON TO INCREASE THE ANNUAL PENSION OF EDWARD F. GOREY.

Be it enacted, etc., as follows:

Notwithstanding any general or special law to the contrary, the city of Taunton is hereby authorized to increase the annual pension of Edward F. Gorey, a former chief of the fire department of said city, from three thousand thirty-six dollars and ninety-two cents to four thousand four dollars. *Approved April 30, 1963.*

Chap. 344. AN ACT AUTHORIZING THE CITY OF CHICOPEE TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Chicopee 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 four hundred and forty-seven dollars and ninety-six cents, as set forth in the list on file in the office of the director of accounts in the department of corporations and taxation, as are legally unenforceable against said city, by reason of their being submitted after the termination of the financial year, and as are certified for payment by, and were contracted for, the welfare department.

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 services or materials for which said bills have been submitted were ordered by an official or an employee of said city, and that such 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 services or materials 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.

Approved April 30, 1963.

Chap. 345. AN ACT EXEMPTING FROM TAXATION REAL ESTATE EXCLUSIVELY USED FOR AIR-RAID, BOMB OR FALL-OUT SHELTERS.

Be it enacted, etc., as follows:

Section 5 of chapter 59 of the General Laws is hereby amended by adding after clause Thirty-ninth, inserted by chapter 539 of the acts of 1961, the following clause: —

Fortieth, Air-raid, bomb or fall-out shelters constructed under standards established by the civil defense agency of the commonwealth or of the United States in or in connection with residential dwellings so long as such shelters shall be used exclusively for air-raid, bomb or fall-out protection.

Approved April 30, 1963.

Chap. 346. AN ACT RELATIVE TO THE PLACING OF POISON FOR THE PURPOSE OF KILLING CERTAIN MAMMALS AND BIRDS.

Be it enacted, etc., as follows:

Chapter 131 of the General Laws is hereby amended by striking out section 87, as appearing in section 2 of chapter 599 of the acts of 1941, and inserting in place thereof the following section: — *Section 87.* Whoever places poison in any form whatsoever for the purpose of killing any mammal or bird except pursuant to a permit issued under the provisions

of this section, shall be punished by a fine of not less than one hundred nor more than five hundred dollars, or by imprisonment for not less than three months nor more than one year, or both; provided, that this section shall not prohibit any person from placing in his orchard or in or near his dwelling house, barn or other buildings, poison for the purpose of destroying rats, woodchucks or other pests of like nature, or from placing with like intent under the surface of his lands carbon disulphide in any of its forms or any other poison applied in a manner similar to that in which carbon disulphide is applied. The director is hereby authorized to make rules and regulations and, pursuant to the terms thereof, to issue permits to the owners or agents of forest plantations or orchards to place poison for the extermination of rats, mice and other pests of like nature therein, to employees of municipal, state and federal governments or to others found by the director to be qualified persons to place poison elsewhere, for the control of animals and birds, in connection with public health, wood tick suppression and control, propagation and protection of wild birds and mammals, and purposes of a similar nature, or to place poison within an area specified in such permit for the purpose of killing birds which may lawfully be killed under federal and state law and which are present in such area in such numbers as in the opinion of the director to constitute a public nuisance or endanger health or safety. Possession of the raw fur of any mammal or the dead body of any bird killed by poison, except rats, mice, woodchucks or other pests of like nature, shall be prima facie evidence that the person having such possession has violated this section unless he is an employee of the federal government or an employee of the commonwealth or a political subdivision thereof to whom a permit has been issued under the provisions of this section.

Approved April 30, 1963.

Chap. 347. AN ACT AUTHORIZING MUNICIPAL GAS AND ELECTRIC LIGHTING PLANTS TO INCUR DEBT IN REMODELING, RECONSTRUCTING AND MAKING CERTAIN REPAIRS TO SAID PLANTS.

Be it enacted, etc., as follows:

SECTION 1. Section 8 of chapter 44 of the General Laws is hereby amended by inserting after clause (8), as amended by section 1 of chapter 70 of the acts of 1958, the following clause: —

(8A) For remodeling, reconstructing or making extraordinary repairs to a gas or electric lighting plant, when approved by the emergency finance board established under section one of chapter forty-nine of the acts of nineteen hundred and thirty-three, for such number of years not exceeding ten, as said board shall fix; provided, however, that the indebtedness incurred hereunder shall be included in the limit of indebtedness for gas and electric lighting plants as set forth in clause (8). Each city or town seeking approval by said board of a loan under this clause shall submit to it all plans and other information considered by the board to be necessary for a determination of the probable extended use of such plant likely to result from such remodeling, reconstruction or repair, and in considering approval hereunder of a requested loan and the terms thereof, special consideration shall be given to such determination.

SECTION 2. Chapter 164 of the General Laws is hereby amended by striking out section 40, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 40.* A city or town which has duly voted to acquire a municipal lighting plant may incur debt as provided in section eight of chapter forty-four for establishing, purchasing, extending, enlarging, reconstructing or making extraordinary repairs to such plant within the limits of the territory within which such plant is authorized to distribute its products.

SECTION 3. Section 57 of said chapter 164, as so appearing, is hereby amended by inserting after the seventh sentence the following sentence: — Upon his own initiative or upon the request of the city council, selectmen or municipal light board, the treasurer shall invest or deposit the same as permitted by section fifty-five A of chapter forty-four, and any income thereon shall be credited to the depreciation fund.

Approved April 30, 1963.

Chap. 348. AN ACT ENABLING THE EVERETT HEBREW SCHOOL AND COMMUNITY CENTRE, INC. AND THE CONGREGATION TIFERETH ISRAEL TO CONSOLIDATE UNDER THE NAME OF THE CONGREGATION TIFERETH ISRAEL AND COMMUNITY CENTRE.

Be it enacted, etc., as follows:

SECTION 1. Everett Hebrew School and Community Centre, Inc., organized in the year nineteen hundred and twenty-eight and the Congregation Tifereth Israel, organized in the year nineteen hundred and nine, are hereby authorized to consolidate into one corporation, under the name of Congregation Tifereth Israel and Community Centre with all the privileges, powers and immunities which said existing corporations have heretofore acquired or enjoyed by statute or otherwise, and with the powers, privileges and immunities set forth in all general laws pertaining to religious societies or churches and all acts in amendment thereof and in addition thereto, which consolidated corporation shall in all respects be a continuation of and the lawful successor to said existing corporations.

SECTION 2. Upon such consolidation all property of said existing corporations, including all bequests, devises, gifts and transfers of any kind heretofore made to them, shall vest in and may be received by said consolidated corporation, and all bequests, devises, gifts and transfers of any kind hereafter made to or for the benefit of said existing corporations shall vest in said consolidated corporation, and said consolidated corporation shall have with respect to such property and with respect to such bequests, devises, gifts and transfers, whether heretofore or hereafter made, the same powers, rights and privileges as would have been possessed by said existing corporations had such consolidation not been effected; provided, that no property now held by, or hereafter bequeathed, devised or given to either of said existing corporations upon specific and limited charitable uses and trusts, as distinguished from property held by, or hereafter bequeathed, devised or given to them for their general purposes, shall be so received unless authorized by decree of a court of competent jurisdiction.

SECTION 3. The 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 Everett Hebrew School and Community Centre, Inc. and the Congregation Tifereth Israel relative to the consolidation of said corporations and their change of names, taken prior to the acceptance of this act, and all acts in pursuance thereof, are hereby ratified, confirmed and validated, any informalities, errors or omissions to the contrary notwithstanding.

SECTION 7. The consolidation shall not be completed unless, at a meeting called for the purpose, each of said existing corporations, by such vote as is required by its by-laws accepts this act; and unless, after the aforesaid acceptances, said existing corporations shall have called and held a meeting, to be held in the city of Everett to organize the consolidated corporation, which meeting shall be composed of persons designated by said existing corporations for the purpose of adopting a constitution and by-laws for the consolidated corporation and electing the initial trustees or directors and other officers thereof.

SECTION 8. The consolidation shall be complete and effective upon the filing with the state secretary and the recording in the office of the register of deeds for the southern district of Middlesex county of an affidavit, signed by the clerks of the existing corporations, setting forth detailed compliance with the provisions of section seven and stating the names and addresses of the trustees or directors and other officers initially elected at said organizing meeting. Said affidavit shall be filed and recorded not later than sixty days after the date of said organizing meeting.

SECTION 9. Any questions arising as to the powers, rights, privileges and responsibilities of the consolidated corporation with respect to its property and with respect to the property of the consolidating corporations, including all bequests, devises, gifts and transfers of any kind heretofore and hereafter made to or for the benefit of either of them, and also any other questions arising as to the legal effect of this act or any of the provisions thereof, may, notwithstanding any general or special law to the contrary, be initially and finally determined by the supreme judicial court upon the application of any person interested or of the attorney general. *Approved April 30, 1963.*

Chap. 349. AN ACT PROVIDING THAT ALL DRIVER TRAINING VEHICLES BE EQUIPPED WITH SAFETY BELTS FOR THE INSTRUCTOR AND THE STUDENT.

Be it enacted, etc., as follows:

SECTION 1. Section 13D of chapter 71 of the General Laws, as amended by chapter 49 of the acts of 1954, is hereby further amended by adding at the end the following paragraph: —

The front seats of all motor vehicles used in driving education, as provided for in this section, shall be equipped with safety belts for the instructor and the student.

SECTION 2. Section 32G of chapter 90 of the General Laws is hereby amended by striking out the last paragraph, added by chapter 415 of the acts of 1962, and inserting in place thereof the following paragraph: —

Each licensee of a driver school shall equip the front seats of school training vehicles with safety belts for the instructor and the student.

Approved April 30, 1963.

Chap. 350. AN ACT RELATIVE TO CARE, CUSTODY AND EDUCATION OF A MARRIED WOMAN BY HER GUARDIAN.

Be it enacted, etc., as follows:

Chapter 201 of the General Laws is hereby amended by striking out section 24, as amended by section 10 of chapter 314 of the acts of 1956, and inserting in place thereof the following section: — *Section 24.* The guardian of a married woman, unless authorized by the court for causes which the court considers sufficient, shall not have the care, custody or education of his ward, except in case of the mental illness of her husband, or of his abandoning her and making no sufficient provision for her.

Approved April 30, 1963.

Chap. 351. AN ACT AUTHORIZING THE TOWING OF VEHICLES FROM METROPOLITAN PARKS DISTRICT PARKWAYS, BOULEVARDS AND ROADWAYS WHERE SUCH VEHICLES ARE PARKED OR STANDING IN VIOLATION OF THE LAW.

Be it enacted, etc., as follows:

SECTION 1. Chapter 92 of the General Laws is hereby amended by inserting after section 35 the following section: —

Section 35A. The commission may authorize the superintendent of the metropolitan district police force or such sergeants or officers of higher rank in said force as said superintendent may from time to time designate, to remove to some convenient place, through the agency of a person or persons in the employ of the commission, or by an independent contractor selected on the basis of competitive bids, any vehicle, except a vehicle owned by the commonwealth or a political subdivision thereof or by the United States or an instrumentality thereof or registered by a member of a foreign diplomatic corps or by a foreign consular officer who is not a citizen of the United States and bearing a distinctive number plate or otherwise conspicuously marked as so owned or registered, parked or

standing on any part of a parkway, boulevard or roadway in such a manner as to impede in any way the removal or plowing of snow or ice, or parked or standing in violation of any rule or regulation adopted under section thirty-seven which prohibits the parking or standing of all vehicles on such parkway, boulevard or roadway or portion thereof at such time and which recites that whoever violates such regulation shall be liable to charge for the removal and storage of the vehicle as well as subject to punishment by fine. Liability may be imposed for the reasonable cost of such removal, and for the storage charges, if any, resulting therefrom, upon the owner of such vehicle.

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

Approved May 1, 1963.

Chap. 352. AN ACT PROVIDING THAT STATE EMPLOYEES BE CREDITED WITH PRIOR SERVICE PERFORMED FOR THE GENERAL COURT FOR VACATION LEAVE AND SICK LEAVE PURPOSES.

Be it enacted, etc., as follows:

The second paragraph of section 28 of chapter 7 of the General Laws, as amended by section 2 of chapter 757 of the acts of 1962, is hereby further amended by adding at the end the following sentence: — Such rules regulating vacation leave and sick leave shall provide that employees be credited with all prior service performed by them while employed by or attached to the general court or either branch thereof, as though such prior service were performed in the service of the department in which they are employed; provided, that such credit shall not be given to any such employee re-entering the service of the commonwealth after having been separated from such service for a period in excess of three years.

Approved May 1, 1963.

Chap. 353. AN ACT AUTHORIZING SAVINGS BANKS TO MAKE LOANS ON CERTAIN FISHING VESSELS AND TO PARTICIPATE IN SUCH LOANS WITH OTHER INSTITUTIONS.

Be it enacted, etc., as follows:

Section 38 of chapter 168 of the General Laws is hereby amended by adding after paragraph 7, added by chapter 257 of the acts of 1960, the following paragraph: —

8. *Fishing Vessels.* — Fishing vessels owned by persons resident in the commonwealth; provided, that the principal and interest on the unpaid balance of the loan is fully insured by the Secretary of the Interior, pursuant to the provisions of the Merchant Marine Act of 1936, as amended (U.S.C. Title 46, Subchapter XI, and Public Law 86-577) relative to insurance of ship mortgages and, provided, further, that the aggregate of such loans shall not exceed two per cent of deposits. Any such corporation may participate with one or more other such corporations, and with one or more co-operative banks, trust companies, national banking associations or savings and loan associations, if such institutions are authorized so to do, in the making or acquiring of collateral loans of the class referred to in this paragraph.

Approved May 1, 1963.

Chap. 354. AN ACT AUTHORIZING THE CITY OF LYNN TO SELL A CERTAIN PARCEL OF LAND IN SAID CITY, ACQUIRED FOR PARK PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The city of Lynn, by its proper authorities, may sell and convey to Eleanor C. Stewart a certain parcel of land in said city acquired for park purposes, and shown as an island within Sluice Pond and being a part of Parcel one shown on Land Court Plan 12562 A, Sheet 2, filed with Certificate of Title 11614, said island being located southwesterly of land on Log Cabin Road shown on said plan as being land of Evelyn M. Estabrook. Said island is also shown as being bounded on all sides by Lot One E on plan 12562 H, filed with Certificate of Title 31946. The perimeter of said island is shown on said plan 12562 H as being at Elevation seventy-four on the City of Lynn datum plane.

SECTION 2. This act shall take effect upon its acceptance during the current year, by vote of the board of park commissioners of said city, and by vote of the city council thereof, subject to the provisions of its charter, but not otherwise. *Approved May 1, 1963.*

Chap. 355. AN ACT AUTHORIZING THE TOWN OF HINGHAM TO REVOKE ITS ACCEPTANCE OF THE TENEMENT HOUSE LAW, SO CALLED.

Be it enacted, etc., as follows:

There may be submitted at the next annual town meeting, or at any town meeting called for the purpose within three years from the effective date of this act, in the town of Hingham, the question of the revocation of its acceptance of chapter six hundred and thirty-five of the acts of nineteen hundred and twelve being an act relative to tenement houses in towns, and if said town votes in favor of such revocation, then the provisions of chapter one hundred and forty-five of the General Laws shall not apply in said town. Nothing herein contained shall prevent said town from again accepting the provisions of said chapter one hundred and forty-five after the revocation of its acceptance thereof.

Approved May 1, 1963.

Chap. 356. AN ACT PERMITTING COMPLIANCE WITH A TESTATOR'S EXPRESSED DESIRE AS TO REPRESENTATION OF INTERESTS OF PERSONS UNBORN OR UNASCERTAINED IN PROBATE ACCOUNTS.

Be it enacted, etc., as follows:

Section 24 of chapter 206 of the General Laws is hereby amended by adding at the end the following paragraph: —

If a deceased person in his duly allowed will has nominated a person or persons, even though interested, to represent the interests of persons unborn or unascertained or has requested that such representation be dispensed with, the court, in the absence of good cause shown, shall comply with the expressed desire of the deceased with respect to such representation. *Approved May 1, 1963.*

Chap. 357. AN ACT PROVIDING THAT DAMAGES IN DEATH ACTIONS WHICH ARE RECEIVED BY AN ADMINISTRATOR OR EXECUTOR AFTER THE EXPIRATION OF ONE YEAR OF HIS GIVING BOND SHALL NOT BE CONSIDERED ASSETS OF THE ESTATE.

Be it enacted, etc., as follows:

Chapter 229 of the General Laws is hereby amended by striking out section 6B, as most recently amended by section 6 of chapter 238 of the acts of 1958, and inserting in place thereof the following section: — *Section 6B.* In the event that any sum recovered under section six comes into the hands of the executor or administrator of the deceased after the expiration of one year from the time of his giving bond, such sum shall be treated as new assets of the estate of the deceased within the meaning of section eleven of chapter one hundred and ninety-seven.

Approved May 1, 1963.

Chap. 358. AN ACT PROVIDING THAT COMPULSORY MOTOR VEHICLE LIABILITY BONDS, POLICIES AND DEPOSITS SHALL COVER THE LIABILITY FOR INDEMNITY, AND FOR CONTRIBUTION AMONG CERTAIN JOINT TORTFEASORS.

Whereas, Chapter seven hundred and thirty of the acts of nineteen hundred and sixty-two, entitled "An Act providing for contribution among joint tortfeasors" became effective January first, nineteen hundred and sixty-three, and

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide that compulsory motor vehicle liability bonds, policies and deposits shall forthwith cover the liability for such contribution and also the liability of a servant to indemnify his master, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 34A of chapter 90 of the General Laws is hereby amended by striking out the paragraph defining "Motor vehicle liability bond", as most recently amended by section 2 of chapter 177 of the acts of 1961, and inserting in place thereof the following paragraph: —

"Motor vehicle liability bond", a bond conditioned that the obligor shall within thirty days after the rendition thereof satisfy all judgments rendered against him or against any person responsible for the operation of the obligor's motor vehicle with his express or implied consent in actions to recover damages for bodily injuries, including death at any time resulting therefrom, and judgments rendered as aforesaid for consequential damages consisting of expenses incurred by a husband, wife, parent or guardian for medical, nursing, hospital or surgical services, or for indemnity, in connection with or on account of such bodily injuries or death, and judgments rendered as aforesaid for contribution as a joint tortfeasor in connection with or on account of such bodily injuries, sustained during the term of said bond by any person, other than a guest occupant of such motor vehicle or any employee of the owner or registrant of such vehicle or of such other person responsible as aforesaid who is entitled to payments or benefits under the provisions of

chapter one hundred and fifty-two, and arising out of the ownership, operation, maintenance, control or use upon the ways of the commonwealth of such motor vehicle, to the amount or limit of at least five thousand dollars on account of injury to or death of any one person, and, subject to such limits as respects injury to or death of one person, of at least ten thousand dollars on account of any one accident resulting in injury to or death of more than one person; provided, however, that in the case of a person who is engaged in the business of leasing motor vehicles under any system referred to in section thirty-two C, the words "motor vehicle liability bond" shall mean a bond as described herein but conditioned further, except in the case of vehicles leased for a term of more than thirty days, that the obligor shall within thirty days after the rendition thereof satisfy all judgments rendered against him or against any person responsible for the operation of the obligor's motor vehicle with his express or implied consent, including such consent imputed under section thirty-two E, in actions to recover damages for injury to property, and judgments rendered as aforesaid for indemnity, or for contribution as a joint tortfeasor, in connection with or on account of such injury to property, sustained during the term of said bond by any person, and arising out of the ownership, operation, maintenance, control or use upon the ways of the commonwealth of such motor vehicle, to the amount or limit of at least one thousand dollars on account of any such injury to property.

SECTION 2. Said section 34A of said chapter 90 is hereby further amended by striking out the paragraph defining "Motor vehicle liability policy", as most recently amended by section 3 of said chapter 177, and inserting in place thereof the following paragraph: —

"Motor vehicle liability policy", a policy of liability insurance which provides indemnity for or protection to the insured and any person responsible for the operation of the insured's motor vehicle with his express or implied consent against loss by reason of the liability to pay damages to others for bodily injuries, including death at any time resulting therefrom, or consequential damages consisting of expenses incurred by a husband, wife, parent or guardian for medical, nursing, hospital or surgical services, or for indemnity, in connection with or on account of such bodily injuries or death, or by reason of the liability for contribution as a joint tortfeasor, in connection with or on account of such bodily injuries, sustained during the term of said policy by any person, other than a guest occupant of such motor vehicle or of any employee of the owner or registrant of such vehicle or of such other person responsible as aforesaid who is entitled to payments or benefits under the provisions of chapter one hundred and fifty-two, and arising out of the ownership, operation, maintenance, control or use upon the ways of the commonwealth of such motor vehicle, to the amount or limit of at least five thousand dollars on account of injury to or death of any one person, and, subject to such limits as respects injury to or death of one person, of at least ten thousand dollars on account of any one accident resulting in injury to or death of more than one person, or a binder as defined in section one hundred and thirteen A of said chapter one hundred and seventy-five providing indemnity or protection as aforesaid pending the issue of such a policy; provided, however, that in the case of a person who is engaged in the business of leasing motor vehicles under any system referred to in section thirty-two C, the words "motor

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

SECTION 3. Section 34D of said chapter 90 is hereby amended by striking out the first sentence, as most recently amended by section 4 of said chapter 177, and inserting in place thereof the following sentence: — The applicant for registration may, in lieu of procuring a motor vehicle liability bond or policy, deposit with the state treasurer cash in the amount of five thousand dollars or bonds, stocks or other evidences of indebtedness satisfactory to said treasurer of a market value of not less than five thousand dollars as security for the payment by such applicant or by any person responsible for the operation of such applicant's motor vehicle with his express or implied consent of all judgments rendered against such applicant or against such person in actions to recover damages for bodily injuries, including death at any time resulting therefrom, judgments rendered as aforesaid for consequential damages consisting of expenses incurred by a husband, wife, parent or guardian for medical, nursing, hospital or surgical services, or for indemnity, in connection with or on account of such bodily injuries or death, and judgments rendered as aforesaid for contribution as a joint tortfeasor in connection with or on account of such bodily injuries, sustained during the term of registration by any person, other than a guest occupant of such motor vehicle or any employee of the owner or registrant of such motor vehicle or of such other person responsible as aforesaid who is entitled to payments or benefits under the provisions of chapter one hundred and fifty-two, and arising out of the ownership, operation, maintenance, control or use upon the ways of the commonwealth of such motor vehicle, to the amount or limit of at least five thousand dollars on account of any such judgment; provided, however, that if the applicant for registration is engaged in the business of leasing motor vehicles under any system referred to in section thirty-two C, such applicant shall deposit with said treasurer additional security in the amount or value of at least one thousand dollars for the payment by such applicant or by any person responsible for the operation of such applicant's motor vehicle with his express or implied consent, including such consent imputed under section thirty-two E, of all judgments rendered against such applicant or against such person in actions to recover damages for injury to property and judgments rendered as aforesaid for indemnity, or for contribution as a joint tortfeasor, sustained during the term of registration by any person, and arising out of the ownership, operation, maintenance, control or use upon the ways of the commonwealth of such motor vehicle, to the amount or limit of at least one thousand dollars on account of any such judgment and provided further that no

such deposit shall be required in the case of vehicles leased for a term of more than thirty days.

SECTION 4. The provisions of sections thirty-four A and thirty-four D of chapter ninety of the General Laws, as amended by sections one, two and three of this act, shall, on and after the effective date hereof, apply to motor vehicle liability bonds and policies, and to deposits, covering motor vehicles and trailers registered for operation during the year nineteen hundred and sixty-three, with respect, however, only to accidents occurring on or after said effective date.

Approved May 6, 1963.

Chap. 359. AN ACT PROVIDING THAT THE CITY COUNCIL OF THE CITY OF CAMBRIDGE SHALL DETERMINE THE COMPENSATION OF ELECTION OFFICERS IN SAID CITY.

Be it enacted, etc., as follows:

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

SECTION 2. The compensation of wardens, clerks and other temporary workers serving at state elections and primaries in the city of Cambridge shall be fixed by the city council. *Approved May 6, 1963.*

Chap. 360. AN ACT AUTHORIZING THE TOWN OF BRAINTREE TO REVOKE ITS ACCEPTANCE OF THE LAW RELATIVE TO TENEMENT HOUSES IN TOWNS.

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 in the town of Braintree in the year nineteen hundred and sixty-four: — "Shall the town of Braintree revoke its acceptance of chapter six hundred and thirty-five of the acts of nineteen hundred and twelve, being an act relative to tenement houses in towns?" If a majority of the votes in answer to said question is in the affirmative, then the provisions of chapter one hundred and forty-five of the General Laws shall not apply in said town; provided, however, that the revocation of its acceptance shall not prevent said town from again accepting the provisions of said chapter one hundred and forty-five. *Approved May 6, 1963.*

Chap. 361. AN ACT AUTHORIZING THE TOWN OF WALPOLE TO RECEIVE AND ADMINISTER THE PROPERTY OF THE MAPLE GROVE CEMETERY ASSOCIATION.

Be it enacted, etc., as follows:

SECTION 1. The Maple Grove Cemetery Association, a corporation duly established by law in the commonwealth, hereinafter called the association, may, by deed duly executed, convey and transfer to the town of Walpole, 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 hereinafter 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. *Approved May 6, 1963.*

Chap. 362. AN ACT AUTHORIZING THE TOWN OF WALPOLE TO RECEIVE AND ADMINISTER THE PROPERTY OF THE RURAL CEMETERY ASSOCIATION.

Be it enacted, etc., as follows:

SECTION 1. The Rural Cemetery Association, hereinafter called the association, may, by deed duly executed, convey and transfer to the town of Walpole, 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 hereinafter 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 ceme-

tery 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. *Approved May 6, 1963.*

Chap. 363. AN ACT ESTABLISHING A TIME LIMIT WITHIN WHICH A PLANNING BOARD SHALL NOTIFY A CITY OR TOWN CLERK THAT A PLAN SUBMITTED TO IT REQUIRES APPROVAL UNDER THE SUBDIVISION CONTROL LAW AND PROVIDING THAT THE COST FOR ADVERTISING HEARINGS AND MAILING OF NOTICES UNDER SAID LAW BE BORNE BY THE APPLICANT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 41 of the General Laws is hereby amended by striking out section 81P, as most recently amended by chapter 332 of the acts of 1961, and inserting in place thereof the following section: — *Section 81P.* Any person wishing to cause to be recorded a plan of land situated in a city or town in which the subdivision control law is in effect, who believes that his plan does not require approval under the subdivision control law, may submit his plan to the planning board of such city or town in the manner prescribed in section eighty-one T, and, if the board finds that the plan does not require such approval, it shall forthwith, without a public hearing, endorse thereon or cause to be endorsed thereon by a person authorized by it the words "approval under the subdivision control law not required" or words of similar import with appropriate name or names signed thereto, and such endorsement shall be conclusive on all persons. Such endorsement shall not be withheld unless such plan shows a subdivision. If the board shall determine that in its opinion the plan requires approval, it shall within fourteen days of such submittal, give written notice of its determination to the clerk of the city or town and the person submitting the plan, and such person may submit his plan for approval as provided by law and the rules and regulations of the board, or he may appeal from the determination of the board in the manner provided in section eighty-one BB. If the board fails to act upon a plan submitted under this section or fails to notify the clerk of the city or town and the person submitting

the plan of its action within fourteen days after its submission, it shall be deemed to have determined that approval under the subdivision control law is not required, and it shall forthwith make such endorsement on said plan, and on its failure to do so forthwith the city or town clerk shall issue a certificate to the same effect. The plan bearing such endorsement or the plan and such certificate, as the case may be, shall be delivered by the planning board, or in case of the certificate, by the city or town clerk, to the person submitting such plan. The planning board of a city or town which has authorized any person, other than a majority of the board, to endorse on a plan the approval of the board or to make any other certificate under the subdivision control law, shall transmit a written statement to the register of deeds and the recorder of the land court, signed by a majority of the board, giving the name of the person so authorized.

The endorsement under this section may include a statement of the reason approval is not required.

SECTION 2. Section 81T of said chapter 41 is hereby amended by striking out the last sentence, as most recently amended by section 1 of chapter 207 of the acts of 1962, and inserting in place thereof the following 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 at the expense of the applicant 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.

Approved May 6, 1963.

Chap. 364. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF ESSEX COUNTY TO PAY A CERTAIN SUM OF MONEY TO A. PASQUALE & SONS.

Be it enacted, etc., as follows:

The county commissioners of Essex county are hereby authorized to pay to Andrew Pasquale, William Pasquale and Ralph Pasquale, copartners doing business under the firm name and style of A. Pasquale & Sons, the sum of three thousand two hundred and sixty-two dollars on a contract for furnishing all labor and materials for the installation of oil penetration over a gravel base in the parking lot adjacent to the Essex agricultural and technical institute, and the sum of five thousand one hundred and seventy-seven dollars on a contract for installing catch basins and drainage piping at said institute, both of which contracts were awarded under chapter three hundred and eighty-seven of the acts of nineteen hundred and sixty-one without complying with the provisions of sections forty-four A to forty-four D, inclusive, of chapter one hundred and forty-nine of the General Laws.

Approved May 6, 1963.

Chap. 365. AN ACT MAKING TECHNICAL CHANGES UNDER THE CORPORATION EXCISE LAW.

Be it enacted, etc., as follows:

SECTION 1. The last paragraph of section 55 of chapter 63 of the General Laws, as appearing in section 12 of chapter 641 of the acts of 1951, is hereby amended by striking out, in lines 6 to 8, inclusive, the words: — and subdivision (*a*) of paragraph three of section thirty and subdivision (*a*) of paragraph four of said section thirty,.

SECTION 2. The fourth sentence of section 67 of said chapter 63, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 2 to 4, inclusive, the words: — from the value of its corporate excess as determined by him, if it is taxable under sections thirty to thirty-eight C, inclusive, or.

SECTION 3. Section 1 of chapter 139 of the acts of 1961 is hereby amended by striking out, in lines 13 and 14, the words "subsection (*d*) of section thirty-two, section thirty-eight B or subsection (*d*) of section thirty-nine" and inserting in place thereof the words: — the specific dollar minimum measure of section thirty-two or section thirty-nine or under section thirty-eight B, all.

SECTION 4. This act shall apply with respect to taxable years ending on and after December thirty-first, nineteen hundred and sixty-two.

Approved May 6, 1963.

Chap. 366. AN ACT DESIGNATING A CERTAIN BRIDGE ON PILGRIMS HIGHWAY IN THE TOWN OF KINGSTON AS KINGSTON'S GRAND ARMY MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The bridge on Pilgrims Highway over Landing road in the town of Kingston shall be known and designated as Kingston's Grand Army Memorial Bridge, and a suitable marker bearing said designation shall be attached thereto by the department of public works.

Approved May 6, 1963.

Chap. 367. AN ACT AUTHORIZING THE COMMONWEALTH TO GRANT EASEMENTS OVER, ACROSS AND UPON CERTAIN LAND, FOR THE TRANSMISSION OF ELECTRIC POWER, TO CAPE & VINEYARD ELECTRIC 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 on behalf of the commonwealth, in consideration of a sum of not less than one thousand dollars, may grant to Cape & Vineyard 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 and across certain portions of lands of the commonwealth in the towns of Falmouth and Mashpee, 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 May 6, 1963.

Chap. 368. AN ACT PROVIDING FOR THE PRESERVATION, PRINTING AND DISTRIBUTION OF COPIES OF CERTAIN PROCEEDINGS OF THE POLISH-AMERICAN VETERANS OF MASSACHUSETTS, INC.

Be it enacted, etc., as follows:

Chapter 5 of the General Laws is hereby amended by striking out section 9, as most recently amended by section 1 of chapter 626 of the acts of 1960, and inserting in place thereof the following section: — *Section 9.* The state secretary shall annually procure copies of the proceedings of the annual encampments of the departments of Massachusetts, Grand Army of the Republic, United Spanish War Veterans, The American Legion, Disabled American Veterans of the World War, Marine Corps League, American Veterans of World War II, AMVETS, Italian American War Veterans of the United States, Incorporated, Jewish War Veterans of the United States, Veterans of Foreign Wars of the United States, Polish-American Veterans of Massachusetts, Inc., and Veterans of World War I of the U. S. A., held in that year, with the general and special orders, circulars and other papers forming parts thereof, and shall cause the same to be kept as parts of the records of the commonwealth. He shall annually cause copies thereof, including in the case of those relating to the Grand Army of the Republic the portraits of the department officers and staff and of the executive committee of the national encampment, to be printed and bound; and shall cause one printed and bound copy of each to be sent to each town library in the commonwealth. He shall also send one copy of each volume relating to the Grand Army of the Republic to each Grand Army post, one copy of the volume relating to the United Spanish War Veterans to each camp of Spanish War Veterans, one copy of the volume relating to The American Legion to each post of The American Legion, one copy of the volume relating to the Disabled American Veterans of the World War to each chapter of the Disabled American Veterans of the World War, one copy of the volume relating to the Marine Corps League to each detachment of the Marine Corps League, one copy of the volume relating to the American Veterans of World War II, AMVETS to each post of the American Veterans of World War II, AMVETS, one copy of the volume relating to the Italian American War Veterans of the United States, Incorporated to each post of the Italian American War Veterans of the United States, Incorporated, one copy of the volume relating to the Jewish War Veterans of the United States to each post of the Jewish War Veterans of the United States, one copy of the volume relating to the Veterans of Foreign Wars to each post of the Veterans of Foreign Wars of the United States, one copy of the volume relating to the Polish-American Veterans of Massachusetts, Inc. to each post of the Polish-American Veterans of Massachusetts, Inc. and one copy of the volume relating to the Veterans of World War I of the U. S. A. to each barracks of the Veterans of World War I of the U. S. A., in the commonwealth. He shall cause the other copies of each to be distributed in the same manner as the annual report of the state secretary. *Approved May 6, 1963.*

Chap. 369. AN ACT PROHIBITING THE OPERATION OF MOTOR VEHICLES WHILE UNDER THE INFLUENCE OF THE VAPORS OF CERTAIN CHEMICALS.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of section 21 of chapter 90 of the General Laws is hereby amended by inserting after the words "somnifacient drugs", the words: — , or under the influence of the vapors of glue, carbon tetrachloride, acetone, ethylene, dichloride, toluene, chloroform, xylene or any combination thereof.

SECTION 2. Paragraph (*a*) of subdivision (1) of section 24 of said chapter 90 is hereby amended by striking out the first sentence, as most recently amended by section 2 of chapter 394 of the acts of 1962, and inserting in place thereof the following sentence: — Whoever, upon any way or in any place to which the public has a right of access, or upon any way or in any place to which members of the public have access as invitees or licensees, operates a motor vehicle while under the influence of intoxicating liquor or narcotic drugs, as defined in section one hundred and ninety-seven of chapter ninety-four, or under the influence of barbiturates, amphetimines, or other hypnotic or somnifacient drugs, or under the influence of the vapors of glue, carbon tetrachloride, acetone, ethylene, dichloride, toluene, chloroform, xylene or any combination thereof, shall be punished by a fine of not less than thirty-five nor more than one thousand dollars, or by imprisonment for not less than two weeks nor more than two years, or both.

Approved May 6, 1963.

Chap. 370. AN ACT RELATIVE TO NOTICES REQUIRED TO BE GIVEN TO PUBLIC UTILITY COMPANIES BEFORE EXCAVATIONS ARE MADE IN PUBLIC WAYS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 82 of the General Laws is hereby amended by striking out section 40, added by chapter 316 of the acts of 1959, and inserting in place thereof the following section: — *Section 40.* No person, other than a direct employee of the commonwealth or any political subdivision thereof or of a public utility company, as defined in section three of chapter twenty-five, shall, except in an emergency, make an excavation in a public way unless at least forty-eight hours, exclusive of Saturdays, Sundays and legal holidays, before the proposed excavation is to be made, he has given notice in writing of the proposed excavation to natural gas pipe line companies and to such public utility companies as supply gas, electricity, water or telephone service in the city or town in which such way is located. Such notice shall set forth the name of the street, or route number of the way, and a reasonably accurate description of the location in which the excavation is to be made. If such notice cannot be given as aforesaid because of an emergency, it shall be given as soon as may be practicable. Copies of such notices together with a statement certifying that they have been mailed or delivered to such public utility companies as required by the preceding provisions of this section shall be filed with the officer or board having charge of any such public way before a permit to excavate may be approved or issued, except in case of an emergency.

Where an excavation is to be made by a contractor as part of the work required by a contract with the commonwealth or with any political subdivision thereof or other public agency, for the construction, reconstruction, relocation or improvement of a public way or for the installation of a railway track, conduit, sewer or water main, such contractor shall be deemed to have complied with the requirements of this section by giving one such notice setting forth the location and the approximate time required to perform the work involved to each of said companies.

Proper return notice shall be made by said companies designating the location, if any, of pipes or conduits in that portion of the public way in which the excavation is to be made. Any such excavation shall be performed in such manner, and such reasonable precautions taken, as to avoid damage to the pipes or conduits in use under the surface of said way.

Nothing contained in this section shall be construed to affect or impair local ordinances or by-laws requiring permits to be obtained before excavating in a public way, except that, notwithstanding any contrary provision of local ordinances or by-laws, no permit to excavate in a public way shall be approved or issued by the officer or board having charge of any such way, except in an emergency, until such time as copies of such notices to public utility companies are filed by the applicant for a permit as required by this section.

Whoever violates any provision of this section shall be punished by a fine of not more than fifty dollars for the first offense and not less than fifty dollars nor more than one hundred dollars for any subsequent offense.

SECTION 2. Section 21 of chapter 81 of the General Laws, as most recently amended by chapter 219 of the acts of 1954, is hereby further amended by adding at the end the following two sentences: — Except in case of an emergency no permit for digging up or opening any state highway shall be approved or issued by the department until copies of the notices to public utility companies required by section forty of chapter eighty-two have been filed with the department by the applicant for such permit. Except as provided herein any person who digs up or makes an opening in a state highway without a permit or violates any other provision of the section shall be punished by a fine of not more than fifty dollars for the first offense and not less than fifty dollars nor more than one hundred dollars for any subsequent offense.

SECTION 3. Chapter 83 of the General Laws is hereby amended by striking out section 8, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 8.* No person shall dig up or make an excavation in a public way for the laying, altering or repairing of a drain or sewer without obtaining a written permit from the board or officer having charge of the maintenance and repair of sewers in the town in which such way is situated. Notwithstanding any contrary provision of any local ordinance or by-law, no such permit shall, except in case of an emergency, be approved or issued by said board or officer until copies of the notices to public utility companies required by section forty of chapter eighty-two have been filed with said board or officer by the applicant for such permit. Whoever violates any provision of this section shall be punished by a fine of not more than fifty dollars for the first offense and not less than fifty dollars nor more than one hundred dollars for any subsequent offense.

Approved May 6, 1963.

Chap. 371. AN ACT CHANGING THE SIGNATORY REQUIREMENTS FOR FILING AN ANNUAL CERTIFICATE OF CONDITION BY A FOREIGN CORPORATION.

Be it enacted, etc., as follows:

Chapter 181 of the General Laws is hereby amended by striking out section 12, as amended by chapter 351 of the acts of 1953, and inserting in place thereof the following section: — *Section 12.* Every foreign corporation, other than one which is required by section eleven of chapter one hundred and sixty-six to make annual returns to the department of public utilities shall annually, within thirty days after the date fixed in its by-laws for its annual meeting, or within thirty days after the final adjournment of said meeting, prepare and submit to the office of the state secretary, upon payment of the fee provided in section twenty-three, a certificate signed and sworn to by its president and treasurer and a majority of its board of directors, but if such majority is more than three, then by at least three, showing the amount of its authorized capital stock, and its assets and liabilities as of the close of its last fiscal year next preceding the date fixed for said annual meeting, in such form as is required of domestic business corporations under section forty-seven of chapter one hundred and fifty-six, and the changes, if any, in the other particulars included in the certificate required by section five of this chapter, made since the filing of said certificate or of the last annual report. *Approved May 6, 1963.*

Chap. 372. AN ACT PROHIBITING THE WEST AND SOUTH WATER SUPPLY DISTRICT OF ACTON FROM USING GROUND WATER SOURCES IN THE TOWN OF BOXBOROUGH UNTIL SO AUTHORIZED BY THE WATER RESOURCES COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of chapter three hundred and twenty-six of the acts of nineteen hundred and twelve, no ground water sources in the town of Boxborough shall be used by the West and South Water Supply District of Acton until it is first determined by the water resources commission that there exists in said town a source or sources of ground water adequate for the future needs of said town. If such an adequate supply is found within said town, then said water supply district may use the excess for said district. The provisions of this section shall not prohibit any agreement by said town and said district to the contrary.

SECTION 2. Said town and said water supply district are hereby authorized to enter into agreements for the joint investigation and use of ground water sources in said town and to appropriate funds for said purpose and to do all acts and things necessary and convenient for carrying out such investigation. Said investigation may be carried out in conjunction with any agency of the state or federal government.

SECTION 3. Said water supply district shall make available to any resident of said town, excluding industries whose property abuts a public way in which a water main is laid under the provisions of chapter three hundred and twenty-six of the acts of nineteen hundred and twelve,

domestic water service at the same rates charged within said district, and hydrant service to said town at the same rates charged the town of Acton. Hydrant installation shall be paid for by the town of Boxborough.

Approved May 6, 1963.

Chap. 373. AN ACT AUTHORIZING THE CONSOLIDATION OF CHILD WELFARE HOUSE AND FAMILY SERVICE SOCIETY OF LYNN WITH FAMILY AND CHILDREN'S SERVICE OF GREATER LYNN, INC.

Be it enacted, etc., as follows:

SECTION 1. Child Welfare House and Family Service Society of Lynn, both charitable corporations duly organized and existing under the laws of the commonwealth, are hereby severally authorized, by acceptance of this act within one year after its effective date at a meeting of the members' body called for this purpose, to consolidate with Family and Children's Service of Greater Lynn, Inc., incorporated under chapter one hundred and eighty of the General Laws, which shall in all respects be a continuation of, shall have all the powers, privileges and exemptions of, and shall be subject to all the duties, liabilities and restrictions provided by law in so far as they relate to said existing corporations. Upon such acceptance, copies of the vote of acceptance certified by the clerks or other officers of the corporations voting shall be filed in the registry of deeds of Essex county and with the state secretary and the consolidation of such corporations with Family and Children's Service of Greater Lynn, Inc., shall thereupon be complete.

SECTION 2. Upon each such consolidation, all property, real and personal, held in trust or otherwise, and all rights and interests, legal or equitable, of the corporations so consolidating, and all devises, bequests, conveyances and gifts heretofore and hereafter made to either of such corporations shall vest in the consolidated corporation and otherwise shall be held by the consolidated corporation subject to the same terms, conditions, limitations and trusts as they are now held by such consolidating corporations or would have been held but for this act, and the treasurers of such corporations are hereby respectively authorized to execute, acknowledge and deliver all papers and documents that may be deemed necessary or proper for the purpose of confirming in Family and Children's Service of Greater Lynn, Inc. the record title to the property of the corporations so consolidating.

SECTION 3. Upon each such consolidation the members of the corporations so consolidating shall be members of the consolidated corporation until such time as they fail of election under the by-laws of the consolidated corporation; and the members of the board of trustees and officers of the consolidated corporation shall continue to hold their respective offices until their successors are chosen and qualified as provided in its by-laws as the same now are or may hereafter be amended.

Approved May 6, 1963.

Chap. 374. AN ACT RELATIVE TO EXAMINING, COUNTING, CANVASSING AND CASTING ABSENT VOTER BALLOTS.

Be it enacted, etc., as follows:

SECTION 1. Section 35A of chapter 54 of the General Laws, as most recently amended by chapter 62 of the acts of 1945, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — At polling places where voting machines are used, ballots cast by challenged voters shall be deposited in the ballot boxes provided in accordance with law.

SECTION 2. The eighth sentence of the second paragraph of section 35B of said chapter 54, as appearing in section 6 of chapter 310 of the acts of 1943, is hereby amended by striking out, in lines 2 and 3, the words "and on absent voter ballots".

SECTION 3. Section 89 of said chapter 54, as most recently amended by chapter 111 of the acts of 1963, is hereby further amended by adding at the end the following sentence: — In no case shall more than one official absent voting ballot be mailed or delivered under this section to any voter.

SECTION 4. Section 91 of said chapter 54, as appearing in the Tercentenary Edition, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — The clerk shall cause to be placed on the voting lists prepared as required by section sixty of chapter fifty-one, opposite the name of each voter on whose application such certificate has been so executed, the letters in capitals A. V.

SECTION 5. Said section 91 of said chapter 54 is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence: — The clerk shall prepare lists, arranged by voting precincts, of the names and addresses of all voters on whose applications for absent voting ballots the certificate has been executed as provided in this section, and shall post copies of such lists for public inspection.

SECTION 6. Said chapter 54 is hereby further amended by striking out section 94, as most recently amended by chapter 67 of the acts of 1956, and inserting in place thereof the following section: — *Section 94.* The clerk of the city or town may, in the presence of two election officers representing each of the two leading political parties, detailed by the city or town clerk at noon, or four hours before the closing of the polls, on the day of the election, whichever is the earlier, open each envelope purporting to contain an official absent voting ballot received by him and remove therefrom the envelope referred to in clause (*c*) of section eighty-seven and, without opening such envelope, he shall compare the signature thereon with the signature on the application therefor, except in the case of ballots prepared under section ninety-eight, and shall examine the affidavit on such envelope. If he finds that such affidavit has been improperly executed, or was executed in violation of section ninety-two before an official who is a candidate for election at the election, or does not sufficiently indicate that the ballot was marked and mailed or delivered as required by sections ninety-two and ninety-three, or was not signed by the person who signed the application therefor, he shall mark across the face thereof "Rejected as Defective", and shall place on the lists referred to in the last sentence of section ninety-one, opposite the

name of the person appearing on the envelope referred to in clause (*d*) of said section eighty-seven, in which such affidavit envelope was enclosed, the capital letter R. Each envelope so marked, and the application relating thereto, shall be preserved and destroyed in the manner provided by law for the retention, preservation or destruction of official ballots. Each envelope not so marked shall be replaced in the envelope referred to in said clause (*d*), and the name of the voter shall be checked on the lists referred to in the last sentence of section ninety-one, or in section one hundred and three M, as the case may be. Said clerk shall record on tally sheets prepared and furnished by the state secretary all envelopes, as well as all accepted or rejected ballots of absent voters; and in cities and in towns divided into voting precincts, a separate record shall be made for each precinct.

SECTION 7. Said chapter 54 is hereby further amended by striking out section 95, as most recently amended by section 3 of chapter 685 of the acts of 1960, and inserting in place thereof the following section: — *Section 95.* The city or town clerk, in the presence of two election officers representing each of the two leading political parties, detailed by said clerk or such tellers appointed as hereinafter provided as he may designate, shall forthwith, following the hour for the closing of the polls on the day of the election, audibly and distinctly count and announce the number of names checked on the lists referred to in the last sentence of section ninety-one, or in section one hundred and three M, as the case may be, and, in cities and in towns divided into voting precincts, a separate count shall be made of the number of names checked on such lists for each precinct. Said clerk shall enter the result of such count in his records. After distinctly announcing the name and residence of the voter appearing on each envelope referred to in clause (*d*) of section eighty-seven, the clerk, or such teller, shall remove therefrom the envelope referred to in clause (*c*) of said section eighty-seven, except such envelopes as have been marked "Rejected as Defective", as provided in section ninety-four, or "Rejected as Voted in Person", as provided in section one hundred, shall open the envelope in which the ballot is enclosed in such a manner as not to destroy the affidavit thereon, take the ballot therefrom without unfolding it or permitting it to be examined and deposit it in a ballot box provided as required by section twenty-six. After all the ballots have been thus removed and deposited, they shall be taken from the ballot box and audibly counted, one by one. Except in towns not divided into voting precincts, such ballots shall first be sorted into piles, one for each precinct, and each pile shall be counted and sealed separately. The canvass and count shall be made by tellers appointed by such clerk, who shall perform their duties under his supervision and direction and who shall, so far as pertinent, have all the powers, and be subject to all the penalties and obligations, of election officers. Tellers so appointed shall be enrolled voters equally representing the two leading political parties, and one teller of each such party shall be detailed by said clerk to canvass and count each block or package of ballots. After the canvass and count has been completed, said clerk shall enter the results thereof in his records substantially in the manner prescribed by section one hundred and five, and shall amend each precinct record delivered to him, as provided by said section, by adding such results thereto. Said clerk shall then cause all the ballots, the forms on which the votes have been recorded, all envelopes, opened and un-

opened, and all the applications referred to in section ninety-four to be enclosed in an envelope or container, which shall be sealed up and tied in the manner prescribed by section one hundred and seven, and said clerk shall certify thereon the contents thereof. In cities and in towns divided into voting precincts, such ballots, forms, envelopes and applications shall be enclosed in a separate envelope or container for each precinct. Said clerk shall cause the lists referred to in this section to be enclosed in an envelope and sealed with a suitable seal, and shall certify thereon to the identity of the lists so enclosed. In cities and in towns divided into voting precincts all proceedings under this section shall be held in such place as shall be designated by the city or town clerk, and, in any town not divided into voting precincts, in the polling place for such town; provided, that in the case of an election at which electors of president and vice-president are to be chosen, such place shall be the polling place designated, as provided by section twenty-four, where persons qualified to vote only for such electors shall cast their ballots. Except as herein otherwise provided, all such proceedings shall be conducted in the manner prescribed by sections one hundred and four and one hundred and five and one hundred and six so far as pertinent.

SECTION 8. Section 96 of said chapter 54, as amended by section 7 of chapter 404 of the acts of 1936, is hereby further amended by striking out, in lines 11 and 12, the words "officer charged with depositing the ballot in the ballot box" and inserting in place thereof the words: — city or town clerk or a teller appointed as provided by section ninety-five.

SECTION 9. Said chapter 54 is hereby further amended by striking out section 100, as amended by section 8 of said chapter 404, and inserting in place thereof the following section: — *Section 100.* Except as hereinafter provided, no person to whom an absent voting ballot has been mailed or delivered as provided in section ninety-two, and opposite whose name on the voting lists the letters A. V. or SAV have been placed as provided in section ninety-one or in section one hundred and three G, as the case may be, shall be permitted to vote in person. Notwithstanding the foregoing, the city or town clerk shall, on the day of the election, at his request, give to any such person whose name has not been checked, or opposite whose name the letter R has not been marked, on the list of absent voters as provided in section ninety-five, a certificate of his name and residence, as stated in the annual register, signed by such clerk; and such clerk shall then forthwith place on the list of absent voters, opposite the name of the person to whom such certificate is furnished, the capital letter C. On presentation of such certificate to the presiding election officer of the ward, voting precinct or town in which such voter is registered, he shall, after his name has been checked on the voting list, be allowed to vote. Such presiding officer shall preserve each certificate issued under this section and return it to the city or town clerk in the envelope in which the voting lists are required by section one hundred and seven to be enclosed. If, after a certificate is furnished under this section, an envelope purporting to contain an absent voting ballot is received from a voter to whom such a certificate was issued, and opposite whose name on the list of absent voters the capital letter C has been placed as herein required, said clerk shall mark across the face of such envelope "Rejected Voted in Person".

SECTION 10. Section 103M of said chapter 54, inserted by section 1 of chapter 511 of the acts of 1962, is hereby amended by striking out,

in line 5, the words "election officers in every such ward, voting precinct or town" and inserting in place thereof the words: — city or town clerk.

SECTION 11. The first paragraph of section 105 of said chapter 54 is hereby amended by striking out the seventh sentence, appearing in section 1 of chapter 155 of the acts of 1959, and inserting in place thereof the following sentence: — When absent voting ballots have been cast the clerk shall amend the ballot box register to include the absent voting ballots deposited in the ballot box under the provisions of section ninety-five.

SECTION 12. Said section 105 of said chapter 54 is hereby further amended by striking out the second paragraph, as most recently amended by section 44 of chapter 437 of the acts of 1962, 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, amended as provided in section ninety-five when absent voting ballots have been cast; 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 13. Said chapter 54 is hereby further amended by striking out section 108, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 108.* Upon written application, signed by at least ten voters in the town or ward of which the precinct forms a part, or upon written request made by vote of the ward, town or city committee, and signed by the chairman thereof, the city or town clerk may, within a reasonable time, open the envelope in which the lists of absent voters have been enclosed, as provided by section ninety-five or in which the voting list has been enclosed, as provided by section one hundred and seven, and make a copy of the list as checked. After any such list has been so copied, the clerk shall at once enclose it in an envelope, seal up the same and certify thereon to the identity of such lists.

SECTION 14. Section 132 of said chapter 54 is hereby amended by striking out the first sentence, as amended by chapter 33 of the acts of 1932, and inserting in place thereof the following three sentences: — The city or town clerk shall within fifteen days after an election of state, city or town officers, certify to the state secretary the total number of voters checked on the voting list at such election in each voting precinct or town; and shall also, in the case of any such election at which absent voting is permitted, certify, in like manner, the total number checked on the lists of absent voters as provided in section ninety-five.

In the case of an election of state officers said clerk shall send a duplicate copy, sealed, to said state secretary, to be by him transmitted to the governor and council. The committee of the council tabulating the returns of votes shall include in their report thereon the number of ballots cast in a district wherein a question is submitted to the voters and a return thereon is made to the state secretary.

Approved May 6, 1963.

Chap. 375. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND SIXTY-THREE, 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 appropriations in chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two.

SECTION 2.

GENERAL FUND.

STATE PURPOSES APPROPRIATIONS.

Legislature.

Sergeant-at-Arms.

Item		
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	$20,000
0103–06	For the salaries of clerks employed in the legislative document room, including not more than three permanent positions . .	8,000

Other Expenses.

0110–85	For the expenses of the special house committee established under the provisions of an order adopted in the house of representatives on February sixth, nineteen hundred and sixty-three, to make an investigation of the Massachusetts state racing commission and other related matters, and to reimburse account number 0102–60 for certain preliminary expenses of said committee paid prior to the passage of this act	$5,000

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

Approved May 8, 1963.

Chap. 376. AN ACT INCREASING AMOUNTS WHICH TRUST COMPANIES MAY RECEIVE AS SAVINGS DEPOSITS.

Be it enacted, etc., as follows:

Chapter 172 of the General Laws is hereby amended by striking out section 51, as appearing in section 1 of chapter 493 of the acts of 1961,

and inserting in place thereof the following section: — *Section 51.* A trust company may receive savings deposits subject to the following limitations: —

1. Deposits from any person for his own account or for the accounts of one or more distinct estates or trusts; but no such account shall be permitted to exceed thirty thousand dollars except by accumulation of interest.

2. Deposits on any joint account, but no such account shall be permitted to exceed thirty thousand dollars except by accumulation of interest. Either party to a joint account also may make deposits for his individual account, but the deposits in his individual account and in all joint accounts to which he is a party shall not at any one time exceed thirty thousand dollars, exclusive of interest accumulated thereon.

Said limitations shall not apply to deposits by a religious, charitable or educational corporation or organization, a labor union, credit union, fraternal benefit society, in the name of a judge of probate, by order of any court, on account of a sinking fund of a town in the commonwealth, or of any trust fund held by a town for public uses, or of the funds of any state, county or municipal retirement or pension system or association, or any funds of a municipality. *Approved May 8, 1963.*

Chap. 377. AN ACT EXTENDING THE TIME FOR THE LICENSING OF CERTAIN MASTER GAS FITTERS OR JOURNEYMEN GAS FITTERS WITHOUT EXAMINATION.

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 623 of the acts of 1962 is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: — 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 September, 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.

SECTION 2. Any license issued under said section three of said chapter six hundred and twenty-three, as amended by section one of this act, to any applicant who applies therefor between the effective date of this act and September first, nineteen hundred and sixty-three, and who otherwise complies with said section three shall be effective forthwith and shall expire on the anniversary of the licensee's date of birth next occurring more than twelve months after the date of issuance.

Approved May 13, 1963.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, May 13, 1963.

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

DEAR MR. SECRETARY: — I, Endicott Peabody, 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 377 of the Acts of 1963 entitled "An Act Extending the Time for the Licensing of Certain Master Gas Fitters or Journeymen Gas Fitters without Examination" and the enactment of which received my approval on May 13, 1963, 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 this act for ninety days would defeat its purpose inasmuch as any person making application for a Master Gas Fitter or Journeyman Gas Fitter under this act would be prevented from making such application until a date in the early part of August. Since it is important that the Board should have an opportunity to accept such applications as soon as possible, it would seem that a sufficient emergency exists that this act become effective at once.

Very truly yours,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, May 13, 1963.

I, Kevin H. White, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at eleven o'clock and forty-five minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter three hundred and seventy-seven of the acts of nineteen hundred and sixty-three.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 378. AN ACT PROVIDING THAT CERTAIN OPTIONS SHALL BE AVAILABLE TO MEMBERS OF THE STATE POLICE UPON RETIREMENT.

Be it enacted, etc., as follows:

Subdivision (1) of section 12 of chapter 32 of the General Laws, as appearing in section 1 of chapter 658 of the acts of 1945, is hereby amended by inserting after the word "ten", in line 4, the words: — or subdivision (3) of section twenty-six, — and by inserting after the word "of", in line 8, the words: — subdivision (2) of, — so that the first two sentences will read as follows: — Any member who is retired for superannuation under the provisions of section five or who applies for a retirement allowance under the provisions of section ten or subdivision (3) of section twenty-six, may elect to have his allowance paid

in accordance with the terms of any one of the three options specified in subdivision (2) of this section. Any member who is retired for disability under the provisions of section six or seven or who is retired under the provisions of subdivision (2) of section twenty-six, may elect to have his allowance paid in accordance with the terms of either option (*a*) or option (*b*) of subdivision (2) of this section.

Approved May 13, 1963.

Chap. 379. AN ACT DESIGNATING THE BRIDGE ON INTERSTATE HIGHWAY ROUTE 495 OVER THE MERRIMACK RIVER IN THE CITY OF LAWRENCE AS THE REVEREND JAMES T. O'REILLY, O.S.A. BRIDGE.

Be it enacted, etc., as follows:

The bridge on interstate highway route 495 over the Merrimack River in the city of Lawrence shall be known and designated as the Reverend James T. O'Reilly, O.S.A. bridge, in honor of the former pastor of St. Mary's church in said city, and a suitable marker stating such fact may be installed at a location acceptable to the department of public works and the federal bureau of public roads.

Approved May 13, 1963.

MDC

Chap. 380. AN ACT 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.

Be it enacted, etc., as follows:

Section 57 of chapter 92 of the General Laws is hereby amended by adding at the end the following paragraph: —

On or before November first of each year the commission shall after due notice to each member city and town of the district hold a public hearing on the subject of proposed improvements or extensions to its park system or on proposals for the construction or establishment of any new facilities. Such notice shall be given not less than ten days prior to the date of the hearing to the city or town manager, if any, of each city or town named in section thirty-three, otherwise, to the mayor or board of selectmen of each such city or town.

Approved May 13, 1963.

Chap. 381. AN ACT PROVIDING THAT PERMITS ISSUED BY THE DIRECTOR OF THE DIVISION OF FISHERIES AND GAME FOR COMMERCIAL SHOOTING PRESERVES SHALL EXPIRE ANNUALLY.

Be it enacted, etc., as follows:

Section 112B of chapter 131 of the General Laws, inserted by chapter 620 of the acts of 1962, is hereby amended by inserting after the first sentence the following sentence: — Such permits shall expire annually on the thirtieth day of June. *Approved May 13, 1963.*

Chap. 382. AN ACT LIMITING THE EFFECTIVE PERIOD OF PERMANENT INJUNCTIONS IN LABOR DISPUTES TO ONE YEAR.

Be it enacted, etc., as follows:

Section 9A of chapter 214 of the General Laws is hereby amended by adding after subsection (6) the following subsection: —

(7) No permanent injunction which may be issued under this section shall be effective for a period exceeding one year from the date of its issuance; provided, however, that after a new hearing and findings of fact as provided in clauses (*a*) to (*e*), inclusive, of subsection (1) and subject to the provisions of subsections (2) to (5), inclusive, it may be renewed.

Approved May 13, 1963.

Chap. 383. AN ACT RELATIVE TO THE ENFORCEMENT OF CERTAIN MARINE FISHERIES LAWS BY POLICE OFFICERS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 130 of the General Laws is hereby amended by inserting after section 8 the following section: —

Section 8A. In a city or town bordering on coastal waters which accepts the provisions of this section, police officers who are employed on a full-time basis shall, for the enforcement of sections thirty-one, thirty-seven, forty-one, forty-three and forty-four, have the authority granted to coastal wardens, subject to written rules and regulations of the commissioner.

SECTION 2. Section 15 of said chapter 130 is hereby repealed.

Approved May 13, 1963.

Chap. 384. AN ACT DESIGNATING THE BRIDGE UNDER CONSTRUCTION OVER THE ACUSHNET RIVER BETWEEN THE TOWN OF FAIRHAVEN AND THE CITY OF NEW BEDFORD AS THE SENATOR ARTHUR J. MULLEN BRIDGE.

Be it enacted, etc., as follows:

Chapter 744 of the acts of 1962 is hereby amended by adding at the end the following two sentences: — Said bridge shall, when constructed, be designated and known as the Senator Arthur J. Mullen Bridge, in memory of Arthur J. Mullen, who died while serving as the senator to the general court from the third Bristol district. A suitable marker bearing such designation shall be attached thereto by said department.

Approved May 13, 1963.

Chap. 385. AN ACT AUTHORIZING THE CITY OF SOMERVILLE TO REVOKE ITS ACCEPTANCE OF THE VISUAL TAG LAW, SO CALLED.

Be it enacted, etc., as follows:

The city of Somerville is hereby authorized to revoke its acceptance of section twenty C of chapter ninety of the General Laws. If said city revokes said acceptance the provisions of said section twenty C shall not apply therein. Nothing herein contained shall prevent said city from again accepting the provisions of said section twenty C of said chapter ninety after the revocation of its acceptance thereof.

Approved May 13, 1963.

Chap. 386. AN ACT RELATIVE TO THE REGULATION OF TAXICABS WITHIN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

In the city of Boston, no person driving or having charge of a taxicab shall solicit the carriage of a passenger or passengers for hire unless said person is licensed as a hackney carriage driver, and said taxicab is licensed as a hackney carriage, by the police commissioner of said city. This act shall not be construed as prohibiting the driver of a taxicab licensed as such outside of said city from accepting a passenger or passengers for hire within said city if summoned by telephone or radio for the purpose. Whoever violates the provisions of this act shall be punished by a fine of not more than fifty dollars.

Approved May 13, 1963.

Chap. 387. AN ACT PROVIDING FOR THE APPOINTMENT OF A SECOND ASSISTANT REGISTER OF PROBATE FOR THE COUNTY OF PLYMOUTH.

Be it enacted, etc., as follows:

Chapter 217 of the General Laws is hereby amended by striking out section 24, as amended by section 1 of chapter 464 of the acts of 1943, and inserting in place thereof the following section: — *Section 24.* The judges of probate for the counties of Bristol, Essex, Norfolk, Hampden, Middlesex, Plymouth, Suffolk and Worcester may appoint a second assistant register for their respective counties, who shall hold office for three years unless sooner removed by the judge. They shall be subject to the laws relative to assistant registers. *Approved May 13, 1963.*

Chap. 388. AN ACT DESIGNATING A CERTAIN BRIDGE OVER THE AMVETS MEMORIAL HIGHWAY IN THE CITY OF TAUNTON AS THE JAMES V. DUFFY BRIDGE.

Be it enacted, etc., as follows:

The bridge over the AMVETS Memorial Highway, known as the Hart Street bridge, in the East Taunton district of the city of Taunton shall be designated and known as the James V. Duffy Bridge, in memory of James V. Duffy who died while serving as the representative to the general court from the fourth Bristol district. A suitable marker bearing said designation shall be attached thereto by the department of public works. *Approved May 13, 1963.*

Chap. 389. AN ACT PROVIDING FOR PAYMENT FOR CERTAIN MEDICAL AND HOSPITAL CARE FURNISHED TO PERSONS ELIGIBLE FOR DISABILITY ASSISTANCE.

Be it enacted, etc., as follows:

Section 2 of chapter 118D of the General Laws is hereby amended by striking out the third sentence as appearing in section 2 of chapter 741 of the acts of 1951 and inserting in place thereof the following sentence: — Upon receipt of such application, the board of public welfare

shall make full inquiry concerning the eligibility of the applicant and his need for assistance and his resources and income, if any, and in the event that such person is found to be eligible for such assistance, such assistance shall be furnished promptly retroactively to the date of application, and if any applicant required medical care or hospitalization, including nursing home care, payment therefor shall be made, subject to the rules of the department and the rules and regulations of the Secretary of Health, Education and Welfare, for a reasonable period, not to exceed thirty days, prior to the date of application on account of medical and hospital services actually rendered. *Approved May 13, 1963.*

Chap. 390. AN ACT PROVIDING FOR THE ENFORCEMENT OF THE LAW RELATIVE TO MINIMUM HOUSING STANDARDS IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE STATE SANITARY CODE.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 111 of the General Laws is hereby amended by striking out the paragraph inserted by section 1 of chapter 172 of the acts of 1960 and inserting in place thereof the following two paragraphs: —

Said code may provide for the demolition, removal, repair or cleaning by local boards of health of any structure which so fails to comply with the standards of fitness for human habitation or other regulations in said code as to endanger or materially impair the health or well-being of the public. Upon a determination by the board of health, after examination as provided in said code, that a building, tenement, room, cellar, mobile dwelling place or any other structure (*a*) is unfit for human habitation, (*b*) is or may become a nuisance, or (*c*) is or may be a cause of sickness or home accident to the occupants or to the public, it may issue a written order to the owner or occupant or any of them thereof, requiring the owner or occupant to vacate, to put the premises in a clean condition, or to comply with the regulations set forth in said code which are not being complied with or to comply with the rules and regulations adopted by the board of health as being necessary for the particular locality. The order shall be served in the same manner as is provided for the service of an order by section one hundred and twenty-four. A copy of such order shall be served upon any mortgagee of record by sending the same by registered mail, return receipt requested. If the owner or occupant refuses to comply with such order, the board of health may cause the premises to be properly cleaned at the expense of the owner or occupant, remove the occupant forcibly and close up the premises, or it may issue a written notice to the owner of such building, as appearing in the current records of the assessors of such town, setting forth the particulars of such unfitness and requiring that the conditions be remedied. If the person so notified fails within a reasonable time to remedy the conditions thus set forth, the superior court on a petition in equity brought by the board of health, shall have jurisdiction, by injunction or otherwise, to enforce the requirements of the board of health. A copy of such written notice shall be served upon any mortgagee of record, by sending the same by registered mail, return receipt requested. Premises closed up under the provisions of this sec-

tion shall not be occupied as a human habitation without written permission of the board of health. If within one year from the date the premises have been so closed up compliance with the regulations contained in said code has not been effected, the board of health may cause such structure to be demolished or removed, and a claim for the expense so incurred by said board shall constitute a debt due the city or town upon the completion of the work and the rendering of an account therefor to the owner of such structure, and shall be recoverable from such owner in an action of contract.

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

SECTION 2. Sections one hundred and twenty-eight B to one hundred and twenty-eight F, inclusive, of chapter one hundred and eleven of the General Laws are hereby repealed. *Approved May 13, 1963.*

Chap. 391. AN ACT DESIGNATING A CERTAIN BRIDGE ON ROUTE 140 IN THE CITY OF TAUNTON AS THE FRANCIS X. CASEY BRIDGE.

Be it enacted, etc., as follows:

The bridge on state highway Route 140 in the East Taunton district of the city of Taunton, known as the Steven Street bridge, shall be designated and known as the Francis X. Casey bridge, in memory of Francis X. Casey, who died while serving as the representative to the general court from the third Bristol district. A suitable marker bearing said designation shall be attached thereto by the department of public works. *Approved May 13, 1963.*

Chap. 392. AN ACT RELATIVE TO THE MAXIMUM PARTICIPATION PERMISSIBLE IN THE INVESTMENT IN COMMON TRUST FUNDS.

Be it enacted, etc., as follows:

Chapter 203A of the General Laws is hereby amended by striking out section 7, as most recently amended by chapter 63 of the acts of 1955,

and inserting in place thereof the following section: — *Section 7.* No participation in a common trust fund shall be acquired by any trustee, guardian or conservator while any investment therein is such as would then not be a proper investment for a trustee or then not be readily marketable, or such as would result in any such trustee, guardian or conservator having participations in common trust funds of a total value in excess of five hundred thousand dollars as computed in accordance with the provisions of section six, or as would result in an inter vivos trust created after the date of said declaration of trust having a participation in common trust funds of a total value of less than five hundred dollars. *Approved May 14, 1963.*

Chap. 393. AN ACT DIRECTING THE SECRETARY OF THE COMMONWEALTH TO MAKE TRANSPARENCIES OF ORIGINAL FUERTES PAINTINGS OF THE "BIRDS OF MASSACHUSETTS".

Be it enacted, etc., as follows:

The secretary of the commonwealth is hereby authorized and directed to make two sets of eight inch by ten inch colored transparencies of the eighty-four original Fuertes paintings of the "Birds of Massachusetts". For the purposes of this act, said secretary may expend such sums as may be appropriated therefor. *Approved May 14, 1963.*

Chap. 394. AN ACT ESTABLISHING A WORK PROGRAM FOR CERTAIN PATIENTS AT THE BELCHERTOWN, WALTER E. FERNALD, PAUL A. DEVER AND WRENTHAM STATE SCHOOLS AND AUTHORIZING PAYMENT FOR WORK PERFORMED UNDER SAID PROGRAM.

Be it enacted, etc., as follows:

Chapter 123 of the General Laws is hereby amended by striking out section 39D, inserted by chapter 475 of the acts of 1960, and inserting in place thereof the following section: — *Section 39D.* The commissioner may establish a program at the Monson state hospital and the Belchertown, Walter E. Fernald, Paul A. Dever and Wrentham state schools whereby patients therein whose recovery would be assisted by performing certain work in or about said hospital or said schools, respectively, shall be assigned to such work. Patients so assigned shall be known as patient-trainees. The commissioner shall make such rules and regulations as may be necessary to carry out said program. The superintendent of each of said institutions shall determine the patients eligible to participate in said program. The commissioner may direct the superintendents to pay each patient-trainee the sum of one dollar per day for work performed by him under said program. Any money so earned by a patient-trainee shall be credited weekly to his spending account. *Approved May 14, 1963.*

Chap. 395. AN ACT PROVIDING THAT THE ASSISTANT ADJUTANT GENERAL WHO IS DESIGNATED EXECUTIVE OFFICER OF THE MILITARY DIVISION SHALL HOLD THE GRADE OF BRIGADIER GENERAL.

Be it enacted, etc., as follows:

Section 15 of chapter 33 of the General Laws is hereby amended by striking out subsection (*j*), as appearing in section 1 of chapter 590 of the acts of 1954, and inserting in place thereof the following subsection: —

(*j*) Except when ordered on duty under sections thirty-eight, forty, forty-one, forty-two or sixty of this chapter, the officers of the state staff shall respectively receive the following salaries: — the assistant adjutants general, the same pay as an officer of the regular service of corresponding grade with corresponding length of service but not exceeding that of colonel; provided, however, that the assistant adjutant general who is designated executive officer shall hold the grade of brigadier general and shall receive the same pay as an officer of the regular service of corresponding grade with corresponding length of service, but not exceeding that of brigadier general; the state quartermaster, the same pay as an officer of the regular service of corresponding grade with corresponding length of service but not exceeding that of colonel; the state surgeon, twenty-five hundred dollars; provided, however, that for services rendered to the commissioner of veterans' services in cases of state or military aid and soldiers' relief he may receive such additional compensation, not exceeding twelve hundred dollars per annum, as said commissioner shall approve; the state judge advocate, twenty-five hundred dollars; the state property officer, one thousand dollars; the state engineer officer, twenty-five hundred dollars; the state inspector and the state ordnance officer, fifteen hundred dollars each.

Approved May 15, 1963.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, May 16, 1963.

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

DEAR MR. SECRETARY: — I, Endicott Peabody, 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 395 of the Acts of 1963 entitled "An Act Providing that the Assistant Adjutant General who is Designated Executive Officer of the Military Division shall hold the Grade of Brigadier General" and the enactment of which received my approval on May 15, 1963, 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 the Secretary of the Air Force states that the incumbent in the office of Assistant Adjutant General of the Com-

monwealth has qualified for the appointment in the grade of Brigadier General and the Secretary has issued a certificate of eligibility, which certificate will be valid until June 2, 1963, which situation seems to me to be a sufficient emergency so that this act should become effective immediately.

Very truly yours,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, May 16, 1963.

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 three hundred and ninety-five of the acts of nineteen hundred and sixty-three.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 396. AN ACT PERMITTING TEMPORARY TRANSFERS AND PROVISIONAL PROMOTIONS OF PERSONS APPOINTED TO PERMANENT POSITIONS UNDER CERTAIN CONDITIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to permit forthwith provisional promotions and temporary transfers of permanent employees pending examination, 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 striking out the paragraph inserted by chapter 236 of the acts of 1962 and inserting in place thereof the following paragraph: —

No provisional appointment or temporary transfer shall be approved or continued as long as the name of an eligible person remains on a list established as a result of examination for the office or position for which requisition is made and such eligible person is willing to accept such appointment or promotion, unless the appointing authority submits in writing to the director sound and sufficient reasons, as determined by the director, for not appointing said person; provided, however, that where the list has been established as the result of an examination open to all eligible persons, and the appointing authority requests that the office or position be filled by a competitive promotional or a qualifying examination, as provided in paragraphs A and B, a provisional promotion or a temporary transfer of a person from within his department may be authorized in accordance with the provisions of this chapter. Nothing herein contained shall affect the rights of disabled veterans as provided in section twenty-three. *Approved May 15, 1963*

Chap. 397. AN ACT RELATIVE TO THE ESTABLISHMENT OF A TEMPORARY RATE TO BE PAID BY THE COMMONWEALTH OR ITS POLITICAL SUBDIVISIONS FOR REST HOME CARE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize and direct the director of hospital costs and finances to establish immediately a certain temporary rate for rest homes, 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 director of hospital costs and finances shall establish a temporary rate of four dollars and twenty-five cents per diem for rest homes which shall continue until a rate is established under the provisions of section thirty L of chapter seven of the General Laws, as amended by section one of chapter five hundred and forty-five of the acts of nineteen hundred and sixty-one.

SECTION 2. Section two of chapter five hundred and forty-five of the acts of nineteen hundred and sixty-one is hereby repealed.

Approved May 15, 1963.

Chap. 398. AN ACT GRANTING THE CONSENT OF THE COMMONWEALTH TO A PETITION BY VIOLA CARROLL.

Be it enacted, etc., as follows:

Viola Carroll of Malden may, within six months after the effective date of this act, bring a petition against the commonwealth under the provisions of chapter two hundred and fifty-eight of the General Laws for damages for injuries alleged to have been sustained by her on or about April seventh, nineteen hundred and sixty-two, on a sidewalk under the control of the metropolitan district commission on Highland avenue in the city of Malden. If such injuries were sustained by reason of a defect or want of repair in or upon such sidewalk, and such injuries might have been prevented, or such defect or want of repair might have been remedied by reasonable care and diligence on the part of the commonwealth, the court shall, if the commonwealth had or, by the exercise of proper care and diligence, might have had reasonable notice of the defect or want of repair, and if the conduct of said Carroll 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 May 15, 1963.*

Chap. 399. AN ACT TO AUTHORIZE THE MODERATOR OF THE TOWN OF WEYMOUTH TO APPOINT THREE MEMBERS OF THE BOARD OF TRUSTEES OF THE SOUTH SHORE HOSPITAL UNDER CERTAIN CIRCUMSTANCES.

Be it enacted, etc., as follows:

SECTION 1. The board of trustees of the South Shore Hospital, a corporation organized under the General Laws, hereinafter called the board, shall include, in addition to such persons as shall be or become members of the board in accordance with the by-laws of said hospital, as

said by-laws now are or may hereafter be in effect, three persons appointed by the moderator of the town of Weymouth in the manner hereinafter provided, to wit: said moderator shall, on the first day of the month next following the effective date of this act, appoint one member for a term expiring on the date of the next following annual meeting of said hospital, one member for a term expiring on the date of the second following annual meeting of said hospital, and one member for a term expiring on the date of the third following annual meeting of said hospital, and shall thereafter, on the date of each annual meeting of said hospital, appoint one member for a term of three years or until his successor is appointed and qualified. Any vacancy in the board caused by the death, resignation, or any other reason of a member appointed by said moderator shall be filled by the moderator, who shall appoint a person to the board for the remainder of the unexpired term of such member.

SECTION 2. This act shall take effect upon (*a*) its acceptance by vote of a majority of the stockholders of the South Shore Hospital present and voting thereon at a meeting legally called for that purpose, and (*b*) the transfer (pursuant to the entry of a final decree or other order by a court of competent jurisdiction) by the town of Weymouth, acting by and through the Laban Pratt Hospital, a corporation established by chapter two hundred and forty-six of the acts of nineteen hundred and forty-six and thereby constituted the agent of said town, or otherwise, to said South Shore Hospital of all or substantially all of the funds and other property comprised in and derived from the bequest to said town of Weymouth under the will and codicil of Laban Pratt.

Approved May 15, 1963.

Chap. 400. AN ACT AUTHORIZING THE SOLDIERS' HOME IN MASSACHUSETTS TO PROVIDE FOR TRAINING GRANTS FOR FELLOWS IN MEDICINE, SURGERY AND UROLOGY.

Be it enacted, etc., as follows:

Chapter 115A of the General Laws is hereby amended by adding after section 9 the following section: —

Section 10. The commandant of the Soldiers' Home in Massachusetts may establish a program for the training of residents in medicine, surgery, urology and such other specialties and sub-specialties of medicine as he may deem advisable. The persons undergoing such training shall be designated as fellows and shall be eligible for training grants from the commonwealth, which grants shall be exempted from the provisions of chapter sixty-two. Recipients of said grants shall not be subject to the provisions of chapter thirty-one and shall not be deemed to be employees of the commonwealth. Approval of said 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 May 15, 1963.

Chap. 401. AN ACT INCREASING THE AMOUNT OF THE DEATH BENEFIT PAYABLE UNDER THE STATE-BOSTON RETIREMENT SYSTEM TO THE WIDOW OF JAMES H. SEXTON WHO DIED OF INJURIES SUSTAINED IN LINE OF DUTY AS A FIRE FIGHTER 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 James H. Sexton, who died on December seventh, nineteen hundred and sixty-two as a result of injuries sustained on said date while in the performance of his duty as a fire fighter 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 fire fighter at the time of his death.

SECTION 2. This act shall take effect upon its acceptance by the city of Boston. *Approved May 15, 1963.*

Chap. 402. AN ACT GRANTING THE CONSENT OF THE COMMONWEALTH TO A PETITION BY HAZEL G. DONAHUE.

Be it enacted, etc., as follows:

Hazel G. Donahue of Hull 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 June thirtieth, nineteen hundred and sixty-two, on a sidewalk under the control of the metropolitan district commission on Nantasket avenue in the town of Hull. 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 Donahue 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 May 15, 1963.*

Chap. 403. AN ACT REQUIRING THE BOSTON AND MAINE RAILROAD TO CONSTRUCT AND MAINTAIN A GRADE CROSSING WITH MANUALLY OPERATED OR AUTOMATIC GATES AT WESTERN AVENUE IN THE CITY OF LOWELL.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of protecting the general public and for purposes of fire protection, the Boston and Maine Railroad shall construct and maintain a grade crossing, with manually operated or automatic gates, at the point where its tracks cross Western Avenue in the city of Lowell.

SECTION 2. Chapter four hundred and seventy-two of the acts of nineteen hundred and sixty-one is hereby repealed.

Approved May 15, 1963.

Chap. 404. AN ACT AUTHORIZING WILLIAM C. SAMKO TO REGISTER AS A PHYSICAL THERAPIST.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, William C. Samko of Worcester is hereby authorized to apply for registration as a physical therapist and the board of registration in medicine is hereby directed to register him under the provisions of section two of chapter five hundred and eighty-five of the acts of nineteen hundred and fifty-eight, notwithstanding the limitation as to time contained in said section. *Approved May 15, 1963.*

Chap. 405. AN ACT RELATIVE TO THE RATE OF INTEREST TO BE CHARGED FOR FAILING TO WITHHOLD TAXES FROM WAGES AND PAY OVER THE SAME, AND TO THE ENFORCEMENT OF LIENS ON PROPERTY OF AN EMPLOYER FOR SUCH FAILURE.

Be it enacted, etc., as follows:

Section 6 of chapter 62B of the General Laws, as appearing in section 1 of chapter 17 of the acts of 1959, is hereby amended by striking out the last sentence and inserting in place thereof the following five sentences: — Assessments remaining unpaid after the date upon which the same are required to be paid shall bear interest at the rate of one per cent per month, not to exceed six per cent in the aggregate, which shall be added to and become a part of the tax assessed. A lien established under this section shall terminate not later than three years from the date on which the return which was to accompany the payment of the withheld taxes was required to be filed, and until such termination may be enforced under and in accordance with the provisions of chapter two hundred and fifty-four in the case of real property, and the provisions of chapter two hundred and fifty-five in the case of personal property. Said lien may be recorded with the appropriate register of deeds, or city or town clerk, as the case may be, and said register, or city or town clerk, shall receive the same without fee. The commission may waive such lien and any or all of the other requirements of this section. Such waiver shall be in writing and shall constitute final and conclusive evidence that said lien has not arisen or has terminated. *Approved May 15, 1963.*

Chap. 406. AN ACT AUTHORIZING THE REIMBURSEMENT OF MEMBERS OF STATE AND LOCAL UNIVERSITY EXTENSION ADVISORY COUNCILS FOR EXPENSES INCURRED IN ATTENDING MEETINGS.

Be it enacted, etc., as follows:

Section 6 of chapter 15 of the General Laws, as amended by section 6 of chapter 652 of the acts of 1947, is hereby further amended by adding at the end the following sentence: — Members of such councils shall serve without compensation, but shall be reimbursed for their actual necessary expenses in attending meetings. *Approved May 15, 1963.*

Chap. 407. AN ACT RELATING TO WITNESSES' FEES BEFORE THE DIVISION OF INDUSTRIAL ACCIDENTS.

Be it enacted, etc., as follows:

The first paragraph of section 5 of chapter 152 of the General Laws is hereby amended by striking out the sixth sentence, as amended by section 6 of chapter 314 of the acts of 1953, and inserting in place thereof the following sentence: — The fee for attending as a witness before the division, or a member of the division, shall be three dollars a day, and five cents a mile for travel out and home; provided, that if the witness has a usual place of business or employment in the city or town where the hearing is held, travel shall be reckoned out and to such place of business or employment, and not out and home.

Approved May 15, 1963.

Chap. 408. AN ACT RELATIVE TO THE COMPOSITION OF THE ACTIVE MILITIA OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 33 of the General Laws is hereby amended by striking out section 4, as appearing in section 1 of chapter 590 of the acts of 1954, and inserting in place thereof the following section: — *Section 4.* The active or organized militia shall be composed of volunteers, and shall comprise the aides-de-camp of the Commander-in-chief, the state staff, the armed forces of the commonwealth as defined in section ten, the retired list, persons employed as air defense technicians on the on-site missile program, and a special quartermaster detachment of enlisted personnel duly appointed as armorers in the various armories or air installations of the commonwealth.

The organized militia shall constitute the military division of the executive branch of the commonwealth. *Approved May 15, 1963.*

Chap. 409. AN ACT FURTHER REGULATING THE NUMBER OF REAR LIGHTS AND STOP LIGHTS REQUIRED ON MOTOR VEHICLES AND TRAILERS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to immediately provide for the exemption of certain vehicles from the operation of the law requiring two stop lights, 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:

SECTION 1. The first paragraph of section 7 of chapter 90 of the General Laws is hereby amended by striking out the seventh and eighth sentences, as appearing in section 1 of chapter 709 of the acts of 1962, and inserting in place thereof the following sentence: — Every motor vehicle and trailer so operated shall be equipped with two rear lights mounted one at each side of the rear of the vehicle so as to show two red lights from behind and a white light so arranged as to illuminate and not obscure the rear number plate and shall be equipped with two stop lights mounted and displayed in a like manner of a type complying with minimum standards for construction and performance as the registrar may prescribe; provided, however, that a two-wheeled motorcycle, an an-

tique motor car and a farm tractor need be equipped with only one such rear red light and one suitable stop light in addition to the number plate illuminator; and provided, further, that a trailer having a gross weight of three thousand pounds or less which does not obscure the required lights of the towing vehicle need be equipped with only one such rear red light and one white light so arranged as to illuminate and not obscure the rear number plate.

SECTION 2. Notwithstanding the provisions of section seven of chapter ninety of the General Laws, amended by section one of this act, any motor vehicle which is equipped with only one stop light on the effective date hereof, and which is required by said section seven to be equipped with two stop lights, may be operated in or upon any way until May fifteenth, nineteen hundred and sixty-four without the additional stop light required by said section seven. *Approved May 16, 1963.*

Chap. 410. AN ACT PROHIBITING THE EXPANSION OF THE LOGAN AIRPORT OR THE CONSTRUCTION OF HANGARS IN A WESTERLY DIRECTION THEREFROM.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to protect the public interest by preventing the expansion of the Logan Airport in a westerly direction or the construction of hangars in such direction, 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 Massachusetts Port Authority, created by section two of chapter four hundred and sixty-five of the acts of nineteen hundred and fifty-six, shall not, except for the purpose of protecting the aerial approaches to runways in accordance with applicable federal standards, meeting runway clear zone requirements of the federal government, providing for the installation of navigational and landing aids required by the federal government, or meeting other air safety requirements of the federal government, acquire by the exercise of the power of eminent domain for airport purposes any land above mean high water in the East Boston district of the city of Boston westerly of the present property line of the General Edward Lawrence Logan International Airport, nor shall said Authority build, cause to be built nor allow to be built any hangar, or allow the operation of any aircraft, on land owned by it and lying southwesterly of Porter street and westerly of the existing airport service road running between Porter street and Maverick street.

Approved May 16, 1963.

Chap. 411. AN ACT EXTENDING THE TIME WITHIN WHICH THE TOWN OF MILFORD MAY BORROW MONEY FOR THE DREDGING AND IMPROVEMENT OF CERTAIN WATERWAYS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 164 of the acts of 1959 is hereby amended by striking out, in line 6, the word "three" and inserting in place thereof the word: — six.

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

Approved May 20, 1963.

Chap. 412. AN ACT PROVIDING THAT EMPLOYEES OF CITIES AND TOWNS WHO ARE DELEGATES TO A STATE OR NATIONAL CONVENTION OF CERTAIN VETERANS' ORGANIZATIONS MAY ATTEND SUCH CONVENTION WITHOUT LOSS OF PAY OR VACATION LEAVE.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by inserting after section 111 I the following section: —

Section 111J. Any employee of a city or town who is a delegate or alternate to a state or national convention of a veterans' organization chartered by the congress of the United States may, when authorized by the board or officer having the power to remove him, attend such convention without loss of pay or vacation leave.

Approved May 20, 1963.

Chap. 413. AN ACT INCREASING THE COMPENSATION GRADES OF COURT OFFICERS IN THE DISTRICT COURTS IN SUFFOLK COUNTY OTHER THAN IN THE MUNICIPAL COURT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any other provision of law, the compensation grade under the classification and compensation plan for the officers and employees of Suffolk county for the court officers in the district courts in Suffolk county, other than the municipal court of the city of Boston, shall be as follows: — the municipal court of the Roxbury district, grade 25; and each of said other district courts, grade 24. The compensation grade under said plan for the chief court officer in the municipal court of the Roxbury district and in the municipal court of the Dorchester district shall be grade 27.

SECTION 2. This act shall take effect upon its acceptance by the city of Boston. *Approved May 20, 1963.*

Chap. 414. AN ACT PERMITTING COMMUNITY COLLEGES TO CONDUCT EVENING CLASSES.

Be it enacted, etc., as follows:

The last paragraph of section 27 of chapter 15 of the General Laws, added by chapter 559 of the acts of 1962, is hereby amended by adding at the end the following sentence: — Each regional community college may conduct evening classes, provided that such classes are operated at no expense to the commonwealth. *Approved May 20, 1963.*

Chap. 415. AN ACT PROVIDING THAT A DECREE FOR ALIMONY ORDERING A CONVEYANCE OF REAL PROPERTY SHALL, UNDER CERTAIN CIRCUMSTANCES, CONSTITUTE A CONVEYANCE.

Be it enacted, etc., as follows:

Chapter 208 of the General Laws is hereby amended by inserting after section 34 the following section: —

Section 34A. Whenever a decree for alimony shall be made in a proceeding for divorce directing that a deed, conveyance or release of any

real estate or interest therein shall be made such decree shall create an equitable right to its enforcement, subject to the provisions for recording of notice in section fifteen of chapter one hundred and eighty-four, in the party entitled thereto by the decree, and if the decree has not been complied with at the time the decree of divorce becomes absolute and is thereafter recorded in the manner provided by section forty-four of chapter one hundred and eighty-three, then the decree itself shall operate to vest title to the real estate or interest therein in the party entitled thereto by the decree as fully and completely as if such deed, conveyance or release had been duly executed by the party directed to make it. *Approved May 20, 1963.*

Chap. 416. AN ACT INCREASING THE AMOUNT OF SHARES AND DEPOSITS THAT MEMBERS OF CERTAIN CREDIT UNIONS MAY HOLD IN INDIVIDUAL OR JOINT ACCOUNTS.

Be it enacted, etc., as follows:

Section 10 of chapter 171 of the General Laws is hereby amended by striking out the fourth and fifth sentences and inserting in place thereof the following two sentences: — Every member of a credit union shall hold one share, and may hold shares or make deposits, or both, therein in his own name or jointly with another member to an amount not exceeding four thousand dollars and if he has no other account he may jointly with another member hold shares or make deposits, or both, to an amount not exceeding eight thousand dollars, exclusive of club deposits; provided, however, that if he is a member of a credit union having assets of five hundred thousand dollars or more he may hold shares or make deposits, or both, therein in his own name or jointly with another member to an amount not exceeding six thousand dollars and if he has no other account he may jointly with another member hold shares or make deposits, or both, to an amount not exceeding twelve thousand dollars, exclusive of club deposits. A fraternal organization, voluntary association, partnership or corporation eligible for membership under the provisions of section five may purchase shares or have on deposit an amount equal to that permitted to individual members as provided for herein. *Approved May 20, 1963.*

Chap. 417. AN ACT PROVIDING ADDITIONAL REMEDIES FOR THE COLLECTION OF UNPAID INHERITANCE TAXES.

Be it enacted, etc., as follows:

Chapter 65 of the General Laws is hereby amended by striking out section 33, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 33.* The commissioner shall have for the collection of taxes imposed by this chapter and by corresponding provisions of earlier laws all the remedies provided by chapter sixty for the collection of taxes on personal estate by collectors of taxes of towns, except that any warrant for the collection of a tax imposed under this chapter may be issued to any sheriff, deputy sheriff or constable and he shall have authority to proceed thereunder anywhere in the commonwealth. The officer to whom a warrant for the

collection of such a tax is given shall collect said tax and interest thereon at the rate of six per cent per annum from the time when such tax became due and may collect and receive for his fees the sum which an officer would be entitled by law to receive upon an execution for a like amount. Any action of contract brought to recover any such tax shall be brought in the name of the commonwealth. *Approved May 20, 1963.*

Chap. 418. AN ACT RELATIVE TO TESTAMENTARY ADDITIONS TO TRUSTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 203 of the General Laws is hereby amended by inserting after section 3A the following section: —

Section 3B. A devise or bequest, the validity of which is determinable by the laws of the commonwealth, may be made to the trustee or trustees of a trust established or to be established by the testator or by the testator and some other person or persons or by some other person or persons, including a funded or unfunded life insurance trust, although the trustor has reserved any or all rights of ownership of the insurance contracts, if the trust is identified in the will and the terms of the trust are set forth in a written instrument executed before or concurrently with the execution of the testator's will or set forth in the valid will of a person who has predeceased the testator, regardless of the existence, size or character of the corpus of the trust. The devise or bequest shall not be invalid because the trust is amendable or revocable, or both, or because the trust was amended after the execution of the will or after the death of the testator. Unless the will provides otherwise, the property so devised or bequeathed (*a*) shall not be deemed to be held under a testamentary trust of the testator, but shall become a part of the trust to which it is given and (*b*) shall be administered and disposed of in accordance with the provisions of the instrument or will setting forth the terms of the trust, including any amendments thereto made before or after the death of the testator. A revocation or termination of the trust before the death of the testator shall cause the devise or bequest to lapse.

SECTION 2. This act shall take effect on December first, nineteen hundred and sixty-three, and shall have no effect, express or implied, upon any devise or bequest made by a testator who dies prior to said effective date. *Approved May 20, 1963.*

Chap. 419. AN ACT DESIGNATING A CERTAIN STATE HIGHWAY IN THE CITY OF LOWELL AS THE AMERICAN LEGION CONNECTOR HIGHWAY.

Be it enacted, etc., as follows:

The state highway in the city of Lowell presently known as the Lowel Connector, running from state highway route 3 to Gorham street, shal be designated and known as the American Legion Connector Highway. The department of public works shall erect suitable markers bearing said designation along said highway. *Approved May 20, 1963.*

Chap. 420. AN ACT MAKING PROVISIONS FOR REPORTS BY VOLUNTARY ASSOCIATIONS AND OTHER TRUSTS TO THE STATE SECRETARY.

Be it enacted, etc., as follows:

SECTION 1. Section 12 of chapter 182 of the General Laws, as appearing in section 2 of chapter 254 of the acts of 1954, is hereby amended by striking out, in line 2, the words "tax commission" and inserting in place thereof the word: — secretary.

SECTION 2. Said chapter 182 is hereby amended by striking out section 13, as so appearing, and inserting in place thereof the following section: — *Section 13.* The state secretary shall examine such report, and if he finds that it conforms to the requirements of this chapter, he shall endorse his approval thereon, and upon the payment of a fee of ten dollars shall cause this report to be filed in his office in book form for convenient reference, and open to public inspection.

SECTION 3. Section 14 of said chapter 182, as so appearing, is hereby amended by striking out, in line 2, the word "commissioner" and inserting in place thereof the words: — state secretary, and by striking out, in line 12, the words "tax commission" and inserting in place thereof the word: — secretary. *Approved May 20, 1963.*

Chap. 421. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW RELATIVE TO THE REGISTRATION OF CERTAIN MOTOR VEHICLES.

Be it enacted, etc., as follows:

Section 33 of chapter 90 of the General Laws is hereby amended by striking out the fourth paragraph, as appearing in section 1 of chapter 571 of the acts of 1959, and inserting in place thereof the following paragraph: —

For the registration of every motor vehicle and trailer owned by any political subdivision of the commonwealth, and used solely for official business, not exempt from the payment of fees as hereinbefore provided, three dollars. *Approved May 20, 1963.*

Chap. 422. AN ACT PROVIDING FOR AN ADDITIONAL JUSTICE AND AN ADDITIONAL SPECIAL JUSTICE IN THE FIRST DISTRICT COURT OF EASTERN MIDDLESEX.

Be it enacted, etc., as follows:

Section 6 of chapter 218 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 1 of chapter 738 of the acts of 1956, and inserting in place thereof the following sentence: — Each district court other than the municipal court of the city of Boston shall have one justice, except that the central district court of Worcester, district court of Springfield, municipal court of the Roxbury district, the first district court of eastern Middlesex and the third district court of eastern Middlesex shall have two justices each.

Approved May 20, 1963.

Chap. 423. AN ACT AUTHORIZING THE CITY OF BOSTON TO INDEMNIFY RETIRED FIRE LIEUTENANT JAMES F. FLAHIVE FOR CERTAIN EXPENSES.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of promoting the public good, upon requisition of the fire commissioner of the city of Boston, the collector-treasurer of said city, shall, without further authority than such requisition, out of an appropriation for the purposes of clause (32) of section five of chapter forty of the General Laws, indemnify to an amount not exceeding, in the aggregate, thirty-five hundred dollars in any calendar year, retired fire lieutenant James F. Flahive for reasonable hospital, medical, surgical, nursing, pharmaceutical, prosthetic and related expenses incurred by him or in his behalf within the commonwealth after the effective date of this act as the natural and proximate result of the disability for which he was pensioned under the provisions of chapter two hundred and ninety-three of the acts of nineteen hundred and forty-nine.

SECTION 2. This act shall take effect upon its acceptance by the city of Boston. *Approved May 20, 1963.*

Chap. 424. AN ACT AUTHORIZING THE CITY OF SOMERVILLE TO USE FOR SCHOOL PURPOSES CERTAIN LAND IN SAID CITY NOW HELD FOR PLAYGROUND AND PARK PURPOSES.

Be it enacted, etc., as follows:

The city of Somerville is hereby authorized to use for school purposes certain land in said city now held by it for playground and park purposes, consisting of approximately eighty-eight thousand nine hundred forty-three square feet, more or less, being shown on a plan drawn by E. W. Bailey, City Engineer, dated June 12, 1924, and recorded with the Middlesex County Registry of Deeds (South District) in Book 340, Plan 1, July 22, 1924, and bounded and described as follows: —

Northwesterly by Cherry Street, two hundred eighty-one and 4/10 feet; northeasterly by Sartwell Avenue, two hundred thirty-eight feet; southeasterly by land now or formerly of O'Connell, sixty-one and 3/10 feet; southwesterly by said land now or formerly of O'Connell, forty-five feet; southeasterly again by said land now or formerly of O'Connell, forty-one and 2/10 feet; northeasterly by said land now or formerly of O'Connell and land now or formerly of Taylor and land now or formerly of Vignali, one hundred fifty-nine and 8/10 feet; southeasterly by land now or formerly of Wade and land now or formerly of Carbone, eighty-one and 9/10 feet; southwesterly by Wade Court, forty-one and 1/10 feet; southeasterly by Wade Court and by land now or formerly of Raffi and land now or formerly of Rush, sixty-eight and 2/10 feet; southwesterly by land now or formerly of Barnes, fifty-seven feet; southeasterly by said land now or formerly of Barnes, seventy-four and 3/10 feet; southwesterly by land now or formerly of McNamara and land now or formerly of Carrigan, eighty-three and 4/10 feet; southeasterly by land now or formerly of McNamara, seventy-five feet; southwesterly by Elm Street, one hundred sixty-two and 8/10 feet.

Approved May 20, 1963.

Chap. 425. AN ACT AUTHORIZING THE COUNTY OF FRANKLIN TO EXPEND MONEY FOR LAND USE PLANNING AND THE ECONOMIC DEVELOPMENT OF SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Franklin may, for the purpose of protecting the interests of said county and to provide for land use planning and the economic development thereof, expend such sums, not exceeding in the aggregate, twenty thousand dollars, as may be appropriated therefor. For the purposes of this act, the county may accept gifts, donations, and contributions, and expend such sums providing they have been deposited with the county treasurer. Said cominissioners may expend such sums, whether they are appropriated or otherwise received, for research, and planning such use of the land and water areas of said county, as, in their judgment, will accomplish the purposes of this act, and may advertise, prepare, print and distribute books, maps, charts, and pamphlets and take any other action, which in their judgment, will further the purposes of this act.

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

Approved May 21, 1963.

Chap. 426. AN ACT REGULATING THE REMOVAL, FILLING AND DREDGING OF CERTAIN AREAS BORDERING ON THE COASTAL WATERS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 130 of the General Laws is hereby amended by inserting after section 27 the following section: —

Section 27A. No person shall remove, fill or dredge any bank, flat, marsh, meadow or swamp bordering on coastal waters without written notice of his intention to so remove, fill or dredge to the board of selectmen in a town or to the appropriate licensing authority in a city, to the state department of public works, and to the director of marine fisheries. Said notice shall be sent by registered mail at least fourteen days prior to any such removing, filling or dredging. The selectmen or, in the case of a city, the licensing authority, shall hold a hearing on said proposal, within ten days of the receipt of said notice, and shall notify by mail the person intending to do such removing, filling or dredging, the department of public works and the director, of the time and place of said hearing. The selectmen or licensing authority, as the case may be, may recommend the installation of such bulkheads, barriers or other protective measures as may protect the public interest. If the department of public works finds that such proposed removing, filling or dredging would violate the provisions of sections thirty and thirty A of chapter ninety-one, it shall proceed to enforce the provisions of said sections. If the area on which the proposed work is to be done contains shellfish or is necessary to protect marine fisheries, the said director may impose such conditions on said proposed work as he may determine necessary to protect such shellfish or marine fisheries, and work shall be done subject thereto.

Whoever violates any provision of this section shall be punished by a fine of not more than one hundred dollars or by imprisonment for not

more than six months, or both, and the superior court shall have jurisdiction in equity to restrain a continuing violation of this section.

This section shall not affect or regulate the ordinary and usual work of any mosquito control project operating under chapter two hundred and fifty-two, or under the provisions of a special act.

Approved May 22, 1963.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, May 22, 1963.

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

DEAR MR. SECRETARY: — I, Endicott Peabody, 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 426 of the Acts of 1963 entitled "An Act Regulating the Removal, Filling and Dredging of Certain Areas Bordering on the Coastal Waters of the Commonwealth" and the enactment of which received my approval on May 22, 1963, should take effect herewith.

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 commitments could be made in derogation of the purposes of this legislation during said ninety days period and therefore it would seem that a sufficient emergency exists that this act become effective at once.

Very truly yours,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, May 22, 1963.

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 four hundred and twenty-six of the acts of nineteen hundred and sixty-three.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 427. AN ACT PROVIDING FOR THE APPOINTMENT OF SIX ADDITIONAL MEMBERS TO THE RESERVE POLICE FORCE OF THE CITY OF PEABODY.

Be it enacted, etc., as follows:

SECTION 1. 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 mayor of the city of Peabody is hereby authorized to appoint six 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.

SECTION 2. This act shall take effect upon its acceptance by the city of Peabody. *Approved May 22, 1963.*

Chap. 428. AN ACT VALIDATING THE ACTS AND PROCEEDINGS AT AN ADJOURNED SESSION OF THE ANNUAL TOWN MEETING OF THE TOWN OF AMESBURY IN THE CURRENT YEAR AND AMENDING THE PROVISIONS OF LAW RELATIVE TO NOTICE OF ADJOURNED TOWN MEETINGS IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. All proceedings taken at the adjourned town meeting of the town of Amesbury on March nineteenth, nineteen hundred and sixty-three, are hereby confirmed and declared valid to the same extent as if notice of such adjourned meeting had been given in accordance with section four of chapter six of the acts of nineteen hundred and fifty-three.

SECTION 2. Section 4 of chapter 6 of the acts of 1953 is hereby amended by striking out the third and fourth sentences and inserting in place thereof the following two sentences: — Whenever a representative town meeting adjourns for a period of seven days or more to a day certain, notice of the adjourned meeting shall be given by the town clerk by publication in a newspaper commonly circulated in the town of Amesbury and the town clerk shall also notify the members by mail of the adjournment at least twenty-four hours before the time of the adjourned meeting. The notices shall state briefly the business to be acted upon at any meeting and shall include notice of any proposed reconsideration.

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

Approved May 27, 1963.

Chap. 429. AN ACT TO ESTABLISH THE STATE COLLEGE RESEARCH FOUNDATION.

Be it enacted, etc., as follows:

Chapter 73 of the General Laws is hereby amended by inserting after section 5 the following section: —

Section 5A. The board of education may establish a State College Research Foundation. The director of the division of state colleges and the president of each state college and the president of the Massachusetts college of art shall constitute the board of governors of the foundation and shall have power to receive and administer property held in accordance with special trusts, and to receive and administer grants or devises of land and gifts or bequests of personal property made to any or all of the state colleges or the Massachusetts college of art or to the commonwealth for the use of any or all of the state colleges or the Massachusetts college of art, and to execute said trusts, investing the proceeds thereof in notes or bonds secured by sufficient mortgages or other securities.

The board shall also have power to receive and administer money grants from whatever source granted to any or all of the state colleges or the Massachusetts college of art or to the commonwealth for the use of any or all of the state colleges or the Massachusetts college of art for the purpose of educational research and study.

The director of the division of state colleges shall be chairman of the board of governors and the members of the board shall elect a secretary and a treasurer from among their own membership to serve at the will of the board. An accounting of all funds shall be kept and shall be subject to an annual account by the state auditor.

Approved May 27, 1963.

Chap. 430. 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 TOWN OF GREENFIELD.

Be it enacted, etc., as follows:

The third paragraph of section 113B of chapter 175 of the General Laws, as most recently amended by chapter 509 of the acts of 1962, is hereby further amended by inserting after the word "Lowell", in line 5, the words: —, and in the town of Greenfield, — 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, and in the town of Greenfield, 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 27, 1963.*

Chap. 431. AN ACT PROVIDING THAT APPRENTICE PLUMBERS BE LICENSED.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 142 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the definition "Practical plumber", the following definition: — "Apprentice", a person who is learning and working at the business of plumbing under the direct supervision of a master plumber or a journeyman.

SECTION 2. Said chapter 142 is hereby further amended by striking out section 3, as most recently amended by section 1 of chapter 148 of the acts of 1963, and inserting in place thereof the following section: — *Section 3.* No person shall engage in the business of a master plumber or work as a journeyman or as an apprentice, nor solicit, by sign, listing or any other form of advertisement, work regulated or controlled by this chapter or by any ordinance, by-law, rule or regulation made hereunder,

unless he is lawfully registered, or has been licensed by the examiners as provided in this chapter. Any person so licensed as a master plumber or a journeyman may carry on the work of a gas fitter throughout the commonwealth, notwithstanding any local ordinance, by-law, rule or regulation to the contrary, and may engage in the work of installing house drainage and connecting with common sewers without being required to have any local license therefor, but shall be subject to local regulations relative to permits and bonding requirements.

The license or certificate of a journeyman or an apprentice shall be exhibited whenever required by an inspector of plumbing.

The license or certificate of a master plumber shall at all times be displayed conspicuously within his place of business. Any sign, listing or advertisement of a master plumber or a journeyman shall contain his designation and license number.

SECTION 3. Said chapter 142 is hereby further amended by inserting after section 3 the following section: —

Section 3A. Every apprentice shall before starting his apprenticeship file an application, accompanied by the appropriate fee, with the examiners, requesting that he be issued an apprentice license. Said application shall be made on a form to be furnished by the examiners, and shall require the applicant to state his age, the date on which he is to commence his apprenticeship, the name and address of his employer, and such other information as the examiners may require. Upon receipt thereof the examiners shall license said applicant as an apprentice and shall forthwith mail to him a certificate to that effect.

A person may be employed as an apprentice by a master plumber only. An apprentice shall work under the direct supervision of a master plumber or a journeyman. A master plumber may employ one or more apprentices but not more than one apprentice may work under the direct supervision of a master plumber or a journeyman.

SECTION 4. Section 5 of said chapter 142, as amended by chapter 200 of the acts of 1954, is hereby further amended by adding at the end the following sentence: — The fee for the first license of an apprentice and for each renewal thereof shall be two dollars.

SECTION 5. Said chapter 142 is hereby further amended by striking out section 16, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 16.* Every person engaged in the business of a master plumber or working as a journeyman or as an apprentice not lawfully registered or licensed, if required by this chapter, every person engaging in or working at the business of plumbing in a city or town when forbidden so to do under section seven, every master plumber who engages or employs any person to work as a journeyman or as an apprentice who has not been so registered or licensed, and every person violating any provision of sections one to fifteen, inclusive, of this chapter or any ordinance, by-law, rule or regulation made thereunder, shall be punished by a fine not exceeding one hundred dollars. Any city or town subject to the preceding sections of this chapter neglecting to comply with any of its provisions shall forfeit fifty dollars to the use of the commonwealth for each month during which such neglect continues. *Approved May 27, 1963.*

Chap. 432. AN ACT CHANGING THE TITLE OF THE LAW RELATIVE TO AID TO DEPENDENT CHILDREN TO AID TO FAMILIES WITH DEPENDENT CHILDREN, AND MAKING CERTAIN OTHER CHANGES SO AS TO CONFORM WITH THE FEDERAL SOCIAL SECURITY ACT.

Be it enacted, etc., as follows:

SECTION 1. Section 7 of chapter 18 of the General Laws is hereby amended by inserting after the word "to", in line 5, as appearing in section 7 of chapter 344 of the acts of 1957, the words: — families with.

SECTION 2. Paragraph (1) of section 47C of chapter 31 of the General Laws, as most recently amended by section 3 of chapter 741 of the acts of 1951, is hereby further amended by inserting after the word "to" in line 5 and in line 12, and after the word "to" the first time it appears in line 17, in each instance, the words: — families with.

SECTION 3. Section 32 of chapter 41 of the General Laws is hereby amended by inserting after the word "to", in line 8, as appearing in section 3 of chapter 793 of the acts of 1950, the words: — families with.

SECTION 4. Chapter 118 of the General Laws is hereby amended by striking out the title, as appearing in section 1 of chapter 413 of the acts of 1936, and inserting in place thereof the following title: — AID TO FAMILIES WITH DEPENDENT CHILDREN.

SECTION 5. Section 1 of said chapter 118 is hereby amended by striking out the paragraph defining "Aid to dependent children", as appearing in chapter 430 of the acts of 1957, and inserting in place thereof the following paragraph: —

"Aid to families with dependent children", money payments with respect to, or medical care in behalf of, families with a dependent child or children.

SECTION 6. The first sentence of section 5 of said chapter 118, as appearing in section 2 of chapter 593 of the acts of 1941, is hereby amended by inserting after the word "to", in line 7, the words: — families with.

SECTION 7. Section 7 of said chapter 118, as amended by chapter 657 of the acts of 1950, is hereby further amended by inserting after the word "to", in line 2 and in line 3, in each instance, the words: — families with.

SECTION 8. Chapter 118A of the General Laws is hereby amended by striking out section 27, added by section 8 of chapter 781 of the acts of 1960, and inserting in place thereof the following section: — *Section 27.* No medical assistance for the aged shall be furnished to any person for any period during which he received aid to the blind under chapter sixty-nine, aid to families with dependent children under chapter one hundred and eighteen, assistance to disabled persons under chapter one hundred and eighteen D, or old age assistance under this chapter.

SECTION 9. Chapter 118B of the General Laws is hereby amended by striking out the title, as appearing in section 7 of chapter 793 of the acts of 1950, and inserting in place thereof the following title: — THE MERIT SYSTEM IN THE ADMINISTRATION OF AID TO FAMILIES WITH DEPENDENT CHILDREN AND OLD AGE ASSISTANCE.

SECTION 10. Section 2 of said chapter 118B is hereby amended by striking out the first sentence, as most recently amended by section 2

of chapter 141 of the acts of 1959, and inserting in place thereof the following sentence: — Except as provided in sections three to seven, inclusive, the board of public welfare of every city or town, for the purpose of carrying out the provisions of chapters one hundred and eighteen, one hundred and eighteen A and one hundred and eighteen D, relative to aid to families with dependent children, old age assistance and assistance to persons who are disabled, shall employ an agent or administrator, who shall exercise his powers and perform his duties under the title of director of public assistance, and such other persons as may be required.

SECTION 11. The first sentence of section 3 of said chapter 118B, as most recently amended by section 2 of chapter 343 of the acts of 1960, is hereby further amended by inserting after the word "to", the second time it appears in line 5, the words: — families with.

SECTION 12. The fourth sentence of section 5 of said chapter 118B, as appearing in section 7 of chapter 793 of the acts of 1950, is hereby amended by inserting after the word "to", in line 8, the words: — families with.

SECTION 13. Section 9 of said chapter 118B is hereby amended by inserting after the word "to", in line 21, as so appearing, the words: — families with.

SECTION 14. Chapter 118D of the General Laws is hereby amended by striking out section 10, as appearing in section 2 of chapter 741 of the acts of 1951, and inserting in place thereof the following section: — *Section 10.* If any application for assistance under this chapter is affected by the eligibility of the applicant to receive aid to the blind under chapter sixty-nine or veterans' benefits under chapter one hundred and fifteen or aid to families with dependent children under chapter one hundred and eighteen or old age assistance under chapter one hundred and eighteen A, the applicant shall be entitled to exercise such options and execute such waivers as may be necessary to enable him to receive the category or type of assistance which he prefers.

SECTION 15. Section 43 of chapter 271 of the General Laws, as amended by section 3 of chapter 240 of the acts of 1945, is hereby further amended by inserting after the word "to" the second time it appears in line 3, and after the word "to" in line 13, in each instance, the words: — families with. *Approved May 27, 1963.*

Chap. 433. AN ACT PROVIDING THAT A CERTAIN PERIOD OF MILITARY SERVICE SHALL BE COUNTED AS CREDITABLE SERVICE IN COMPUTING THE RETIREMENT BENEFITS OF RAYMOND A. WILKINSON, INCUMBENT OF THE OFFICE OF CHIEF OF STAFF, 26TH DIVISION, MASSACHUSETTS NATIONAL GUARD.

Be it enacted, etc., as follows:

The period from January fifteenth, nineteen hundred and forty-one to December twenty-fifth, nineteen hundred and forty-five, inclusive, during which Raymond A. Wilkinson, incumbent of the office of Chief of Staff, 26th Division, Massachusetts National Guard was called to active military service from his duty in the Massachusetts National Guard shall, upon his retirement, be counted as creditable service in computing his retirement benefits. *Approved May 27, 1963.*

Chap. 434. AN ACT ELIMINATING THE FILING OF AN ESTIMATED INCOME TAX DECLARATION UNDER CERTAIN CONDITIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 13 of chapter 62B of the General Laws is hereby amended by adding at the end the following paragraph: —

A declaration of estimated tax need not be filed under this section unless the amount of estimated tax is more than four dollars.

SECTION 2. This act shall apply to declarations required to be filed for taxable years commencing after December thirty-first, nineteen hundred and sixty-three. *Approved May 27, 1963.*

Chap. 435. AN ACT AUTHORIZING THE WATER RESOURCES COMMISSION TO ESTABLISH ENCROACHMENT LINES AND FLOOD PLAIN ZONES IN THE DRAINAGE AREAS OF THE SUDBURY AND CONCORD RIVERS.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of protecting the health, safety and property of persons in the event of floods, the water resources commission, hereinafter called the commission, is hereby authorized to establish and re-establish in accordance with sound engineering principles encroachment lines in such portions of the drainage areas of the Sudbury and Concord rivers and their tributaries as are subject to seasonal or periodic floodings. The areas within such lines in the direction of the stream shall constitute flood plain zones.

The commission shall not issue any order establishing or re-establishing such lines until after it has held a public hearing thereon in each city and town in which such zones are proposed to be located. The commission shall give notice of the proposed establishment or re-establishment of such lines and the location of such zones and of the public hearing thereon to every owner of record and to every mortgagee of record of property within such proposed lines and zones by personal service or by mail, postage prepaid, directed to his last and usual place of abode, if known, or to his last and usual place of business, if known, and by publication for each of three successive weeks in a newspaper of general circulation in the city or town.

A certified copy of any order establishing or re-establishing such lines and flood plain zones indicating clearly the areas included within such zones, together with maps or plans when necessary, shall (1) be filed by the commission in the office of the secretary of state and in the office of each city or town clerk in the cities and towns within which such flood plain zones are located, and (2) be mailed by the commission forthwith upon such filing, postage prepaid, to each owner of record and mortgagee of record of property within such lines and zones as so established or re-established, directed to his last and usual place of abode, if known, or to his last and usual place of business, if known. Such order shall take effect thirty days after such filing.

SECTION 2. Any person aggrieved by an order of the commission made under authority of this act may within thirty days after the filing of said order as provided in section one appeal to the superior court sitting in equity for the county in which any part of the land affected is located, and said court shall, after a hearing, confirm, alter, amend or

revoke any such order. The service of notice of appeal shall be made by the appellant upon the chairman of the commission, or a person designated by him for the purpose.

Said court shall have jurisdiction in equity to enforce the provisions of this act, and may restrain any violation thereof.

SECTION 3. The commission may alter or amend any lines established under the provisions of section two of chapter forty A of the General Laws by a city or town if it is deemed necessary by the commission to effectuate the purposes of this act.

SECTION 4. After the commission has established the encroachment lines for a particular section of either of said rivers 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, which shall be notified of the time and place of a hearing on said application by the department of public works.

Approved May 27, 1963.

Chap. 436. AN ACT AUTHORIZING THE TOWN OF NANTUCKET TO SUPPLY ITSELF AND ITS INHABITANTS WITH WATER.

Be it enacted, etc., as follows:

SECTION 1. Chapter 307 of the acts of 1925 is hereby amended by striking out section 1 and inserting in place thereof the following section: — *Section 1.* The town of Nantucket may supply itself and the inhabitants thereof with water for the extinguishment of fires and for domestic and for other purposes, and may establish fountains and hydrants, relocate or discontinue the same, and may regulate the use of such water and fix and collect rates to be paid for the use of the same.

SECTION 2. Section 2 of said chapter 307 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The said town, for the purposes aforesaid, is hereby authorized to acquire by purchase or take by eminent domain under chapter seventy-nine of the General Laws the entire water rights, estates, franchises and privileges of any corporation supplying water to its inhabitants and thereby become entitled to all its rights and privileges and subject to all its duties and liabilities; and may lease, or take by eminent domain under said chapter seventy-nine, or acquire by purchase or otherwise, and hold, the waters, or any portion thereof, of any pond, brook or stream or of any ground water sources by means of driven or other wells or filter galleries, within the town, and the water rights and water sources connected therewith; provided, that the amount of water which may be taken shall from time to time be determined by vote of the town; and also may take by eminent domain under said chapter seventy-nine, or acquire by purchase or otherwise, and hold, all lands, rights of way and easements necessary for collecting, storing, purifying and preserving such water and for conveying the same to any part of said district; provided, 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 that the location of all dams, reservoirs, wells or

filter galleries to be used as sources of water supply under this act shall be subject to the approval of said department.

SECTION 3. Said chapter 307 is hereby further amended by striking out section 5 and inserting in place thereof the following section: — *Section 5.* Said town may, for the purpose of paying the necessary expenses and liabilities incurred or to be incurred under the provisions of this act, issue from time to time bonds or notes to an amount not exceeding the limit authorized by section eight of chapter forty-four of the General Laws which shall bear on their face the words, Town of Nantucket Water Loan, Act of 1963. Each authorized issue shall constitute a separate loan, and such loans shall be payable as provided for in said chapter forty-four.

SECTION 4. This act shall take effect upon its acceptance by the town of Nantucket. *Approved May 27, 1963.*

Chap. 437. AN ACT AUTHORIZING THE ESTABLISHMENT OF A REVOLVING FUND IN VOCATIONAL SCHOOLS WITH RECEIPTS FROM STUDENT ACTIVITIES.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, the superintendent of each vocational school in the commonwealth is hereby authorized to retain and establish a revolving fund with the receipts of all pupil activities of his school, and shall expend the same in furthering the activities from which the receipts were derived. The said funds shall be subject to annual audit by the bureau of accounts in the department of corporations and taxation.

Approved May 27, 1963.

Chap. 438. AN ACT INCREASING THE MAXIMUM WEEKLY BENEFIT UNDER THE EMPLOYMENT SECURITY ACT.

Be it enacted, etc., as follows:

SECTION 1. Section 29 of chapter 151A of the General Laws is hereby amended by striking out subsection (*a*), as most recently amended by section 2 of chapter 587 of the acts of 1959, and inserting in place thereof the following subsection: —

(*a*) An individual in total unemployment and otherwise eligible for benefits shall be paid for each week of unemployment an amount based on the highest quarterly wage of his base period, as provided in the following table:

TOTAL WAGES PAID IN HIGHEST QUARTER.	Weekly Benefit Rate.
$199.99 or less	$10.00
200.00 – $219.99	11.00
220.00 – 239.99	12.00
240.00 – 259.99	13.00
260.00 – 279.99	14.00
280.00 – 299.99	15.00
300.00 – 319.99	16.00
320.00 – 339.99	17.00

TOTAL WAGES PAID IN HIGHEST QUARTER.	Weekly Benefit Rate.
$340.00 – $359.99	$18.00
360.00 – 383.99	19.00
384.00 – 407.99	20.00
408.00 – 431.99	21.00
432.00 – 455.99	22.00
456.00 – 479.99	23.00
480.00 – 505.99	24.00
506.00 – 531.99	25.00
532.00 – 573.99	26.00
574.00 – 615.99	27.00
616.00 – 657.99	28.00
658.00 – 699.99	29.00
700.00 – 741.99	30.00
742.00 – 783.99	31.00
784.00 – 825.99	32.00
826.00 – 867.99	33.00
868.00 – 909.99	34.00
910.00 – 951.99	35.00
952.00 – 993.99	36.00
994.00 – 1,035.99	37.00
1,036.00 – 1,077.99	38.00
1,078.00 – 1,119.99	39.00
1,120.00 – 1,161.99	40.00
1,162.00 – 1,203.99	41.00
1,204.00 – 1,245.99	42.00
1,246.00 – 1,287.99	43.00
1,288.00 – 1,329.99	44.00
1,330.00 or over	45.00

SECTION 2. This act shall take effect on September twenty-ninth, nineteen hundred and sixty-three and shall apply only to those individuals whose benefit years begin on or after said effective date.

Approved May 27, 1963.

Chap. 439. AN ACT RELATIVE TO THE DETERMINATION OF HOSPITAL COSTS.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 30K of chapter 7 of the General Laws is hereby amended by striking out the third sentence, as amended by chapter 586 of the acts of 1961, and inserting in place thereof the following sentence: — The director shall make his determination as aforesaid in accordance with a uniform system of hospital accounting and cost analysis and shall take into account the value of services by members of religious orders regularly working in a hospital which are rendered for partial or no payment, depreciation and a fair return on invested capital for proprietary hospitals, but shall not include grants-in-aid for which no services are rendered.

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

Approved May 28, 1963.

Chap. 440. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND SIXTY-THREE, 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 the appropriations in chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two.

SECTION 2.

GENERAL FUND.

STATE PURPOSES APPROPRIATIONS.

Legislature.

Senate.

Item		
0101–02	For the salary of the clerk of the senate	$800
0101–03	For the salary of the assistant clerk of the senate	1,080

House of Representatives.

0102–02	For the salary of the clerk of the house of representatives	$800
0102–03	For the salary of the assistant clerk of the house of representatives	720
0102–04	For clerical assistance to the clerk of the house of representatives, including not more than four permanent positions	7,100
0102–07	For clerical and other assistance to the house committee on rules, including not more than fourteen permanent positions, prior appropriation continued	10,000
0102–52	For expenses of the committee on rules on the part of the house of representatives, prior appropriation continued	3,000

Sergeant-at-Arms.

0103–01	For the salary of the sergeant-at-arms	$1,000
0103–02	For clerical and other assistance employed by the sergeant-at-arms, including not more than seven permanent positions	1,000
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	36,500
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	31,940
0103–06	For the salaries of clerks employed in the legislative document room, including not more than three permanent positions	7,300
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	5,000
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	750

Other Expenses.

Item		
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	$80,000
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	1,500
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
0110-05	For telephone service, prior appropriation continued	9,200
0110-06	For biographical sketches of certain state and federal officials	500
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	12,000
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	6,000
0110-32	For expenses of the committee on elections	1,416
0110-33	For expenses of the committee appointed to investigate a certain fire in the city of Boston, as authorized by joint orders adopted in the house and senate	5,000

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	$1,000
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 nineteen hundred and sixty-two	45,000

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	$18,570

Administrative Committee of Probate and Insolvency Courts.

0320-01	For the compensation of judges of probate when acting for other judges of probate	$1,440
0320-04	For expenses of the administrative committee of probate courts	500

Pensions for Certain Retired Justices.

0345-01	For pensions of retired judges, as authorized by law	$22,000

Executive.

Governor.

0401-31	For the purchase of a portrait of a former governor of the commonwealth, as authorized by section nineteen of chapter eight of the General Laws	$7,000
0401-35	For the preparation and publication of the official papers of a former governor	12,000

Extraordinary Expenses.

Item

0405-01 For the cost, not to exceed fifteen thousand dollars, of entertainment of distinguished visitors to the commonwealth, provided that no expenditure shall be allowed for a party exceeding fifty visitors; for the payment of extraordinary expenses not otherwise provided for; and for transfers to appropriation accounts where the amounts otherwise available are insufficient, provided, that request for such transfers shall be referred to the commissioner of administration who, after investigation, shall submit for approval of the governor and council his written recommendation as to the amount of funds required, with facts pertinent thereto $35,000

Military Division.

Adjutant General.

0421-21 For the service of the air national guard, including not more than one permanent position $959

State Quartermaster.

0423-01 For the office of the state quartermaster $2,500

0424-08 For certain national guard aviation facilities, including not more than ten permanent positions 1,640

Boards and Commissions serving under Governor and Council.

Executive Office for Administration and Finance.

0441-22 For the bureau of state buildings, within the central services division, and for the maintenance of the state house and the Ford building, including not more than one hundred and seventy-two permanent positions $9,250

0441-31 For purchasing and erecting a plaque, as authorized by chapter four hundred and eighty-four of the acts of nineteen hundred and sixty-one appropriation expires June thirtieth, nineteen hundred and sixty-four 3,500

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 . 900

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 nineteen hundred and sixty-two; 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 229,000

George Fingold Library.

0459-01 For the service of the library, including not more than thirty-one 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 senior library assistant to exchange and bindery assistant, job group X $1,240

Ballot Law Commission.

0461-01 For compensation and expenses of the commissioners, including not more than three permanent positions $200

Mobile Homes Commission.

0473-01 For expenses of the commission, as authorized by section one hundred and eight of chapter six of the General Laws, appropriation expires June thirtieth, nineteen hundred and sixty-four $1,000

Commissioner of Veterans' Services.

Item

0485–03 For the payment of annuities to certain disabled veterans, as authorized by sections six A to six C, inclusive, of chapter one hundred and fifteen of the General Laws, prior appropriation continued **$1,000**

Secretary of the Commonwealth.

Printing Laws, etc.

0503–02 For the printing of reports of decisions of the supreme judicial court, prior appropriation continued **$17,819**

Treasurer and Receiver-General.

0601–02 Item 0601–02 of section two of chapter seven hundred and ninety-one of the acts of nineteen hundred and sixty-two is hereby amended by striking out the wording and inserting in place thereof the following: —

For the office of the treasurer and receiver-general, including not more than sixty-three permanent positions, and to authorize the adjustment of certain accounts and the charging against this appropriation of the net amount of six thousand seven hundred and thirty-five dollars, certified by the auditor of the commonwealth to be the amount necessary to correct certain accounting discrepancies; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and sixty thousand eight hundred and twenty-three dollars from the Highway Fund **$6,735**

9522–01 The state treasurer is hereby authorized to pay certain fiscal fees not to exceed two hundred dollars from revenue received from the trust fund 9522–01.

State Board of Retirement.

0604–01 For the administrative office of the board, including not more than twenty-four permanent positions **$3,500**

0604–03 Item 0604–03 of section two of chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two, as amended by chapter seven hundred and ninety-one, is hereby further amended by striking out, in lines four and five, the words "three hundred and fifty thousand" and inserting in place thereof the following: — five hundred and thirty-eight thousand one hundred **1,254,000**

0604–04 Item 0604–04 of section two of chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two is hereby amended by striking out, in lines thirteen and fourteen, the words "thirty-seven thousand" and inserting in place thereof the words "ninety-seven thousand five hundred" and by adding at the end thereof the following: —, for the year nineteen hundred and sixty-three and previous years . . **275,000**

0604–06 For the compensation of certain prison officers and instructors formerly in the service of the commonwealth, now retired . . . **1,660**

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 **18,000**

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 **13,300**

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, for the year nineteen hundred and sixty-three and the previous year **25,000**

Department of the Attorney General.

Item

0801–02 For the office of the attorney general, including not more than forty-two permanent positions $9,500

Department of Agriculture.

Division of Markets.

0908–01 For the service of the division, including not more than twelve permanent positions $6,300

Department of Natural Resources.

1001–04 For the expenses of the natural resources board . . $200

Division of Forests and Parks.

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 $14,000

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 $3,500

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 $560

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 1,500

Department of Corporations and Taxation.

1201–03 For expenses of the department except as otherwise provided; provided, that the comptroller shall transfer to the General Fund the sum of sixty-three thousand six hundred and sixty dollars from the Highway Fund $8,000

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 55,020

Department of Education.

1301–02 For the office of the commissioner, including not more than eighty-one permanent positions $9,500

1301–03 Item 1301–03 of section two of chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two is hereby amended by striking out, in line twelve, the words "five hundred and fifty" and inserting in place thereof the words: — nine hundred.

1301–06 For printing school registers and other school blanks for cities and towns 1,760

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 180,000

School Lunch and Commodity Distribution Program.

Item

1305–05 Item 1305–05 of section two of chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two 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-three $58,400

Division of Immigration and Americanization.

1315–01 For the service of the division, including not more than seventeen permanent positions $300

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 Item 1330–01 of section two of chapter seven hundred and ninety-one of the acts of nineteen hundred and sixty-two is hereby amended by striking out, in line two, the word "thirty-eight" and inserting in place thereof the word: — forty-five.

8260–10 Item 8260–10 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 "land", in line one, the words: — or land.

1331–01 Item 1331–01 of section two of chapter seven hundred and ninety-one of the acts of nineteen hundred and sixty-two is hereby amended by striking out, in lines one and two, the word "sixteen" and inserting in place thereof the word: — twenty-three $12,400

1331–21 State college at Fitchburg, boarding hall, including not more than nineteen permanent positions 4,600

1332–01 Item 1332–01 of section two of chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two is hereby amended by striking out, in line two, the word "three" and inserting in place thereof the word: — nine 8,000

1333–01 Item 1333–01 of section two of chapter seven hundred and ninety-one of the acts of nineteen hundred and sixty-two is hereby amended by striking out, in line one, the word "seventy-six" and inserting in place thereof the word: — eighty 6,100

1334–01 Item 1334–01 of section two of chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two is hereby amended by striking out, in line one, the word "fifty-three" and inserting in place thereof the word: — fifty-six 950

1335–01 Item 1335–01 of section two of chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two is hereby amended by striking out, in lines one and two, the word "twenty-one" and inserting in place thereof the word: — thirty-two.

1336–01 Item 1336–01 of section two of chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two is hereby amended by striking out, in line one, the word "sixty-seven" and inserting in place thereof the word: — seventy-six 6,034

1337–01 Item 1337–01 of section two of chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two is hereby amended by striking out, in line one, the word "one" and inserting in place thereof the word: — sixteen.

1338–01 Item 1338–01 of section two of chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two is hereby amended by striking out, in lines one and two, the word "thirty-seven" and inserting in place thereof the word: — fifty-three 5,780

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":

Item

1342-01 Item 1342-01 of section two of chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two is hereby amended by striking out, in line one, the word "sixty-four" and inserting in place thereof the word: — sixty-five $4,201

Lowell Technological Institute of Massachusetts.

1345-01 Item 1345-01 of section two of chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two is hereby amended by striking out, in line three, the word "one" and inserting in place thereof the word: — sixteen.

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 $1,050

8261-03 Item 8261-03 of section two of chapter seven hundred and seventy-four of the acts of nineteen hundred and sixty, as most recently amended by section two of chapter six hundred and forty-nine of the acts of nineteen hundred and sixty-two, is hereby further amended by striking out the word "forty" and inserting in place thereof the words: — one hundred and fifty — and by adding, after the word "institute" in the last line, the words: — and necessary expenses in connection therewith.

University of Massachusetts.

1350-01 Item 1350-01 of section two of chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two is hereby amended by striking out, in lines two and three, the words "thirteen hundred and forty-six" and inserting in place thereof the words: — one thousand four hundred and two.

Massachusetts Board of Regional Community Colleges.

1362-00 Item 1362-00 of section two of chapter seven hundred and ninety-one of the acts of nineteen hundred and sixty-two is hereby amended by striking out, in line one, the word "twenty-two" and inserting in place thereof the word: — twenty-six $1,900

1363-00 Item 1363-00 of section two of chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two is hereby amended by striking out, in line one, the word "twenty-two" and inserting in place thereof the word: — twenty-four 500

1364-00 Berkshire community college, including not more than twenty-three permanent positions 7,972

1365-01 Item 1365-01 of section two of chapter seven hundred and eighty-four of the acts of nineteen hundred and sixty is hereby amended by inserting after the word "Massachusetts", in line one, the words: — , including not more than nineteen permanent positions.

1366-00 Item 1366-00 of section two of chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two is hereby amended by striking out, in line two, the word "nine" and inserting in place thereof the word: — fifteen 2,875

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 $124,960

For the maintenance of and for certain improvements at the institutions within the division:

Item		
1387-01	For the operation of a detention center in Hampden county, including not more than seventeen permanent positions	$4,800
1389-01	For the operation of a detention center in Worcester county, including not more than eighteen permanent positions	3,850
1390-01	For the maintenance of the Stephen L. French youth forestry camp	2,500

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	$100

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-six 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	$66,750
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	1,500

Division of Registration.

1403-02	For the service of the division, including not more than forty-nine permanent positions	$3,100

For the service of the following agencies in the division:

1407-01	Board of registration in pharmacy, including not more than nine permanent positions	$1,000
1411-01	Board of registration in veterinary medicine, including not more than five permanent positions	300
1420-01	Board of registration of barbers, including not more than nine permanent positions	500
1421-01	Board of registration of hairdressers, including not more than seventeen permanent positions	2,000

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	$854
1605-01	For the division of occupational hygiene, including not more than fourteen permanent positions	2,940

Division of Industrial Accidents.

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	$170,000

Department of Mental Health.

For the maintenance of and for certain improvements at the following institutions under the control of the department of mental health:

Item

1710-00 Item 1710-00 of section two of chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two is hereby amended by adding at the end thereof the following: — ; provided, that notwithstanding any provision of law to the contrary, the amount of two hundred dollars and fifty-two cents shall be allowed from this item to clear an advance of the nineteen hundred and sixty fiscal year unaccounted for.

1711-00 Item 1711-00 of section two of chapter seven hundred and ninety-one of the acts of nineteen hundred and sixty-two is hereby amended by adding at the end thereof the following: — ; provided, that notwithstanding any provision of law to the contrary, the appointment of, and the compensation paid to, a certain civil service employee as a senior clerk and typist shall be validated as of October twenty-two, nineteen hundred and sixty-one.

1714-00 Item 1714-00 of section two of chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two is hereby amended by adding at the end thereof the following: — ; provided, that notwithstanding any provision of law to the contrary, the amount of one hundred and three dollars and ninety cents shall be allowed and paid from this item for the salary of a certain employee, earned but not paid, for the period from September nineteen, nineteen hundred and sixty, to January seven, nineteen hundred and sixty-one.

1717-00 Item 1717-00 of section two of chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two is hereby amended by adding at the end thereof the following: — ; provided, that notwithstanding any provision of law to the contrary, the payment of three thousand and forty-three dollars as salary of a certain employee as an assistant psychiatric social worker from July one, nineteen hundred and sixty-two, to March twenty-three, nineteen hundred and sixty-three, and the payment of one thousand eight hundred and fifteen dollars and seventy-five cents as salary to a certain employee as a senior clerk and typist from October fifteen, nineteen hundred and sixty-one, to April twenty-one, nineteen hundred and sixty-two, are hereby validated.

1723-00 Item 1723-00 of section two of chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two is hereby amended by adding at the end thereof the following: — ; provided, that notwithstanding any provision of law to the contrary, the appointment of a certain employee as a farmhand is hereby validated as of April twenty-five, nineteen hundred and sixty, and the amount of sixty-five dollars shall be allowed and paid from this item for salary earned but not paid.

Department of Correction.

1801-02 For administration, including not more than sixty-eight permanent positions; provided, that the persons employed under the division of classification of prisoners shall not be subject to the civil service laws and rules; and, provided further, that notwithstanding any provision of the law to the contrary, the director of civil service shall certify to the commissioner of correction, on receipt of permanent requisitions, names of correction officers to fill permanent vacancies, and the salary of these employees during the period of official training shall be paid from this item $17,000

For the maintenance of and for certain improvements at the following institutions under the control of the department of correction:

1814-01 Correctional institution at Concord, including not more than two hundred and forty-seven permanent positions $7,000

1818-01 Correctional institution at Norfolk, including not more than two hundred and fifty-five permanent positions 37,800

1820-01 For the operation of correctional institution camps, including not more than twenty-five permanent positions 3,228

Department of Public Welfare.

Item

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 eighty-six permanent positions $4,000

Department of Public Health.

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 $200,000

Institute of Laboratories.

2007–01 For the service of the institute, including not more than one hundred and thirty-nine permanent positions $10,750

For the maintenance of and for certain improvements of the following institution under the control of the department of public health:

2021–42 Item 2021–42 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 "building", in line one, the words: —, the domestic building $13,490

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 $3,600

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.

2202–06 For the maintenance and repair of certain property in the town of Plymouth including not more than two permanent positions . $1,500

2202–07 For the operation and maintenance of the New Bedford state pier, including not more than one permanent position . . 1,600

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 . . $650

Miscellaneous.

Item

2420-41 For the payment of certain claims as determined by judgments of the superior court of Suffolk county, docket numbers 507834, 514665, 538880, 558793 and 561387 . . . . . $28,834

2420-42 For the repayment of an advance made by the federal housing and home finance agency on account of project M 60-5, Danvers state hospital 15,107

LOCAL AID APPROPRIATIONS.

The following appropriations are for reimbursements and grants to local governments and for certain other purposes, and are to be in addition to any unexpended balance of appropriations heretofore made for the purpose:

Boards and Commissions serving under Governor and Council.

Service of the Commissioner of Veterans' Services.

2604-06 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 $51,541

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 $25,000

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 $1,132,196

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 255,000

School Lunch and Commodity Distribution Program.

2613-09 Item 2613-09 of section two of chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two 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-three $763,399

Teachers' Retirement Board.

2613-11 For reimbursement of certain cities and towns for pensions to retired teachers $352,860

Division of Youth Service.

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 $225

Department of Public Welfare.

Item		
2619-01	For the payment of suitable aid to certain dependent children	$500,000
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	250,000

HIGHWAY FUND.

STATE PURPOSES APPROPRIATIONS.

Department of Public Works.

Highway Activities.

The salaries of all officers and employees of the department engaged in projects or activities relating to highways shall be charged for the nineteen hundred and sixty-three 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	$152,000
2900-20	Item 2900-20 of section two of chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two is hereby amended by striking out, in line 3, the words "eighty-three permanent positions" and inserting in place thereof the words: — eighty-four permanent positions; provided, that the position of assistant supervisor of motor equipment and machinery, PWD, shall be filled from the promotional list established on May twenty-fifth, nineteen hundred and sixty-one for such position.	
2900-50	For the cost of certain accounts payable of previous years in items 2900-02, 2900-04, 2900-12 and 2900-36 where certain amounts in said appropriation items expired on March thirty-first, nineteen hundred and sixty-three	168,516

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-eight permanent positions; provided, that the comptroller shall transfer to the Highway Fund proportions of payments made under this item, as provided by section fifty-five of chapter ninety-two of the General Laws; and, provided further, that not less than 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; 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 .	$128,000
2931 85	For the payment of certain prior-year vouchers or claims, as provided in chapter one hundred and thirty-one of the resolves of nineteen hundred and sixty-two and certified by the state auditor . .	78,083

Miscellaneous.

Item

2998–02 For the payment of certain claims as determined by judgments of the superior court of Suffolk county, docket numbers 77844 and 557035 . . . . . $12,603

LOCAL AID APPROPRIATION.

Department of Public Works.

Highway Activities.

2950–19 For the cost of certain accounts payable of previous years where the amount authorized by section four A of chapter seven hundred and ninety-seven of the acts of nineteen hundred and sixty expired on March thirty-first, nineteen hundred and sixty-three . $223,200

INLAND FISHERIES AND GAME FUND.

STATE PURPOSES APPROPRIATION.

Department of Natural Resources.

Division of Fisheries and Game. (It is hereby provided that federal funds received as reimbursements under the following item are to be credited as income to the Inland Fisheries and Game Fund.)

3304–51 For expenses of game farms and for wild life research and management, including not more than fifty-one permanent positions . $12,000

MARINE FISHERIES FUND.

STATE PURPOSES APPROPRIATION.

Department of Natural Resources.

Division of Marine Fisheries.

3601–03 For expenses of the marine fisheries advisory commission, as authorized by section five A of chapter twenty-one of the General Laws $900

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.

8602–38 For certain repairs to the Waltham swimming pool, notwithstanding the provisions of section eight A of chapter twenty-nine of the General Laws $2,500

Metropolitan Sewerage District.

8701–37 For the payment of certain prior-year vouchers or claims, as provided in chapter one hundred and thirty-one of the resolves of nineteen hundred and sixty-two and certified by the state auditor . . $2,231

Metropolitan Water System.

Item		
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	$35,000
8902-69	For the payment of certain prior-year vouchers or claims, as provided in chapter one hundred and thirty-one of the resolves of nineteen hundred and sixty-two and certified by the state auditor . . .	141

DEFICIENCIES.

For deficiencies in certain appropriations of previous years, in certain funds, as follows:

2449-00	General Fund	$23,176
2949-00	Highway Fund	70,162
4049-00	State Recreation Areas Fund	14
8749-00	Metropolitan Sewerage District Fund	322
8949-00	Metropolitan Water District Fund	461

SECTION 2A. For the purpose of making available for expenditure in the fiscal year nineteen hundred and sixty-four, certain balances of appropriations which otherwise would revert on June thirtieth, nineteen hundred and sixty-three, the unexpended balances of the items shown below are hereby reappropriated for the fiscal year nineteen hundred and sixty-four:

1715-52	8258-76	8259-81
1727-51	8258-81	8259-83
2202-09	8258-87	8259-86
2900-09	8259-02	8259-89
2900-10	8259-05	8259-95
2900-11	8259-13	8259-96
2900-83	8259-15	8259-97
2900-85	8259-20	8259-99
2900-86	8259-24	8335-00
2926-07	8259-25	8356-37
2926-25	8259-28	8356-40
2926-29	8259-40	8359-02
2931-79	8259-44	8601-23
7660-01	8259-46	8602-92
7919-89	8259-48	8701-29
8157-08	8259-50	8702-25
8157-22	8259-51	8703-25
8157-31	8259-63	8902-68
8157-77	8259-66	8902-89
8256-01	8259-70	9025-01
8256-99	8259-72	9106-01
8258-01	8259-73	9106-02
8258-07	8259-74	9111-01
8258-25	8259-76	9112-01
8258-53	8259-77	9112-02
8258-54	8259-78	9123-01

SECTION 3. The joint committee on ways and means is hereby authorized to revise the subsidiary account schedules filed in accordance with the provisions of section twenty-seven of chapter twenty-nine of the General Laws relating to appropriations authorized in chapters five hundred and ninety-one, seven hundred and ninety-one and seven hundred and ninety-three of the acts of nineteen hundred and sixty-two; provided, that any revision of said subsidiary accounts shall be filed with the comptroller and the budget commissioner at the same time that schedules of subsidiary accounts are so filed for appropriations authorized by this act.

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

Approved May 29, 1963.

Chap. 441. AN ACT RELATIVE TO THE POWERS OF THE DEPUTY COMMISSIONER OF BANKS IN THE EVENT OF A VACANCY IN THE OFFICE OF COMMISSIONER.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith that the deputy commissioner of banks shall exercise and perform the powers and duties of the commissioner during his absence or disability, or in the event of a vacancy in the office of the commissioner, 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 26 of the General Laws, as amended by section 20 of chapter 596 of the acts of 1941, is hereby further amended by inserting after the first sentence the following sentence: — In case of a vacancy in the office of the commissioner, and during his absence or disability, the deputy commissioner shall exercise and perform the powers and duties of the office of commissioner. *Approved May 29, 1963.*

Chap. 442. AN ACT AUTHORIZING THE COMMISSIONER OF ADMINISTRATION TO ENTER INTO A CONTRACT PROVIDING FOR THE PARTICIPATION BY THE COMMONWEALTH IN THE NEW YORK WORLD'S FAIR, 1964–1965.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to make available forthwith funds for the participation by the Commonwealth of Massachusetts in the New York World's Fair, 1964–1965, 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 commissioner of administration is hereby authorized and empowered to negotiate and enter into a contract, on behalf of the commonwealth, with the New England Council World's Fair Corporation, a corporation organized under chapter one hundred and eighty of the General Laws, for the purpose of providing for the participation of the Commonwealth of Massachusetts, in conjunction with other New

England states, in the New York World's Fair, 1964–1965. Said contract shall provide for payment of the commonwealth's share of the expenditures to be made by said corporation in planning and effecting the joint participation by the commonwealth and other New England states in said fair; provided, however, that (1) said share shall not exceed one million two hundred thousand dollars or forty-two per cent of said expenditures, whichever amount shall be the lesser, (2) no payment under said contract shall be made for the purpose of staffing the Massachusetts pavilion at said fair, and (3) in addition to such other provisions, if any, as shall seem appropriate to said commissioner, said contract shall provide that contracts made by said corporation for the construction of the New England states pavilions and exhibits, grounds, and facilities, and for the purchase of equipment therefor, shall in each case be awarded only to the lowest responsible bidder from a list of bidders approved unanimously by the governors of the six New England states. The laws relating to the construction, supervision, operation and control of state buildings and to the purchase of state supplies shall not apply to said pavilions, exhibits, grounds, and facilities, or equipment. Said contract shall require (*a*) that all funds paid by the commonwealth to said New England Council World's Fair Corporation shall be used solely and exclusively for the purposes of this act, (*b*) that complete, current, accurate accounts itemizing in detail all expenditures therefrom shall be kept, and (*c*) that the state auditor shall have the right to examine and audit said accounts and records at any time. Said contract shall provide that any excess funds or profits held by said corporation after the payment of all its obligations upon the termination of the New York World's Fair, 1964–1965, shall be returned to the states with which said corporation contracted in accordance with the formula set forth in said contract under which each state paid its share in conjunction with other New England states.

The state auditor shall audit all accounts of said corporation relating to its participation in the New York World's Fair, 1964–1965, and shall submit a report annually thereon to the governor and to the general court.

SECTION 2. For the purpose of carrying out the provisions of this act, the sum of one million three hundred thousand dollars is hereby made available for a period ending June thirtieth, nineteen hundred and sixty-six, to the executive office for administration and finance, of which sum one million two hundred thousand dollars shall be used to provide the participation authorized by section one, and one hundred thousand dollars shall be used by the commissioner of administration for staffing the Massachusetts pavilion and promoting the exhibits and other activities in connection therewith in said pavilion, including clerical and travel expenses within and without the commonwealth, to be expended by said commissioner after consultation with the commission established by item 0405–02 of section two of chapter five hundred and forty-three of the acts of nineteen hundred and sixty-one.

If the commissioner of administration shall at any time determine that additional funds are required to staff and promote the exhibits in the Massachusetts pavilion, he may allocate such additional amounts as he may deem necessary from the unencumbered balance of funds made available by this section.

SECTION 3. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be neces-

sary 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 may be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, but the final maturities of such notes, whether original or renewal, shall be not later than June thirtieth, nineteen hundred and sixty-eight.

Nothing in this act and nothing in any contract executed pursuant hereto shall be deemed to pledge the credit of the commonwealth nor to incur any liability by the commonwealth in excess of the sum made available herein.

All unexpended balances of said amounts and all revenue and refunds received by the commonwealth as a result of its participation in the New York World's Fair, 1964–1965, shall be paid into the state treasury and credited to the General Fund and shall be used solely toward meeting the interest and serial payments on the notes of the commonwealth issued under authority of this act and any other debt service obligations of the General Fund heretofore or hereafter authorized.

Approved June 3, 1963.

Chap. 443. AN ACT PROVIDING FOR CERTAIN ALTERATIONS AT THE BARNSTABLE COUNTY HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. The trustees of the Barnstable county hospital are hereby authorized to expend sums, not exceeding, in the aggregate, two hundred and twenty thousand dollars, for the purpose of altering the existing hospital buildings and originally furnishing and equipping a part thereof to accommodate the outpatient department. Any sums received from the federal government under Public Law 725 (79th Congress), Public Law 380 (81st Congress) and Public Law 87–688 (87th Congress) for the purposes of this act shall be included in and considered a part of the total amount of the expenditures authorized under this section.

SECTION 2. The county commissioners of Barnstable county shall take any and all steps necessary from time to time to secure any benefits to which the county may be entitled under any existing or future legislation of the federal government or the commonwealth. Funds authorized by this act shall be available for matching federal and commonwealth grants if any; provided, however, that federal or commonwealth funds received as reimbursement for funds previously expended by the county of Barnstable under the provisions of this act shall be used for the payment of any principal and interest due thereafter on bonds or notes authorized by this act.

SECTION 3. To provide funds for the purposes of this act, the treasurer of Barnstable county, with the approval of the county commissioners, may borrow from time to time on the credit of the county such sums as may be necessary, not exceeding, in the aggregate, two hundred and twenty thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Barnstable County Hospital

Loan, Act of 1963. Each authorized issue shall constitute a separate loan and such bonds or notes shall be payable not more than twenty years from their dates. Such bonds or notes shall be signed by the treasurer of said county and countersigned by a majority of said county commissioners. Said county may sell said securities at public or private sale upon such terms and conditions as said county commissioners may deem proper, but not for less than their par value. Indebtedness incurred under this act shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

SECTION 4. The county treasurer of said county, with the approval of the county commissioners, may from time to time make temporary loans in anticipation of the serial loan authorized by section three in such sums as may be necessary but not exceeding, in the aggregate, two hundred and twenty thousand dollars, and may issue notes of the county therefor payable in not more than one year from their date or dates of issue.

SECTION 5. This act shall take effect upon its passage.

Approved June 4, 1963.

Chap. 444. AN ACT AUTHORIZING THE CITY OF NEWBURYPORT TO USE CERTAIN PARK LAND KNOWN AS VETERANS MEMORIAL PARK FOR OTHER MUNICIPAL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The city of Newburyport may, by a vote of the city council with the approval of its mayor, use for such municipal purposes as it may from time to time determine, all or any portion of the land held by said city for park purposes and known as Veterans Memorial Park, bounded and described as follows: —

Beginning at a point on Water Street at land now or formerly of Edward Johnson;

Thence running northwesterly by Water Street, 103 feet, more or less, to a point at land now or formerly of Goodrich;

Thence turning and running northeasterly by said Goodrich land, 126 feet, more or less, to the northeasterly corner of said Goodrich land;

Thence turning and running northwesterly, 22 feet by said Goodrich land to a point;

Thence turning and running southwesterly, 25 feet by said Goodrich land to the northeasterly corner of land now or formerly of Ruth E. Sanborn;

Thence turning and running northwesterly by said Sanborn land, 51 feet to a point;

Thence turning and running southwesterly, 26 feet by said Sanborn land to the northeasterly corner of land now or formerly of Mike Marciszka;

Thence turning and running northwesterly by said Marciszka land, 66 feet to a corner;

Thence turning and running southwesterly, 4 feet by said Marciszka land to the northeasterly corner of land now or formerly of Adam Smolski;

Thence turning and running northwesterly, 28 feet by said Smolski land to a corner;

Thence turning and running southwesterly, 70 feet by said Smolski land to Water Street;

Thence turning and running northwesterly by said Water Street, 14 feet to land now or formerly of Peter Wanagel;

Thence turning and running northeasterly by said Wanagel land, 28 feet to a point;

Thence turning and running northeasterly, but more northerly, by said Wanagel land, 53 feet to the northeasterly corner of said Wanagel land;

Thence turning and running northwesterly by said Wanagel land, 38 feet to a point at land now or formerly of Joseph J. Woodman;

Thence turning and running northeasterly by said Woodman land, 270 feet, more or less, to a point at remaining land of the Grantor, which point is 50 feet distant, measured radially southwesterly from the southwesterly line of the right-of-way of the Newburyport City Railroad Branch of the Boston and Maine Railroad;

Thence turning and running southeasterly 340 feet by remaining land of the Grantor by a curved line parallel with and 50 feet distant southwesterly, measured radially from the southwesterly line of said right-of-way of said Railroad to land now or formerly of Kimball;

Thence turning and running southwesterly 250 feet, more or less by said Kimball land to a point at land now or formerly of Edward Johnson;

Thence turning and running northwesterly by said Johnson land, 35 feet to a corner;

Thence turning and running southwesterly by said Johnson land, 66 feet to the place of beginning.

Containing 2.3 acres, more or less.

Said city may restrict the use of said land to its inhabitants, and may adopt ordinances, not repugnant to law, relative to the use, care, regulation and control of same for such purposes.

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

Approved June 4, 1963.

Chap. 445. AN ACT AUTHORIZING CERTAIN GENERAL BIDDERS AND SUB-BIDDERS ON BUILDING CONSTRUCTION TO SUBSTITUTE CERTAIN BONDS FOR THE RETURN OF BID DEPOSITS AND CLARIFYING THE POWER OF AWARDING AUTHORITIES TO REJECT INVALID SUB-BIDS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to enable certain general bidders and sub-bidders forthwith to obtain refunds of deposits by substituting certain bonds therefor, and to clarify the power of awarding authorities to determine the validity of sub-bids, 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 44B of chapter 149 of the General Laws is hereby amended by striking out subsection (4), as appearing in section 1 of chapter 679 of the acts of 1956, and inserting in place thereof the following subsection: — (4) Every general bidder whose bid-deposit is not returned pursuant to the provisions of the first sentence of subsection (2) and every sub-bidder whose deposit is not returned pursuant to the provisions of the first sentence of subsection (3), may as of right, file with

the awarding authority at any time after five days, Saturdays, Sundays and legal holidays excluded, from the opening of the general bids, a bond in an amount not less than the amount of his bid deposit and in a form satisfactory to the awarding authority, with a surety company qualified to do business in the commonwealth and satisfactory to the awarding authority as surety, and conditioned upon the faithful performance by the principal of his agreements as contained in his bid. Upon the filing of a bond as aforesaid, the bid deposit of the general bidder or sub-bidder filing such bond shall forthwith be returned to him.

SECTION 2. The first paragraph of section 44H of said chapter 149 is hereby amended by striking out the first sentence, as so appearing, and inserting in place thereof the following sentence: — Every sub-bid in connection with a contract subject to section forty-four A for a sub-trade designated in Item 2 of the general bid form pursuant to section forty-four C shall be for the complete work of the sub-trade as specified, and shall be filed with the awarding authority, in a sealed envelope, before twelve o'clock noon at least four days, Saturdays, Sundays and legal holidays excluded, before the day fixed by the awarding authority for the opening of general bids, and forthwith after the time limit for the filing thereof shall be publicly opened and read by the awarding authority, which, within two days thereafter, Saturdays, Sundays and legal holidays excluded, shall reject every sub-bid which is not accompanied by a bid deposit as prescribed in subsection (1) of section forty-four B, or which otherwise does not conform with sections forty-four A to forty-four L, inclusive, or which is on a form not completely filled in, or which is incomplete, conditional or obscure, or which contains any addition not called for; provided, however, that the failure of the awarding authority to reject such a sub-bid within such period shall not validate such a sub-bid nor preclude the awarding authority from subsequently rejecting it. *Approved June 4, 1963.*

Chap. 446. AN ACT RELATING TO THE PERFORMANCE OF PUBLIC CONSTRUCTION WORK BY FOREIGN CORPORATIONS AND OTHERS RESIDING OUTSIDE THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 30 of the General Laws is hereby amended by inserting after section 39K the following section: —

Section 39L. The commonwealth and every county, city, town, district, board, commission or other public body which, as the awarding authority, requests proposals, bids or sub-bids for any work in the construction, reconstruction, alteration, remodeling, repair or demolition of any public building or other public works (1) shall not enter into a contract for such work with, and shall not approve as a subcontractor furnishing labor and materials for a part of any such work, a foreign corporation which has not complied with the requirements of sections three and five of chapter one hundred and eighty-one, and (2) shall report to the state secretary and to the department of corporations and taxation any foreign corporation performing work under such contract or subcontract, and any person, other than a corporation, performing work under such contract or subcontract, and residing or having a principal place of business outside the commonwealth. *Approved June 4, 1963.*

Chap. 447. AN ACT INCREASING THE AMOUNT OF WAGES REQUIRED TO BE PAID DURING THE BASE PERIOD BEFORE AN UNEMPLOYED WORKER MAY RECEIVE BENEFITS UNDER EMPLOYMENT SECURITY.

Be it enacted, etc., as follows:

SECTION 1. Clause (*a*) of section 24 of chapter 151A of the General Laws, as amended by section 1 of chapter 587 of the acts of 1959, is hereby further amended by striking out, in line 2, the words "six hundred and fifty" and inserting in place thereof the words: — seven hundred, — so as to read as follows: — (*a*) Have been paid wages in his base period of not less than seven hundred dollars;.

SECTION 2. Clause (4) of subsection (*b*) of section 25 of said chapter 151A, as amended by chapter 247 of the acts of 1961, is hereby further amended by striking out, in line 3, the words "six hundred and fifty" and inserting in place thereof the words: — seven hundred, — so as to read as follows: —

(4) The individual has, subsequent to his unemployment because of a labor dispute, obtained employment, and has been paid wages of not less than seven hundred dollars; provided, however, that during the existence of such labor dispute the wages of such individual used for the determination of his benefit rights shall not include any wages such individual earned from the employer involved in such labor dispute.

SECTION 3. Section one of this act shall take effect on September twenty-ninth, nineteen hundred and sixty-three and shall apply only to those individuals whose benefit years begin on or after said effective date. Section two of this act shall take effect with respect to those individuals whose claims are effective on or after said effective date.

Approved June 4, 1963.

Chap. 448. AN ACT PROVIDING THAT THE COMMONWEALTH OF MASSACHUSETTS MAY ENTER INTO A COMPACT WITH CONTIGUOUS STATES FOR REGIONAL PLANNING.

Be it enacted, etc., as follows:

SECTION 1. The division of planning of the department of commerce, as authorized under chapter twenty-three A of the General Laws, acting with and through the office of the attorney general is hereby directed to negotiate with the proper authorities of the states of Connecticut, New Hampshire, New York, Rhode Island and Vermont a compact for interstate regional planning substantially in the form as follows, which is hereby ratified:

INTERSTATE REGIONAL PLANNING COMPACT.

Whereas, The social, economic, and esthetic growth and development of the several states has, in certain regions, extended beyond the boundaries of two or more states; and

Whereas, Such growth and development has resulted in physical problems, which require co-operative regional planning and mutual assistance toward their solution for the betterment of the health, welfare, and economic prosperity of the people living in such regions; and

Whereas, Congress has recognized the need for co-operative planning by giving its consent to two or more states entering into compacts for interstate regional planning; and

Whereas, Co-operative regional planning between states can be best accomplished through interstate regional planning agencies; now therefore, the signatory states do agree and are bound as follows:

ARTICLE I.

Any Massachusetts municipality is authorized by vote of its city council or town meeting to become a member of a regional planning agency established under the statutes of Connecticut, New Hampshire, New York, Rhode Island and Vermont providing that the division of planning of the department of commerce of Massachusetts, and the state agency with regional planning responsibilities in the signatory state, and the regional planning agency concerned determine that membership in such agency would be effective for planning purposes.

ARTICLE II.

Any city, town, or borough in the states of Connecticut, New Hampshire, New York, Rhode Island and Vermont is authorized by vote of its municipal legislative body to become a member of a regional planning district established under chapter 40B of the General Laws of Massachusetts providing that the district planning commission, and the division of planning of the department of commerce of Massachusetts, and the state agency with regional planning responsibilities in the signatory state determine that such membership would be effective for planning purposes.

ARTICLE III.

Any municipality becoming a member of an interstate regional planning agency located in another state shall adopt the statutes establishing such agency, and shall be subject to all provisions of such statute for representation, financial contributions, duties, reports, and otherwise hold full membership, except that requirements for initial establishment of the regional planning agency shall be based only on the municipalities in the state in which the agency is located.

ARTICLE IV.

A municipality which becomes a member of a regional planning agency in another state may regard any plans, studies, proposals, and recommendations by such agency as advisory and need not be bound by them.

ARTICLE V.

An annual report on the activities of any regional planning agency engaged in interstate regional planning under the provisions of this compact shall be filed with the state agency with regional planning responsibilities in each signatory state, in addition to any reports otherwise required from the regional planning agency.

SECTION 2. This act may be cited as the Interstate Regional Planning Compact. *Approved June 4, 1963.*

Chap. 449. AN ACT RELATIVE TO THE CERTIFICATE OF FITNESS TO BE ISSUED TO A REGISTERED PHARMACIST, AUTHORIZING THE USE AND SALE OF ALCOHOL AND THE SALE OF ALCOHOLIC BEVERAGES UPON PRESCRIPTION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 138 of the General Laws is hereby amended by striking out section 30, as most recently amended by section 14 of chapter 542 of the acts of 1943, and inserting in place thereof the following section: — *Section 30.* The board of registration in pharmacy may issue to a registered pharmacist who desires to exercise the authority conferred by section twenty-nine, a certificate of fitness, stating that in the judgment of said board he is a proper person to be intrusted with such authority and that the public good will be promoted by the granting thereof. The board or the local licensing authorities may, after giving a hearing to the parties interested, revoke or suspend such certificate for any cause which they may deem proper, and such revocation or suspension shall revoke or suspend all authority conferred by section twenty-nine. Said certificate of fitness shall expire on December thirty-first of each uneven numbered year, following the date of its issue, and the fee therefor shall be twenty-five dollars for two years, or any part thereof.

SECTION 2. This act shall take effect on January first, nineteen hundred and sixty-four. *Approved June 4, 1963.*

Chap. 450. AN ACT INCREASING THE LICENSE FEES FOR PERSONS ENGAGED IN THE WHOLESALE DRUG BUSINESS AND REQUIRING EACH LOCATION WHEREIN SUCH BUSINESS IS CONDUCTED TO BE LICENSED.

Be it enacted, etc., as follows:

SECTION 1. Chapter 112 of the General Laws is hereby amended by striking out section 36B, inserted by section 2 of chapter 539 of the acts of 1948, and inserting in place thereof the following section: — *Section 36B.* The board shall upon application and the payment of an annual license fee of fifty dollars issue licenses required by section thirty-six A; provided, that no such license shall be issued to any applicant unless the board is satisfied that he or it is actually engaged in and is carrying on such wholesale business. Such license shall be renewed on or before December first of each year upon the payment of a license fee of fifty dollars. Any person who is engaged in the wholesale drug business at more than one location, shall obtain such a license for each location.

SECTION 2. This act shall take effect on December first, nineteen hundred and sixty-three. *Approved June 4, 1963.*

Chap. 451. AN ACT FURTHER REGULATING THE NON-CRIMINAL DISPOSITION OF PARKING VIOLATIONS IN CITIES AND TOWNS.

Be it enacted, etc., as follows:

SECTION 1. The sixth paragraph of section 20C of chapter 90 of the General Laws, as appearing in section 6 of chapter 786 of the acts of 1962, is hereby amended by striking out the second sentence and insert-

ing in place thereof the following two sentences: — If any person fails to appear in accordance with the summons issued upon such complaint, 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 upon the express order of a justice of said court, a warrant shall issue for the arrest of such person. The registrar 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.

SECTION 2. The eighth paragraph of said section 20C of said chapter 90, as so appearing, is hereby amended by adding at the end the following sentence: — Said provisions shall also apply to violations of rules and regulations relative to the parking of motor vehicles established by any commission or body empowered to make such rules and regulations.

Approved June 4, 1963.

Chap. 452. AN ACT PROVIDING FOR THE ENTRY OF THE COMMONWEALTH INTO AN INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN.

Be it enacted, etc., as follows:

SECTION 1. A compact is hereby entered into with all jurisdictions legally joining therein in substantially the following form: —

INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN.

ARTICLE I. PURPOSE AND POLICY.

It is the purpose and policy of the party states to co-operate with each other in the interstate placement of children to the end that:

(*a*) Each child requiring placement shall receive the maximum opportunity to be placed in a suitable environment and with persons or institutions having appropriate qualifications and facilities to provide a necessary and desirable degree and type of care.

(*b*) The appropriate authorities in a state where a child is to be placed may have full opportunity to ascertain the circumstances of the proposed placement, thereby promoting full compliance with applicable requirements for the protection of the child.

(*c*) The proper authorities of the state from which the placement is made may obtain the most complete information on the basis of which to evaluate a projected placement before it is made.

(*d*) Appropriate jurisdictional arrangements for the care of children will be promoted.

ARTICLE II. DEFINITIONS.

As used in this compact:

(*a*) "Child" means a person who, by reason of minority, is legally subject to parental guardianship or similar control.

(*b*) "Sending agency" means a party state, officer or employee thereof; a subdivision of a party state, or officer or employee thereof; a

court of a party state; a person, corporation, association, charitable agency or other entity which sends, brings or causes to be sent or brought any child to another party state.

(c) "Receiving state" means the state to which a child is sent, brought or caused to be sent or brought, whether by public authorities or private persons or agencies, and whether for placement with state or local public authorities or for placement with private agencies or persons.

(d) "Placement" means the arrangement for the care of a child in a family free or boarding home or in a child-caring agency or institution but does not include any institution caring for the mentally ill, mentally defective or epileptic or any institution primarily educational in character, and any hospital or other medical facility.

ARTICLE III. CONDITIONS FOR PLACEMENT.

(a) No sending agency shall send, bring or cause to be sent or brought into any other party state any child for placement in foster care or as a preliminary to a possible adoption unless the sending agency shall comply with each and every requirement set forth in this article and with the applicable laws of the receiving state governing the placement of children therein.

(b) Prior to sending, bringing or causing any child to be sent or brought into a receiving state for placement in foster care or as a preliminary to a possible adoption, the sending agency shall furnish the appropriate public authorities in the receiving state written notice of the intention to send, bring or place the child in the receiving state. The notice shall contain:

(1) The name, date and place of birth of the child.

(2) The identity and address or addresses of the parents or legal guardian.

(3) The name and address of the person, agency or institution to or with which the sending agency proposes to send, bring or place the child.

(4) A full statement of the reasons for such proposed action and evidence of the authority pursuant to which the placement is proposed to be made.

(c) Any public officer or agency in a receiving state which is in receipt of a notice pursuant to paragraph (b) of this article may request of the sending agency, or any other appropriate officer or agency of or in the sending agency's state, and shall be entitled to receive therefrom, such supporting or additional information as it may deem necessary under the circumstances to carry out the purpose and policy of this compact.

(d) The child shall not be sent, brought or caused to be sent or brought into the receiving state until the appropriate public authorities in the receiving state shall notify the sending agency, in writing, to the effect that the proposed placement does not appear to be contrary to the interests of the child.

ARTICLE IV. PENALTY FOR ILLEGAL PLACEMENT.

The sending, bringing or causing to be sent or brought into any receiving state of a child in violation of the terms of this compact shall constitute a violation of the laws respecting the placement of children

of both the state in which the sending agency is located or from which it sends or brings the child and of the receiving state. Such violation may be punished or subjected to penalty in either jurisdiction in accordance with its laws. In addition to liability for any such punishment or penalty, any such violation shall constitute full and sufficient grounds for the suspension or revocation of any license, permit or other legal authorization held by the sending agency which empowers or allows it to place or care for children.

ARTICLE V. RETENTION OF JURISDICTION.

(*a*) The sending agency shall retain jurisdiction over the child sufficient to determine all matters in relation to the custody, supervision, care, treatment and disposition of the child which it would have had if the child had remained in the sending agency's state, until the child is adopted, reaches majority, becomes self-supporting or is discharged with the concurrence of the appropriate authority in the receiving state. Such jurisdiction shall also include the power to effect or cause the return of the child or its transfer to another location and custody pursuant to law. The sending agency shall continue to have financial responsibility for support and maintenance of the child during the period of the placement. Nothing contained herein shall defeat a claim of jurisdiction by a receiving state sufficient to deal with an act of delinquency or crime committed therein.

(*b*) When the sending agency is a public agency, it may enter into an agreement with an authorized public or private agency in the receiving state providing for the performance of one or more services in respect of such case by the latter as agent for the sending agency.

(*c*) Nothing in this compact shall be construed to prevent a private charitable agency authorized to place children in the receiving state from performing services or acting as agent in that state for a private charitable agency of the sending state; nor to prevent the agency in the receiving state from discharging financial responsibility for the support and maintenance of a child who has been placed on behalf of the sending agency without relieving the responsibility set forth in paragraph (*a*) hereof.

ARTICLE VI. INSTITUTIONAL CARE OF DELINQUENT CHILDREN.

A child adjudicated delinquent may be placed in an institution in another party jurisdiction pursuant to this compact, but no such placement shall be made unless the child is given a court hearing on notice to the parent or guardian with opportunity to be heard, prior to his being sent to such other party jurisdiction for institutional care and the court finds that:

1. Equivalent facilities for the child are not available in the sending agency's jurisdiction; and
2. Institutional care in the other jurisdiction is in the best interest of the child and will not produce undue hardship.

ARTICLE VII. COMPACT ADMINISTRATOR.

The executive head of each jurisdiction party to this compact shall designate an officer who shall be general co-ordinator of activities under

this compact in his jurisdiction and who, acting jointly with like officers of other party jurisdictions, shall have power to promulgate rules and regulations to carry out more effectively the terms and provisions of this compact.

ARTICLE VIII. LIMITATIONS.

This compact shall not apply to:

(*a*) The sending or bringing of a child into a receiving state by his parent, stepparent, grandparent, adult brother or sister, adult uncle or aunt, or his guardian and leaving the child with any such relative or non-agency guardian in the receiving state.

(*b*) Any placement, sending or bringing of a child into a receiving state pursuant to any other interstate compact to which both the state from which the child is sent or brought and the receiving state are party, or to any other agreement between said states which has the force of law.

ARTICLE IX. ENACTMENT AND WITHDRAWAL.

This compact shall be open to joinder by any state, territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and, with the consent of Congress, the Government of Canada or any province thereof. It shall become effective with respect to any such jurisdiction when such jurisdiction has enacted the same into law. Withdrawal from this compact shall be by the enactment of a statute repealing the same, but shall not take effect until two years after the effective date of such statute and until written notice of the withdrawal has been given by the withdrawing state to the governor of each other party jurisdiction. Withdrawal of a party state shall not affect the rights, duties and obligations under this compact of any sending agency therein with respect to a placement made prior to the effective date of withdrawal.

ARTICLE X. CONSTRUCTION AND SEVERABILITY.

The provisions of this compact shall be liberally construed to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any party 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 party thereto, 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 2. The provisions of section thirty-six of chapter one hundred and nineteen of the General Laws shall not apply to a public sending agency of, or in, another state party to said compact.

SECTION 3. Financial responsibility for any child placed pursuant to the provisions of the interstate compact on the placement of children shall be determined in accordance with the provisions of Article V thereof in the first instance. However, in the event of partial or com-

plete default of performance thereunder, the provisions of said section thirty-six also may be invoked.

SECTION 4. As used in Articles III (*b*) and V (*a*) of the interstate compact on the placement of children, the phrase "appropriate authority in the receiving state" with reference to the Commonwealth of Massachusetts shall mean the state department of public welfare.

SECTION 5. The officers and agencies of the commonwealth and its political subdivisions having authority to place children are hereby empowered to enter into agreements with appropriate officers or agencies of or in other party states pursuant to Article V (*b*) of the interstate compact on the placement of children. Any such agreement which contains a financial commitment or imposes a financial obligation on the commonwealth or a political subdivision or agency thereof shall not be binding unless it has the approval in writing of the commissioner of administration in the case of the commonwealth and of the chief local fiscal officer in the case of a political subdivision thereof.

SECTION 6. Any requirements for visitation, inspection or supervision of children, homes, institutions or other agencies in another party state which may apply under sections fourteen, fifteen and sixteen of said chapter one hundred and nineteen, shall be deemed to be met if performed pursuant to an agreement entered into by appropriate officers or agencies of the commonwealth or a political subdivision thereof as contemplated by Article V (*b*) of the interstate compact on the placement of children.

SECTION 7. Any court having jurisdiction to place delinquent children may place a delinquent child in an institution of or in another state pursuant to Article VI of the interstate compact on the placement of children, and shall retain jurisdiction as provided in Article V thereof.

SECTION 8. As used in Article VII of the interstate compact on the placement of children, the term "executive head" means the governor.

Approved June 4, 1963.

Chap. 453. AN ACT FURTHER EMPOWERING THE DEPARTMENT OF PUBLIC HEALTH TO PROTECT THE CHARLES RIVER FROM POLLUTION.

DPH CHARLES RIVER

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by striking out section 175, as amended by chapter 353 of the acts of 1941, and inserting in place thereof the following section: — *Section 175.* The department shall make reasonable orders, having due regard for the particular circumstances of each case, prohibiting the entrance or discharge of sewage into any part of the Charles river or its tributaries, and preventing the entrance or discharge therein of any other substance which may be injurious to the public health or may tend to cause an offensive odor or to create a public nuisance or to obstruct the flow of water or to diminish the public use or enjoyment of said river, its tributaries, or adjacent areas, including all waste or refuse from any factory or other establishment where persons are employed. Any finding of fact made by the department in making such an order shall be prima facie evidence in any proceeding to enforce such order. The department shall consult and advise with the owner of any factory or establishment, or with any

municipality, discharging any substance into the Charles river or any of its tributaries, at his or its request or of the department's own motion, as to the best practicable and reasonably available method of making such substance harmless. The supreme judicial and the superior court shall have jurisdiction in equity to enforce any order made by the department hereunder. Proceedings to enforce any such order shall be instituted and prosecuted by the attorney general upon the request of the department. Whoever violates any order of the department made under authority of this section shall be punished by a fine of not less than twenty-five nor more than one thousand dollars. Nothing herein shall affect any powers of the metropolitan district commission under section thirty-nine or seventy-six of chapter ninety-two.

Approved June 4, 1963.

Chap. 454. AN ACT EXEMPTING CERTAIN PERSONS OPERATING MOTOR VEHICLES FROM THE PROVISIONS OF LAW REQUIRING THE CARRYING OF CERTIFICATES OF REGISTRATION OF SUCH VEHICLE.

Be it enacted, etc., as follows:

Section 11 of chapter 90 of the General Laws, as most recently amended by section 2 of chapter 388 of the acts of 1956, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — Every person operating a motor vehicle shall have the certificate of registration for the vehicle and for the trailer, if any, and his license to operate, upon his person or in the vehicle, in some easily accessible place, except that the certificates of registration of dealers, manufacturers, repairmen or owner-repairmen need not so be carried. *Approved June 4, 1963.*

Chap. 455. AN ACT DESIGNATING AN OVERPASS OVER ROUTE 113 IN THE TOWN OF METHUEN AS THE CARL A. WOEKEL OVERPASS.

Be it enacted, etc., as follows:

The overpass in the town of Methuen on Howe Street over state highway route 113 is hereby designated as the Carl A. Woekel Overpass in memory of the late Carl A. Woekel of Methuen, a member of the house of representatives from nineteen hundred and twenty-seven to nineteen hundred and forty, inclusive. The department of public works is hereby authorized and directed to place thereon in a conspicuous place a tablet bearing said designation. *Approved June 4, 1963.*

Chap. 456. AN ACT AUTHORIZING THE COMMISSIONER OF PUBLIC SAFETY TO CONDUCT TRAINING SCHOOLS FOR CERTAIN STATE EMPLOYEES.

Be it enacted, etc., as follows:

Chapter 22 of the General Laws is hereby amended by striking out section 9E, inserted by chapter 335 of the acts of 1951, and inserting in place thereof the following section: — *Section 9E.* The commissioner

may conduct schools for training police officers of the cities and towns of the commonwealth and for those employees who are authorized to exercise police powers in the various state departments or agencies and the commissioner shall appoint necessary instructors. There shall be an advisory board to assist the commissioner whose members shall be the directors of the Massachusetts Chiefs of Police Association. The commissioner, with the advisory board, shall prescribe the courses of study and time to be devoted to same. Cities, towns, state departments and agencies voluntarily participating in such training shall reimburse the commonwealth for the necessary expense thereof. Attendance at such schools by police officers of any city or town and those employees who are authorized to exercise police powers in the various state departments or agencies shall be on a voluntary basis. *Approved June 4, 1963.*

Chap. 457. AN ACT PROVIDING FOR EMPLOYMENT OF CERTAIN RETIRED STATE TEACHING PERSONNEL AS SUBSTITUTE TEACHERS.

Be it enacted, etc., as follows:

Section 91 of chapter 32 of the General Laws is hereby amended by striking out the last two sentences, added by chapter 291 of the acts of 1957, and inserting in place thereof the following two sentences: — Notwithstanding the foregoing provisions of this section or similar provisions of any special law, a teacher retired from the service of any city, town or district, or a person who was engaged in the instruction of students in a state college or other educational institution supported by the commonwealth and who retired from the service of the commonwealth, may be employed as a substitute teacher by the commonwealth or any political subdivision thereof. Such employment shall not affect the pension rights or amount of pension of any such person; provided that the total annual salary received therefrom does not exceed twelve hundred dollars.

Approved June 4, 1963.

Chap. 458. AN ACT AUTHORIZING THE DIRECTOR OF THE DIVISION OF FISHERIES AND GAME TO TAKE BY EMINENT DOMAIN CERTAIN LAND IN THE TOWNS OF PETERSHAM AND PHILLIPSTON.

Be it enacted, etc., as follows:

The director of the division of fisheries and game, with the approval of the fish and game board, 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 two hundred thirty-five acres more or less, located in the towns of Petersham and Phillipston adjacent to land now owned by the commonwealth and shown on a plan on file with the division entitled, "A Plan of Land Located in Petersham and Phillipston, Mass. owned by George B. Gale, December 1962".

Approved June 4, 1963.

Chap. 459. AN ACT AUTHORIZING THE TOWN OF CHARLTON TO RECEIVE AND ADMINISTER THE PROPERTY OF CITY UNION CEMETERY OF CHARLTON IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The City Union Cemetery of Charlton, a cemetery association, hereinafter called the association, may, by deed duly executed, convey and transfer to said town, and said town, upon its acceptance of an offer of such conveyance and transfer by vote of the town at a town meeting held within six months after the effective date of this act, 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 hereinafter provided, the association shall be dissolved; and the cemetery of the association shall be and become a public burial place, ground or cemetery, and shall be under the jurisdiction and control of the cemetery commissioners of said town under all applicable provisions of general law.

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, upon its acceptance of an offer of conveyance and transfer as provided in section one, 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 its 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 its 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 effect upon its acceptance by the town of Charlton. *Approved June 4, 1963.*

Chap. 460. AN ACT ESTABLISHING FIFTY-THREE DOLLARS AS THE MAXIMUM WEEKLY BENEFIT FOR INCAPACITY UNDER THE WORKMEN'S COMPENSATION ACT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 152 of the General Laws is hereby amended by striking out section 34, as most recently amended by section 1 of chapter 602 of the acts of 1961, and inserting in place thereof the following section: — *Section 34.* While the incapacity for work resulting from the injury is total, the insurer shall pay the injured employee a weekly compensation equal to two thirds of his average weekly wages, but not more than fifty-three dollars nor less than twenty dollars a week, unless the weekly wages of the injured employees are less than twenty dollars, in which case said weekly compensation shall be equal to his average weekly wages, but not less than ten dollars where the number of normal working hours of the injured employee in a week are fifteen or more; provided, that the amount does not exceed sixteen thousand dollars, except that if the injured employee has received compensation for the same injury under section thirty-five the combined amount of compensation payable under this section and section thirty-five shall not exceed the maximum amount as set forth in section thirty-five.

SECTION 2. Section 34A of said chapter 152 is hereby amended by striking out the first sentence, as most recently amended by section 2 of said chapter 602, and inserting in place thereof the following sentence: — While the incapacity for work resulting from the injury is both permanent and total, the insurer shall pay to the injured employee, following payment of the maximum amount of compensation provided in sections thirty-four and thirty-five, or either of them a weekly compensation equal to two thirds of the average weekly wage but not more than fifty-three dollars per week and not less than twenty dollars a week during the continuance of such permanent and total incapacity.

SECTION 3. Said chapter 152 is hereby further amended by striking out section 35, as most recently amended by section 3 of said chapter 602, and inserting in place thereof the following section: — *Section 35.* While the incapacity for work resulting from the injury is partial, the insurer shall pay the injured employee a weekly compensation equal to the entire difference between his average weekly wage before the injury and the average weekly wage he is able to earn thereafter, but not more than fifty-three dollars per week; and the amount of such compensation shall not be more than eighteen thousand dollars, nor shall the combined amount of compensation payable under this section and section thirty-four be more than eighteen thousand dollars.

SECTION 4. This act shall take effect on November first, nineteen hundred and sixty-three. *Approved June 4, 1963.*

Chap. 461. AN ACT AUTHORIZING THE TOWN OF DANVERS TO SUPPLY WATER TO PART OF THE TOWN OF TOPSFIELD.

Be it enacted, etc., as follows:

SECTION 1. The town of Danvers, acting by its board of water and sewer commissioners, is hereby authorized to supply water to such premises abutting Salem road in the town of Topsfield as have not

already an adequate supply of water from other sources, at such rate or rates as may be mutually agreed upon by the selectmen of the town of Topsfield and the board of water and sewer commissioners of the town of Danvers. In case of failure to so agree the rates shall be fixed by the department of public utilities. The town of Danvers may, with the approval of the selectmen of the town of Topsfield, make such extensions of its water mains and such installations of other facilities and equipment in the town of Topsfield as may be necessary for the purposes of this act.

SECTION 2. The town of Topsfield may at any time acquire by purchase any works constructed by the town of Danvers in the town of Topsfield under authority of this act. In case of failure to agree as to the price for said purchase, the price shall, upon application of either town, be fixed by the department of public utilities, and shall be binding upon both towns.

SECTION 3. This act shall take effect upon its acceptance by the town of Danvers and the town of Topsfield. *Approved June 5, 1963.*

Chap. 462. AN ACT RELATIVE TO THE SALARIES OF CERTAIN JUSTICES OF THE SUPREME JUDICIAL AND SUPERIOR COURTS.

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 supreme judicial court who was appointed to said office between the eighth day of January, nineteen hundred and sixty-one and the first day of January, nineteen hundred and sixty-three, both dates inclusive, shall receive such salary as is provided by section twenty-two of chapter two hundred and eleven of the General Laws, said salary to be effective as of the date of his appointment.

SECTION 2. 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 third day of April, nineteen hundred and sixty-two, 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 3. This act shall take effect upon its passage.

Approved June 6, 1963.

Chap. 463. AN ACT PROVIDING AN ADDITIONAL RETIREMENT ALLOWANCE FOR MEMBERS OF THE UNIFORMED BRANCH OF THE STATE POLICE WHO ARE VETERANS.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (*c*) of subdivision (3) of section 26 of chapter 32 of the General Laws, as most recently amended by section 1 of chapter 670 of the acts of 1951, is hereby further amended by adding at the end the following sentence: — Any member retired under the provisions of this subdivision 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. This act shall take effect as of January first, nineteen hundred and sixty-three. *Approved June 7, 1963.*

Chap. 464. AN ACT AUTHORIZING THE TOWN OF SHREWSBURY TO SUPPLY AND SELL WATER TO 9–20, INC. FOR THE USE OF ITS MOTEL LOCATED IN THE TOWN OF NORTHBOROUGH.

Be it enacted, etc., as follows:

SECTION 1. The town of Shrewsbury is hereby authorized to supply and sell water to 9–20, Inc. for the use of its motel located in the town of Northborough; provided that said corporation bears any and all expenses arising out of the extension of the water main and the installation of water service to its place of business. Water so furnished shall be sold at such rate or rates for this particular location and upon such terms as may be established by the board of selectmen of the town of Shrewsbury, acting as a board of water commissioners.

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

Approved June 7, 1963.

Chap. 465. AN ACT PROVIDING FOR THE ENTRY OF THE COMMONWEALTH INTO THE COMPACT ON TAXATION OF MOTOR FUELS CONSUMED BY INTERSTATE BUSES, WITH ANY OTHER STATE, THE PROVINCES OF CANADA AND THE STATES, TERRITORIES AND FEDERAL DISTRICT OF MEXICO.

Be it enacted, etc., as follows:

SECTION 1. A compact is hereby entered into with all jurisdictions legally joining therein in substantially the following form: —

COMPACT ON TAXATION OF MOTOR FUELS CONSUMED BY INTERSTATE BUSES.

ARTICLE I. PURPOSES.

The purposes of this agreement are to:

(*a*) Avoid multiple taxation of motor fuels consumed by interstate buses and to assure each state of its fair share of motor fuel taxes.

(*b*) Establish and facilitate the administration of a criterion of motor fuel taxation for interstate buses which is reasonably related to the use of highway and related facilities and services in each of the party states.

(*c*) Encourage the availability of a maximum number of buses for intrastate service by removing motor fuel taxation as a deterrent in the routing of interstate buses.

ARTICLE II. DEFINITIONS.

(*a*) *State.* State shall include the States of the United States, the District of Columbia, the territories of the United States, the Provinces of Canada, and the States, Territories and Federal District of Mexico.

(*b*) *Contracting State.* Contracting State shall mean a State which is a party to this agreement.

(*c*) *Administrator.* Administrator shall mean the official or agency of a State administering the motor fuel taxes involved.

(*d*) *Person.* Person shall include any individual, firm, co-partnership, joint venture, association, corporation, estate, trust, business trust, receiver, syndicate or any other group or combination acting as a unit.

(*e*) *Bus.* Bus shall mean any motor vehicle of a bus type engaged in the interstate transportation of passengers and subject to the jurisdiction of the Interstate Commerce Commission, or any agency successor thereto, or one or more State regulatory agencies concerned with the regulation of passenger transport.

(*f*) *Gallon.* Gallon shall mean the liquid measure containing 231 cubic inches.

ARTICLE III. GOVERNING PRINCIPLE.

For purposes of this Compact, the primary principle for the imposition of motor fuel taxes shall be consumption of such fuel within the State. Motor fuel consumed by buses shall be taxed on the existing basis, as it may be from time to time, and under the procedures for collection of such taxes by each party state, except that to the extent that this Compact makes provision therefor, or for any matter connected therewith, such provision shall govern.

ARTICLE IV. HOW FUEL CONSUMED TO BE ASCERTAINED.

The amount of fuel used in the operation of any bus within this State shall be conclusively presumed to be the number of miles operated by such bus within the State divided by the average mileage per gallon obtained by the bus during the tax period in all operations, whether within or without the party State. Any owner or operator of two or more buses shall calculate average mileage within the meaning of this article by computing single average figures covering all buses owned or operated by him.

ARTICLE V. IMPOSITION OF TAX.

Every owner or operator of buses shall pay to the party state taxes equivalent to the amount of tax per gallon multiplied by the number of gallons used in its operations in the party state.

ARTICLE VI. REPORTS.

On or before the last business day of the month following the month being reported upon, each bus owner or operator subject to the payment of fuel taxes pursuant to this Compact shall make such reports of its operations as the state administrator of motor fuel taxes may require and shall furnish the state administrator in each other party state wherein his buses operate a copy of such report.

ARTICLE VII. CREDIT FOR PAYMENT OF FUEL TAXES.

Each bus owner or operator shall be entitled to a credit equivalent to the amount of tax per gallon on all motor fuel purchased by such operator within the party state for use in operations either within or without the party state, and upon which the motor fuel tax imposed by the laws of such party state has been paid.

ARTICLE VIII. ADDITIONAL TAX OR REFUND.

If the bus owner or operator's monthly report shows a debit balance after taking credit pursuant to Article VII, a remittance in such net amount due shall be made with the report. If the report shows a credit balance, after taking credit as herein provided, a refund in such net amount as has been overpaid shall be made by the party state to such owner or operator.

ARTICLE IX. ENTRY INTO FORCE AND WITHDRAWAL.

This Compact shall enter into force when enacted into law by any two states. Thereafter it shall enter into force and become binding upon any state subsequently joining when such state has enacted the Compact into law. Withdrawal from the Compact shall be by act of the legislature of a party state, but shall not take effect until one year after the governor of the withdrawing state has notified the governor of each other party state, in writing, of the withdrawal.

ARTICLE X. CONSTRUCTION AND SEVERABILITY.

This Compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this Compact shall be severable and if any phase, clause, sentence or provision of this Compact is declared to be contrary to the Constitution of any 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 herein, the Compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the state affected as to all severable matters.

SECTION 2. The term "administrator", as used in the compact set forth in section one of this act shall, with reference to this commonwealth, mean the commissioner of corporations and taxation.

SECTION 3. The provisions of chapters sixty-four A and sixty-four E of the General Laws shall, to the extent that they are inconsistent with said compact, be inapplicable to the taxation of fuels used in the operation of a bus, as defined in said compact.

SECTION 4. This act shall take effect on January first, nineteen hundred and sixty-four. *Approved June 7, 1963.*

Chap. 466. AN ACT AUTHORIZING THE PURCHASE OF ANNUITIES FOR EMPLOYEES OF THE STATE DEPARTMENT OF EDUCATION AND OF PUBLIC EDUCATIONAL INSTITUTIONS IN THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to enable the commonwealth and political subdivisions thereof to purchase annuities with the assent of the employees of the department of education and of educational institutions supported and maintained by the commonwealth or any political subdivision thereof and make available forthwith to such employees certain pro-

visions of the Internal Revenue Code wherein amounts paid by the employer for the purchase of an annuity for an employee is not includible in the gross income of such employee for federal tax purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 15 of the General Laws is hereby amended by inserting after section 18 the following section: —

Section 18A. The state board of education on behalf of any employee of the department of education and the boards of trustees of the University of Massachusetts, Lowell Technological Institute, Bradford Durfee College of Technology, New Bedford Institute of Technology, Southeastern Massachusetts Technological Institute, the board of regional community colleges and the board of commissioners of the Massachusetts maritime academy, on behalf of any employee at their respective institutions, the boards of trustees of the Bristol county agricultural school, the Essex agricultural and technical institute and the Norfolk county agricultural school, on behalf of any employee at their respective schools, and the board or other body or officer of any other public educational institution maintained and operated by the commonwealth or by any county, on behalf of any employee thereof, may enter into a written agreement with any such employee to purchase an individual annuity contract for such employee; provided, however, that in no event shall the total of the premiums paid for the purchase of such annuity and the employee's includible compensation for any year exceed the total annual salary or compensation under the existing salary schedule for the job group applicable to such employee in such year. As used in this section, the words "includible compensation" shall have the same meaning as in section 403(b) of the Internal Revenue Code of 1954, as amended. Such employee's rights under such annuity contract shall be non-forfeitable. Such contract shall be purchased only from an insurer authorized to issue life insurance or annuity contracts in the commonwealth; provided, however, that such board may agree with any employee or prospective employee who has an annuity contract in force for at least ninety days prior to the effective date of such agreement to continue to make premium payments under such contract subsequent to the effective date of such agreement, without regard to whether or not such contract has been issued by an insurer authorized to issue such contracts in the commonwealth, but in such case any subsequent contract shall be purchased only from an insurer authorized to issue life insurance or annuity contracts in the commonwealth. Upon execution of such an agreement, such board or other body or officer, shall forthwith give written notice thereof to the treasurer of the commonwealth or the county or to the appropriate payroll officer of such educational institution, as the case may be, and shall certify the amount and dates of premiums payable under the terms of such contract, the name of the insurer and the office to which such premium payments shall be made. Said treasurer or other payroll officer shall thereafter make such premium payments while said contract is in force and such employee is actively employed by such board, and, upon written notice duly given by such board, shall make any changes in the manner or amount of premium payments required under the terms of any subsequent agreement en-

tered into by such employee and such board, and shall stop such premium payments when so notified by such board.

SECTION 2. Section 31 of chapter 29 of the General Laws is hereby amended by adding at the end the following sentence: — Nothing in this section shall be construed to prevent the payment of premiums for the purchase of an individual annuity contract for any employee of the department of education or of any educational institution within any department of the commonwealth as provided in section eighteen A of chapter fifteen.

SECTION 3. Chapter 71 of the General Laws is hereby amended by inserting after section 37A thereof the following section: —

Section 37B. A school committee may enter into a written agreement with any of its employees to purchase an individual annuity contract for such employee; provided, however, that in no event shall the total of the premiums paid for the purchase of such annuity and the employee's includible compensation for any year exceed the total annual salary or compensation under the existing salary schedule or classification plan applicable to such employee in such year. As used in this section, the words "includible compensation" shall have the same meaning as in section 403(b) of the Internal Revenue Code of 1954, as amended. Such employee's rights under such annuity contract shall be non-forfeitable. Such contract shall be purchased only from an insurer authorized to issue life insurance or annuity contracts in the commonwealth; provided, however, that such committee may agree with any employee or prospective employee who has an annuity contract in force for at least ninety days prior to the effective date of such agreement to continue to make premium payments under such contract subsequent to the effective date of such agreement, without regard to whether or not such contract has been issued by an insurer authorized to issue such contracts in the commonwealth, but in such case any subsequent contract shall be purchased only from an insurer authorized to issue life insurance or annuity contracts in the commonwealth. Upon execution of such an agreement, the committee shall forthwith give written notice thereof to the treasurer or other payroll officer of the city, town or district, and shall certify the amount and dates of premiums payable under the terms of such contract, the name of the insurer and the office to which such premium payments shall be made. Said treasurer or other payroll officer shall thereafter make such premium payments while said contract is in force and such employee is actively employed by the committee and, upon written notice duly given by the committee, shall make any changes in the manner or amount of premium payments required under the terms of any subsequent agreement entered into by such employee and the committee, and shall stop such premium payments when so notified by the committee.

SECTION 4. Section 43 of said chapter 71, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following sentence: — Nothing in this section or in any other section of this chapter shall be construed to prevent the school committee of any city, town or district from entering into an agreement with any of its employees for the payment of premiums for the purchase of an individual annuity contract for such employee or from reducing the salary or compensation of such employee pursuant to such agreement for the purpose of such purchase as authorized by section thirty-seven B.

SECTION 5. The paragraph defining "Regular compensation" in section 1 of chapter 32 of the General Laws is hereby amended by adding at the end the following sentence: — "Regular compensation" shall also include all premiums paid by any governmental unit for the purchase of an individual annuity contract as authorized by section eighteen A of chapter fifteen or section thirty-seven B of chapter seventy-one.

Approved June 10, 1963.

Chap. 467. AN ACT INCREASING THE MINIMUM AMOUNT OF GRANTS FOR CERTAIN PROJECTS APPROVED BY THE SCHOOL BUILDING ASSISTANCE COMMISSION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to increase forthwith the amount of the grant to cities, towns and districts of the commonwealth for the school building projects therein, 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. Clause (*a*) of section 9 of chapter 645 of the acts of 1948, as amended by section 3 of chapter 471 of the acts of 1961, is hereby further amended by striking out, in line 7, the word "thirty" and inserting in place thereof the word: — forty, — so as to read as follows: —

(*a*) The total construction grant for any approved school project in any city or town shall be one fourth of the product of the final approved cost of the project multiplied by the equalized valuation per pupil in net average membership for the entire commonwealth divided by the equalized valuation per pupil in net average membership of the city or town; provided, however, that no grant shall be approved for an amount less than forty per cent or more than fifty per cent of such approved cost;.

SECTION 2. Clause (*b*) of said section 9 of said chapter 645, as appearing in section 5 of chapter 703 of the acts of 1957, is hereby amended by striking out, in line 9, the word "thirty-five" and inserting in place thereof the word: — forty, — so as to read as follows: —

(*b*) The total construction grant for any approved school project in any regional school district shall be one third of the product of the final approved cost of the project multiplied by the equalized valuation per pupil in net average membership for the entire commonwealth divided by the total equalized valuation per pupil in the total net average membership of the towns comprising such district; provided, however, that no grant shall be approved for any amount less than forty per cent or more than sixty-five per cent of such approved cost;.

SECTION 3. Clause (*c*) of said section 9 of said chapter 645, as amended by section 4 of chapter 471 of the acts of 1961, is hereby further amended by striking out, in line 7, the word "thirty" and inserting in place thereof the word: — forty, — so as to read as follows: —

(*c*) The total construction grant for any approved school project in any county shall be one fourth of the product of the final approved cost of the project multiplied by the equalized valuation per pupil in the net average membership for the entire commonwealth divided by the equalized valuation per pupil in the total net average membership of all the cities and towns within the county; provided, however, that no

grant shall be approved for an amount less than forty per cent or more than fifty per cent of such approved cost;.

SECTION 4. The provisions of clauses (*a*), (*b*) and (*c*) of section nine of chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, as amended by sections one, two and three of this act, shall apply to projects approved by the school building assistance commission prior to the effective date of this act and which are under construction but unoccupied on said date, and to projects so approved but construction of which has not commenced prior to said date, and to all projects approved by the commission on or after said date.

Approved June 10, 1963.

Chap. 468. AN ACT AUTHORIZING THE BOARD OF REGISTRATION IN VETERINARY MEDICINE TO ISSUE A LICENSE TO PRACTICE VETERINARY MEDICINE IN THE COMMONWEALTH TO CERTAIN VETERINARIANS LICENSED IN OTHER STATES.

Be it enacted, etc., as follows:

Chapter 112 of the General Laws is hereby amended by inserting after section 56 the following section: —

Section 56A. Any person who is a licensed or registered veterinarian in another state and who has been engaged in the practice of veterinary medicine for at least five consecutive years, and who presents to the board a copy of his certificate of registration or license, certified or attested under seal by the board of examiners or like board of any other state in which the requirements for registration are, in the opinion of the board, equivalent to the requirements of this commonwealth, may, upon application, accompanied by a fee of seventy-five dollars, be given a practical examination, without examination on the theory of veterinary medicine, by the board, and if he demonstrates to said board his fitness to practice veterinary medicine, be registered as a veterinarian, and shall receive a certificate thereof; provided, that the applicant intends to remove to and reside in this commonwealth; and provided further, that such other state accords similar privilege to veterinarians registered under the laws of this commonwealth and removing to such other state.

Approved June 10, 1963.

Chap. 469. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW RELATING TO UNLAWFUL DISCRIMINATION AGAINST RACE, COLOR, RELIGIOUS CREED, NATIONAL ORIGIN OR ANCESTRY.

Be it enacted, etc., as follows:

Section 1 of chapter 151B of the General Laws is hereby amended by striking out subsection 7, as appearing in section 4 of chapter 368 of the acts of 1946, and inserting in place thereof the following subsection: —

7. The term "commission", unless a different meaning clearly appears from the context, means the Massachusetts commission against discrimination, established by section fifty-six of chapter six.

Approved June 10, 1963.

Chap. 470. AN ACT RELATIVE TO THE RETIREMENT ALLOWANCE OF CARRIE T. FOULKES, A MEMBER OF THE TEACHERS' RETIREMENT SYSTEM.

Be it enacted, etc., as follows:

Notwithstanding the provisions of subdivision (1) of section twelve of chapter thirty-two of the General Laws, the retirement allowance of Carrie T. Foulkes, a member of the teachers' retirement system, who retired as of July thirty-first, nineteen hundred and sixty-two shall, retroactive to said date, be paid in accordance with the terms of option (*a*), rather than the terms of option (*b*) of subdivision (2) of said section twelve of said chapter thirty-two. *Approved June 10, 1963.*

Chap. 471. AN ACT INCREASING THE FEES FOR REGISTRATION OF BARBERS AND FOR RENEWAL OF EXPIRED CERTIFICATES OF REGISTRATION, AND FURTHER LIMITING THE TIME FOR SUCH RENEWAL.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 87H of chapter 112 of the General Laws, as appearing in chapter 295 of the acts of 1958, is hereby amended by striking out, in lines 2 and 3, the word "fifteen" and inserting in place thereof the word: — twenty-five.

SECTION 2. The second paragraph of said section 87H, as so appearing, is hereby amended by striking out the fourth sentence and inserting in place thereof the following two sentences: — Any person holding a certificate or renewal certificate which has expired may have such certificate or renewal certificate reinstated within one year of the date of expiration upon payment of a fee of seven dollars and fifty cents. If a person fails to have such certificate or renewal certificate reinstated within said year, he shall thereafter be registered as a barber only upon application to the board for examination, accompanied by a fee of twenty-five dollars. *Approved June 10, 1963.*

Chap. 472. AN ACT REQUIRING THE REPOSSESSOR OF A MOTOR VEHICLE TO RETURN THE NUMBER PLATES ISSUED TO THE FORMER OWNER.

Be it enacted, etc., as follows:

Chapter 90 of the General Laws is hereby amended by inserting after section 6B the following section: —

Section 6C. Any person who takes possession of a motor vehicle by foreclosure or subrogation of title shall return the number plates issued for such vehicle to the person in whose name such plates had been issued as owner by the end of the second day following the day on which such possession was taken. Whoever violates the provisions of this section shall be punished by a fine of not less than ten nor more than one hundred dollars. *Approved June 10, 1963.*

Chap. 473. AN ACT REGULATING THE PROCESSING OF REQUESTS FOR STATE BUILDING PROJECTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 7 of the General Laws is hereby amended by striking out section 30H, as most recently amended by section 29 of chapter 757 of the acts of 1962, and inserting in place thereof the following section: — *Section 30H.* The director of building construction shall examine all requests for projects made to the commissioner of administration, as provided in section seven of chapter twenty-nine, and he may develop projects of his own whenever in his judgment the maintenance of state-owned property requires such improvements to prevent deterioration or costly future repairs. 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.

Annually, on or before the fifteenth day of September, the said director shall submit to the commissioner of administration a report containing a list of all projects so requested and his recommended program in priority order for construction thereof. Such report shall show the estimated cost of each such project.

SECTION 2. Section five A of chapter twenty-nine of the General Laws is hereby repealed.

SECTION 3. Said chapter 29 is hereby further amended by striking out section 7, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 7.* Each agency of the commonwealth desiring a project, as defined in section thirty A of chapter seven, shall prepare and submit to the commissioner of administration, at such time and in such form as he may require, its request for the project. Such requests shall be itemized and classified to indicate those which are most urgent, those which are essential but may be delayed and those which are dependent on the future long-range development plans of the agency. Each such request shall include a statement of the estimated annual operating and maintenance cost of the facilities to be constructed, shall indicate whether the project is to repair, enlarge or improve an existing properly identified structure or whether it is to replace an existing structure or to provide entirely new and additional facilities.

The commissioner shall assign the examination of the project to the bureau of building construction for the preparation of its recommendations on the advisability of the project, the type and design of construction and preliminary cost estimates. The commissioner shall designate the budget bureau or other appropriate agency or agencies within the executive office for administration and finance to study the requested project to determine its financial impact on the budget and its effect on the policy and program of development of the commonwealth's services.

The commissioner shall develop a report containing all projects so requested and his recommended long-range program for the construction thereof. Such report shall include the estimated cost of each project as prepared by the bureau of building construction and the estimated increase in operating and maintenance cost of the agency on completion of the project. *Approved June 10, 1963.*

Chap. 474. AN ACT AUTHORIZING THE CITY OF MALDEN TO PAY TO MARGARET C. MURPHY A CERTAIN SUM OF MONEY AS DAMAGES FOR INJURIES SUSTAINED BY HER IN SAID CITY.

Be it enacted, etc., as follows:

For the purpose of discharging a moral obligation, the city of Malden may appropriate and pay to Margaret C. Murphy a sum not exceeding seventy-five hundred dollars, for injuries sustained by her on or about March first, nineteen hundred and sixty-two, at the Faulkner School in said city. *Approved June 10, 1963.*

Chap. 475. AN ACT AUTHORIZING THE COUNTY OF DUKES COUNTY TO BORROW MONEY FOR IMPROVING THE COUNTY AIRPORT.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Dukes County may expend, for the purpose of improving the public airport operated by said county, a sum not exceeding thirteen thousand dollars.

SECTION 2. For the purposes aforesaid, the treasurer of said county, with the approval of the county commissioners, may borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, thirteen thousand dollars, and may issue notes of the county therefor, which shall bear on their face the words, Dukes County Airport Loan, Act of 1963. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than two years from their dates. Such notes shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell 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. *Approved June 10, 1963.*

Chap. 476. AN ACT AMENDING THE DEFINITIONS OF MOTOR VEHICLE LIABILITY BONDS AND POLICIES BY INSERTING AN EXCLUSION WITH RESPECT TO CERTAIN EMPLOYEES OF THE FEDERAL GOVERNMENT.

Be it enacted, etc., as follows:

SECTION 1. Section 34A of chapter 90 of the General Laws is hereby amended by striking out the paragraph defining "Motor vehicle liability bond", as most recently amended by section 1 of chapter 358 of the acts of 1963, and inserting in place thereof the following paragraph:—

"Motor vehicle liability bond", a bond conditioned that the obligor shall within thirty days after the rendition thereof satisfy all judgments rendered against him or against any person responsible for the operation of the obligor's motor vehicle with his express or implied consent in actions to recover damages for bodily injuries, including death at any time resulting therefrom, and judgments rendered as aforesaid for consequential damages consisting of expenses incurred by a husband, wife, parent or guardian for medical, nursing, hospital or surgical

services, or for indemnity, in connection with or on account of such bodily injuries or death, and judgments rendered as aforesaid for contribution as a joint tortfeasor in connection with or on account of such bodily injuries, sustained during the term of said bond by any person, other than a guest occupant of such motor vehicle or any employee of the owner or registrant of such vehicle or of such other person responsible as aforesaid who is entitled to payments or benefits under the provisions of chapter one hundred and fifty-two, and arising out of the ownership, operation, maintenance, control or use upon the ways of the commonwealth of such motor vehicle, other than by an employee of the federal government while acting within the scope of his office or employment and covered by the provisions of section 2679 of Title 28, United States Code, to the amount or limit of at least five thousand dollars on account of injury to or death of any one person, and, subject to such limits as respects injury to or death of one person, of at least ten thousand dollars on account of any one accident resulting in injury to or death of more than one person; provided, however, that in the case of a person who is engaged in the business of leasing motor vehicles under any system referred to in section thirty-two C, the words "motor vehicle liability bond" shall mean a bond as described herein but conditioned further, except in the case of vehicles leased for a term of more than thirty days, that the obligor shall within thirty days after the rendition thereof satisfy all judgments rendered against him or against any person responsible for the operation of the obligor's motor vehicle with his express or implied consent, including such consent imputed under section thirty-two E, in actions to recover damages for injury to property, and judgments rendered as aforesaid for indemnity, or for contribution as a joint tortfeasor, in connection with or on account of such injury to property, sustained during the term of said bond by any person, and arising out of the ownership, operation, maintenance, control or use upon the ways of the commonwealth of such motor vehicle, other than by an employee of the federal government while acting within the scope of his office or employment and covered by the provisions of section 2679 of Title 28, United States Code, to the amount or limit of at least one thousand dollars on account of any such injury to property.

SECTION 2. Said section 34A of said chapter 90 is hereby further amended by striking out the paragraph defining "Motor vehicle liability policy", as most recently amended by section 2 of said chapter 358, and inserting in place thereof the following paragraph: —

"Motor vehicle liability policy", a policy of liability insurance which provides indemnity for or protection to the insured and any person responsible for the operation of the insured's motor vehicle with his express or implied consent against loss by reason of the liability to pay damages to others for bodily injuries, including death at any time resulting therefrom, or consequential damages consisting of expenses incurred by a husband, wife, parent or guardian for medical, nursing, hospital or surgical services, or for indemnity, in connection with or on account of such bodily injuries or death, or by reason of the liability for contribution as a joint tortfeasor, in connection with or on account of such bodily injuries, sustained during the term of said policy by any person, other than a guest occupant of such motor vehicle or of any employee of the owner or registrant of such vehicle or of such other person responsible as aforesaid who is entitled to payments or benefits

under the provisions of chapter one hundred and fifty-two, and arising out of the ownership, operation, maintenance, control or use upon the ways of the commonwealth of such motor vehicle, other than by an employee of the federal government while acting within the scope of his office or employment and covered by the provisions of section 2679 of Title 28, United States Code, to the amount or limit of at least five thousand dollars on account of injury to or death of any one person, and, subject to such limits as respects injury to or death of one person, of at least ten thousand dollars on account of any one accident resulting in injury to or death of more than one person, or a binder as defined in section one hundred and thirteen A of said chapter one hundred and seventy-five providing indemnity or protection as aforesaid pending the issue of such a policy; provided, however, that in the case of a person who is engaged in the business of leasing motor vehicles under any system referred to in section thirty-two C, the words "motor vehicle liability policy" shall mean a policy of liability insurance as described herein and providing, in addition, except in the case of vehicles leased for a term of more than thirty days, indemnity for or protection to the insured and any person responsible for the operation of the insured's motor vehicle with his express or implied consent, including such consent imputed under section thirty-two E, against loss by reason of the liability to pay damages to others for injury to property or by reason of the liability for indemnity, or for contribution as a joint tortfeasor, in connection with or on account of such injury to property, other than by an employee of the federal government while acting within the scope of his office or employment and covered by the provisions of section 2679 of Title 28, United States Code, sustained during the term of the policy by any person, and arising out of the ownership, operation, maintenance, control or use upon the ways of the commonwealth of such motor vehicle, to the amount or limit of at least one thousand dollars on account of any such injury to property.

SECTION 3. The provisions of this act shall apply to motor vehicle liability bonds and motor vehicle liability policies issued for the year nineteen hundred and sixty-four and for subsequent years.

Approved June 11, 1963.

Chap. 477. AN ACT PROVIDING FOR THE COMPLETION BY THE DEPARTMENT OF PUBLIC WORKS OF FLOOD CONTROL WORK ALONG SWEETWATER BROOK IN THE TOWN OF STONEHAM.

Be it enacted, etc., as follows:

The department of public works, acting through its division of waterways, is hereby authorized and directed to complete the flood control work begun by said department along Sweetwater brook in the town of Stoneham.

No work shall be commenced hereunder until the town of Stoneham has assumed liability in the manner provided by section twenty-nine of chapter ninety-one of the General Laws for all damages that may be incurred hereunder, and until there has been paid into the state treasury by said town the sum of ninety thousand dollars, which shall represent the share of the town for such work. *Approved June 11, 1963.*

Chap. 478. AN ACT INCREASING THE AMOUNTS OF PENSIONS AND RETIREMENT ALLOWANCES PAYABLE TO CERTAIN FORMER PUBLIC EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1. The annual amount of every pension, retirement allowance or annuity payable under any general or special law to any former employee of the commonwealth or of any county, city, town or district, including teachers, who at the time of such retirement had attained age sixty and had completed at least fifteen years of creditable service shall be increased by one hundred dollars; and the annual amount of every such pension, retirement allowance or annuity payable to any such former employee who at the time of such retirement had attained age sixty and had completed at least twenty years of creditable service or who had completed at least thirty years of creditable service regardless of his age at the time of such retirement shall be increased by two hundred dollars; and the annual amount of every such pension, retirement allowance or annuity payable to any such former employee who at the time of such retirement had attained age sixty-five and had completed at least thirty-five years of creditable service shall be increased by three hundred dollars; provided, that no such increase shall be made in the case of any pension, retirement allowance or annuity which is in excess of twenty-eight 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-eight hundred dollars.

SECTION 2. The annual amount of any annuity or allowance payable under the provisions of section nine, seventy-seven A, eighty-five J, eighty-nine, eighty-nine A, ninety-five or ninety-five A, or under option (*c*) or (*d*) of subdivision (2) of section twelve of chapter thirty-two of the General Laws, or any similar law, to the widow of any deceased employee, including teachers, of the commonwealth or of any county, city, town or district, shall be increased by one hundred dollars; provided, that the total amount of such annuity or allowance as so increased shall not exceed twenty-eight hundred dollars and that the member whose widow is receiving a pension under said option (*c*) or (*d*) had at least ten years of creditable service; and further provided, that such widow does not remarry; and further provided, that no increase shall be granted under this section to the widow of any such deceased employee whose death occurred subsequent to October second, nineteen hundred and fifty-eight.

SECTION 3. The annual amount of any pension or retirement allowance payable under the provisions of section six, fifty-six, or fifty-seven of chapter thirty-two of the General Laws, shall be increased by one hundred dollars, provided that the total amount of such pension or retirement allowance as so increased shall not exceed twenty-eight hundred dollars.

SECTION 4. The increases granted under this act with respect to pensions, retirement allowances or annuities payable by the commonwealth or by the teachers' retirement system shall take effect on January

first, nineteen hundred and sixty-four. 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. No increase as provided in this act shall apply to any pension, retirement allowance, annuity, or other benefit which became effective after December thirty-first, nineteen hundred and sixty-two.

SECTION 5. Any former employee of the commonwealth or any of its political subdivisions who is entitled to the increase granted by this act may waive and renounce for himself, his heirs and legal representatives his right to receive such increase by filing with the treasurer of the governmental unit paying his pension, retirement allowance or annuity a written statement wherein he waives and renounces such right as aforesaid. Nothing in this section shall be construed to otherwise affect the pension, retirement allowance or annuity payable to the person filing such a written statement.

SECTION 6. This act shall not apply to the pension to be used for reimbursement purposes under paragraph (*c*) of subdivision (2) of section twenty of chapter thirty-two of the General Laws on account of teachers retired by the city of Boston. *Approved June 11, 1963.*

Chap. 479. AN ACT AUTHORIZING PAYMENT TO SKIN DIVERS FOR SERVICES RENDERED TO THE COMMONWEALTH AND CERTAIN OF ITS POLITICAL SUBDIVISIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 6 of chapter 22 of the General Laws is hereby amended by adding at the end the following paragraph: —

The commissioner may, in case of emergency, engage the services of persons who are experienced skin divers. Each such person shall be compensated at the rate of his usual occupation, and shall be paid by the treasurer upon a voucher verified by oath and approved by the commissioner.

SECTION 2. Section 5 of chapter 40 of the General Laws is hereby amended by adding after clause (54), added by section 1 of chapter 672 of the acts of 1962, the following clause: —

(55) For the compensation of a person for services rendered by him as a skin diver, at the rate of his usual occupation, when, in case of emergency, such services are requested by the police or fire department.

Approved June 11, 1963.

DPW

Chap. 480. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO MAKE CERTAIN REPAIRS, ALTERATIONS AND IMPROVEMENTS TO SUGDEN LAKE DAM, SO CALLED, IN THE TOWN OF SPENCER.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to make such repairs and alterations and such other improvements as are necessary or advisable to the Sugden Lake dam, so called, in the town of Spencer. No work shall be commenced hereunder until said town shall have assumed liability in the manner provided by section twenty-nine of chapter ninety-one of the General Laws for all damages that may be incurred under the project. *Approved June 11, 1963.*

Chap. 481. AN ACT AUTHORIZING THE TOWN OF RUSSELL TO PAY A CERTAIN SUM OF MONEY TO EUNICE LABOMBARD OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the town of Russell may appropriate and pay to Eunice LaBombard of said town the sum of three hundred and sixty-five dollars as compensation for damages to a motor vehicle owned by her, resulting from a collision of said motor vehicle with a highway truck owned by said town.

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 Eunice LaBombard 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 June 18, 1963.

Chap. 482. AN ACT PROVIDING FOR THE PAYMENT OF COMPENSATION FOR SERVICES RENDERED TO THE GENERAL COURT BY CERTAIN FORMER PUBLIC EMPLOYEES.

Be it enacted, etc., as follows:

Section 91 of chapter 32 of the General Laws, as most recently amended by chapter 367 of the acts of 1961, is hereby further amended by striking out the first two sentences and inserting in place thereof the following three sentences: — No person while receiving a pension or retirement allowance from the commonwealth or from any county, city, town or district, shall, after the date of his retirement be paid for any service rendered to the commonwealth or any county, city, town or district, except upon his return and restoration to active service as ordered by the appropriate retirement board after re-examination in case of retirement for disability, for jury service, for service rendered in an emergency under sections sixty-eight, sixty-nine or eighty-three, for work as an election officer at a polling place at a primary or election, for service in a public office to which he has thereafter been elected by direct vote of the people, for service rendered as an appointee under section sixteen of chapter two hundred and eight or section fifty-six A

of chapter two hundred and fifteen, for service in a confidential capacity under section seven of chapter thirty in the executive department, or in the department of the state secretary, the state treasurer, the state auditor or the attorney general, for contractual service, or service as a non-employee, rendered to the general court, or for service as a physician, or as a member of a medical panel or similar board under this chapter, aggregating not more than thirty days in any year; provided, that there shall be deducted from the compensation for the services of any person employed in a confidential capacity as aforesaid an amount equal to the retirement allowance or pension received by him. Notwithstanding the foregoing provisions of this section or similar provisions of any special law, a person who, while receiving such a pension or retirement allowance, is appointed for a term of years to a position by the governor with or without the advice and consent of the council or by the mayor or city manager of any city with or without confirmation by the city council or, in a Plan E city, is elected for a term of years to a position by the city council, or is appointed to a position in a town and serves in such position under the direction of the selectmen thereof, or is appointed, chosen or elected to a position by the general court, shall be paid the compensation attached to such position; provided, that he files with the treasurer of the governmental unit paying such pension or allowance, a written statement wherein he waives and renounces for himself, his heirs and his legal representatives, his right to receive the same for the period during which such compensation is payable. In this section the words "general court" shall include any committee thereof, either branch thereof, any committee of either branch, and any special commission established to make an investigation and study of any matter and report thereon to the general court.

Approved June 18, 1963.

Chap. 483. AN ACT PROVIDING PENALTIES FOR VIOLATIONS OF ORDERS, RULES AND REGULATIONS ADOPTED BY BOARDS OF HEALTH FOR THE CONTROL OF ATMOSPHERIC POLLUTION.

Be it enacted, etc., as follows:

Section 31C of chapter 111 of the General Laws, added by section 4 of chapter 672 of the acts of 1954, is hereby amended by adding at the end the following paragraph: —

Whoever violates any order, rule or regulation promulgated or adopted under the provisions of this section shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars. For the purpose of this paragraph each day or part thereof of violation of such an order, rule or regulation whether such violation be continuous or intermittent, shall be construed as a separate and succeeding offense.

Approved June 18, 1963.

Chap. 484. AN ACT RELATIVE TO CERTAIN FEES IN CONNECTION WITH THE SALE OF SECURITIES.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of section 5 of chapter 110A of the General Laws, as appearing in section 1 of chapter 290 of the acts of

1932, is hereby amended by inserting after the word "intention", in line 4, the words: — , accompanied by a filing fee of twenty-five dollars,.

SECTION 2. The second paragraph of section 10 of said chapter 110A, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following two sentences: — The fee for each original registration and renewal registration shall be one hundred dollars in the case of a broker, and ten dollars in the case of a salesman. The fee for recording the transfer of a registered salesman from the employment of one broker to another broker shall be ten dollars.

SECTION 3. This act shall take effect on January first, nineteen hundred and sixty-four. *Approved June 18, 1963.*

Chap. 485. AN ACT AUTHORIZING THE CITY OF GARDNER TO SELL WATER TO THE TOWN OF WESTMINSTER AND AUTHORIZING SAID TOWN TO PURCHASE THE SAME.

Be it enacted, etc., as follows:

SECTION 1. The city of Gardner is authorized to sell from its water supply a supply of water to the town of Westminster, and said town, acting by and through its board of water commissioners, may purchase said water in order to supply water for domestic purposes to not more than fifty services, none having a size greater than three quarter inch, in that portion of said town known as Holmes Park or Winthrop Terrace.

SECTION 2. The rate to be charged by the city of Gardner for the sale of water under this act shall be the rate charged by the city to users of water in said city at the time of such sale.

SECTION 3. The cost of pipes and other materials and the cost of labor necessary to enable the city of Gardner to deliver any water to the town of Westminster shall be at the sole expense of said town, and said city shall deliver such water to said town at a point at the boundary line between the city of Gardner and the town of Westminster, or at such other point as may be agreed upon.

SECTION 4. In order to carry out the provisions of this act, the town of Westminster may make such extensions of its water mains and install such other facilities and equipment as may be necessary to connect with the water supply of the city of Gardner, and said town may, with the approval of the state department of public health, given after due notice and hearing, take by eminent domain under the provisions of chapter seventy-nine of the General Laws or acquire by purchase, devise, or gift or otherwise, and hold such lands, rights of way and easements within the limits of said city as may be necessary for the purposes of this section.

SECTION 5. This act shall take effect upon its passage.

Approved June 18, 1963.

Chap. 486. AN ACT PROVIDING THAT CERTAIN PRISONERS SHALL BE BROUGHT INTO COURT FOR TRIAL OF INDICTMENTS PENDING AGAINST THEM IF THEY MAKE APPLICATION THEREFOR.

Be it enacted, etc., as follows:

Chapter 277 of the General Laws is hereby amended by inserting after section 72 the following section: —

Section 72A. The commissioner of correction shall, upon learning that an untried indictment, information or complaint is pending in any court in the commonwealth against any prisoner serving a term of imprisonment in a correctional institution of the commonwealth, notify such prisoner in writing thereof, stating its contents, including the court in which it is pending, and that such prisoner has the right to apply, as hereinafter provided, to such court for prompt trial or other disposition thereof.

Such application shall be in writing and given or sent by such prisoner to the commissioner of correction, who shall promptly forward it to such court by certified mail, together with a certificate of said commissioner stating (*a*) the term of commitment under which such prisoner is being held, (*b*) the amount of time served, (*c*) the amount of time remaining to be served, (*d*) the amount of good time earned, (*e*) the time of parole eligibility of such prisoner, and (*f*) any decisions of the board of parole relating to such prisoner. Said commissioner shall at the same time notify the appropriate district attorney by certified mail of the forwarding of such application to such court.

Any such prisoner shall, within six months after such application is received by the court, be brought into court for trial or other disposition of any such indictment, information or complaint, unless the court shall otherwise order. *Approved June 19, 1963.*

Chap. 487. AN ACT REGULATING THE MAINTENANCE AND OPERATION OF AND THE SALE OF FOODS AND BEVERAGES THROUGH VENDING MACHINES.

Be it enacted, etc., as follows:

SECTION 1. Section 186 of chapter 94 of the General Laws is hereby amended by adding after clause Twelfth, as appearing in section 1 of chapter 598 of the acts of 1948, the following clause: —

Thirteenth, If it has been prepared, packed or stored under unsanitary conditions whereby it may have become contaminated with filth, or rendered injurious to health.

SECTION 2. Said chapter 94 is hereby further amended by striking out section 305A, as amended by section 5 of chapter 362 of the acts of 1937, and inserting in place thereof the following section: — *Section 305A.* Unless another penalty is provided under this chapter, whoever for the purpose of sale manufactures, prepares, packs, cans, bottles, keeps, exposes, stores, handles, serves, or distributes in any manner, food in or from an unclean, unsanitary or unhealthful establishment, place or vehicle or under unclean, unsanitary or unhealthful conditions shall be punished for the first offense by a fine of not more than one hundred dollars and for a subsequent offense by a fine of not more than five hundred dollars. For the purposes of this section, the word "food" shall mean and include all articles, whether simple, mixed, or compound, used or intended to be used for food or drink, confectionery or condiment, by human beings, except milk and cream. The commissioner of public health may promulgate and adopt such rules and regulations as he may deem necessary for the enforcement of this section. Any person vio-

lating any rule or regulation promulgated and adopted hereunder shall be punished for the first offense by a fine of not more than one hundred dollars or for a subsequent offense by a fine of not more than five hundred dollars.

SECTION 3. Said chapter 94 is hereby further amended by adding after section 307, under the caption VENDING MACHINES, the following six sections: —

Section 308. In this section and sections three hundred and nine to three hundred and twelve, inclusive, the following words shall, unless the context requires otherwise, have the following meanings: —

"Vending machine", any self-service device offered for public use which, upon insertion of a coin, coins, token, paper currency, or by other means, dispenses servings of food or beverage, either in bulk or in package.

"Machine location", a room, enclosure, space, area or building where a vending machine is installed or operated.

"Commissary", a catering establishment, restaurant, or any other place in which food, beverage and ingredients are processed or prepared and from which vending machines are serviced.

"Commissioner", the commissioner of public health.

"Operator", any person who by contract, agreement or ownership is responsible for furnishing, installing, servicing, operating or maintaining a vending machine.

Section 309. No person shall engage in the operation of a vending machine without a license issued by the commissioner.

Any person desiring to operate a vending machine shall make application for a license to the commissioner on a form to be provided by him. The application shall state whether the applicant is an individual, firm, partnership or corporation; the name and address of the applicant, and if the applicant is a partnership, the name and address of each partner; the address of the applicant's principal place of business, and of each commissary servicing his vending machines; and it shall be signed by the applicant or applicants.

The commissioner after compliance by the operator with the applicable provisions of this chapter and upon receipt of the appropriate fee shall issue a license to operate a vending machine. Such license shall not be transferable. A label, of a size and style approved by the commissioner, bearing the operator's license number, shall be conspicuously displayed at each machine location.

The annual fees for licenses to operate vending machines shall be as follows: —

(1) For vending machines dispensing servings at a charge not in excess of two cents:

1 location	$0.50
2 to 10 locations	1.00
11 to 20 locations	5.00
21 to 50 locations	10.00
51 to 100 locations	15.00
101 to 200 locations	20.00
201 to 300 locations	25.00
301 or more locations	30.00

(2) For vending machines dispensing servings at a charge not in excess of nine cents:

1 location	$0.50
2 to 10 locations	2.00
11 to 20 locations	10.00
21 to 50 locations	20.00
51 to 100 locations	30.00
101 to 200 locations	40.00
201 to 300 locations	50.00
301 or more locations	60.00

(3) For vending machines dispensing pre-mixed carbonated beverages sealed in individual containers:

1 location	$0.50
2 to 10 locations	5.00
11 to 20 locations	10.00
21 to 50 locations	25.00
51 to 100 locations	50.00
101 to 200 locations	100.00
201 to 300 locations	150.00
301 or more locations	200.00

(4) For all other vending machines:

1 location	$0.50
2 to 10 locations	25.00
11 to 50 locations	100.00
51 or more locations	200.00

Section 310. Each licensee shall keep a list of all locations within the commonwealth wherein vending machines are operated by him and of all commissaries servicing such vending machines. Such information shall be available to the commissioner upon his request.

The commissioner or any authorized agent or employee shall, after proper identification, be permitted to enter, at any reasonable time, any premises wherein vending machines are operated, or any commissary servicing such machines for the purpose of inspecting the same. The licensee shall at the request of the commissioner make provision for the commissioner or any authorized agent or employee to have access, either in company with an employee of the operator or otherwise, to the interior of any vending machine operated by him.

Section 311. (*a*) A license to operate a vending machine may be suspended by the commissioner for violation of any provision of this chapter, or may be revoked for serious or repeated violations of any such provision.

(*b*) Whenever the commissioner finds that an operator has violated any applicable provision of this chapter or that unsanitary or other conditions exist in the operation of any vending machine or commissary, he shall issue a written notice to the operator citing the existence of such condition, specifying the corrective action to be taken, stating that a hearing on such findings shall be given upon the written request of the operator filed within ten days of the receipt of this notice, and advising the operator that unless such violation and condition is corrected within a specified and reasonable period of time his license may be suspended or revoked. When the necessary corrective action has been

taken, the operator shall forthwith notify the commissioner who shall cause a new inspection to be made.

(*c*) After any hearing held under the provisions of this section, the commissioner shall sustain, modify or rescind any notice or order considered in the hearing.

(*d*) Any operator whose license has been suspended, may at any time make application for the reinstatement of the license. Within ten days after the receipt of a written application, accompanied by, or including, a statement signed by the operator to the effect that the conditions responsible for such suspension have been corrected and no longer exist, the commissioner shall cause a new inspection to be made. If the inspection satisfies the commissioner that the applicant is again complying with applicable provisions of law, the commissioner shall reinstate the license.

Section 312. Food, beverage and ingredients processed and prepared in commissaries outside the commonwealth may be sold in a vending machine within the commonwealth, if such commissaries conform to the provisions of law governing commissaries within the commonwealth, provided that the operator of said vending machine is licensed under the provisions of section three hundred and nine.

To determine the extent of compliance with such provisions, the commissioner may accept reports from the responsible authority in such jurisdictions outside the commonwealth where such commissaries are located.

Section 313. Whoever violates any provision of sections three hundred and eight to three hundred and twelve, inclusive, or who continues to operate a vending machine after his license has been suspended or revoked, shall be punished for the first offense by a fine of not more than one hundred dollars and for a subsequent offense by a fine of not more than five hundred dollars.

SECTION 4. The provisions of this act are severable and if any section, paragraph, sentence, clause or phrase is declared unconstitutional or invalid for any reason, the remainder shall not be affected thereby.

Approved June 19, 1963.

Chap. 488. AN ACT RELATIVE TO THE PERIOD FOR WHICH PERMITS FOR THE OPERATION OF RETAIL DRUG STORES SHALL BE ISSUED AND THE FEES TO BE PAID THEREFOR.

Be it enacted, etc., as follows:

SECTION 1. Section 39 of chapter 112 of the General Laws, as most recently amended by chapter 695 of the acts of 1962, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence: — Such permit shall expire on December thirty-first of each uneven numbered year following the date of its issue, and the fee therefor shall be twenty-five dollars for two years, or any part thereof.

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

Approved June 24, 1963.

Chap. 489. AN ACT AUTHORIZING THE FORMATION OF A REGIONAL SCHOOL DISTRICT FOR VOCATIONAL EDUCATION BY THE CITY OF BROCKTON AND THE TOWNS OF EAST BRIDGEWATER, EASTON, FOXBOROUGH, MANSFIELD, NORTON, SHARON, STOUGHTON AND WEST BRIDGEWATER.

Be it enacted, etc., as follows:

SECTION 1. The city of Brockton, by vote of its city council, and any one or more of the towns of East Bridgewater, Easton, Foxborough, Mansfield, Norton, Sharon, Stoughton and West Bridgewater, by vote in town meeting duly called therefor, may each create a special unpaid committee to be known as a regional school district planning committee, to consist of three members, one of whom shall be a member of the school committee, to be appointed by the mayor or moderator, as the case may be. Said city and each of said towns may at the same meeting or at a subsequent meeting appropriate for the expenses of said committee such sum or sums, not exceeding one tenth of one per cent of the assessed valuation of such city or town in the preceding year as it may deem necessary. Any regional school district planning committee heretofore created by said city or by any one or more of said towns may carry out the functions of a regional school district planning committee provided for under this act in lieu of a new committee. Any vote creating such committee heretofore taken by the city council of said city or by any town meeting in any one or more of said towns is hereby validated in all respects. Any vacancy in the membership of a regional school district planning committee acting under this act may be filled by the mayor or moderator, as the case may be. A regional school district planning committee of said city and of any one or more of said towns may join together to form a regional school district planning board.

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 construc-

tion, 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 imcompatible 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 any 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 Brockton 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, 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, which-

ever 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, 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-three, providing for the establishment of a regional school district by the city of Brockton, 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 com-

mittee, 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 Brockton.

SECTION 13. No municipality in the regional school district shall be liable for any obligation imposed on any other municipality in said district by authority of this act, or of any agreement thereunder, any other provision of law to the contrary notwithstanding.

SECTION 14. The members of the aforesaid emergency finance board when acting under this act shall receive from the commonwealth compensation to the same extent as provided under chapter three hundred and sixty-six of the acts of nineteen hundred and thirty-three, as amended, including chapter seventy-four of the acts of nineteen hundred and forty-five.

SECTION 15. The provisions of sections sixteen to twenty-eight, inclusive, of chapter forty-four of the General Laws shall, so far as pertinent, apply to the regional school district, but the provisions of said section sixteen relating to the countersigning of bonds and notes and the provisions of section twenty-four of said chapter forty-four relating to the countersigning and approval of notes and the certificates of the clerk relating thereto shall not apply to said district.

SECTION 16. If any 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 June 25, 1963.

Chap. 490. AN ACT INCREASING THE FEE FOR THE REGISTRATION OF A BARBER SHOP AND FURTHER REGULATING THE PERIOD FOR WHICH THE CERTIFICATE OF REGISTRATION SHALL BE IN FORCE.

Be it enacted, etc., as follows:

The second paragraph of section 87H of chapter 112 of the General Laws, as appearing in chapter 295 of the acts of 1958, is hereby amended by striking out the fifth sentence and inserting in place thereof the following sentence: — Before any registered barber opens a barber shop, or moves his barber shop to a new location, or operates a barber shop previously approved for a prior owner, he shall apply to the board for an inspection and approval thereof, and the board shall receive a fee of

twenty-five dollars for each inspection, and, upon the approval of such barber shop, the board shall issue a certificate of registration for such barber shop, which shall without further fee be in force, unless sooner cancelled, suspended or revoked, until June thirtieth next following the date of its issuance. *Approved June 25, 1963.*

Chap. 491. AN ACT INCREASING RE-EXAMINATION FEES FOR CERTAIN ELECTRICIANS' LICENSES.

Be it enacted, etc., as follows:

Clause (3) of section 3 of chapter 141 of the General Laws, as most recently amended by chapter 723 of the acts of 1960, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence: — For each re-examination for "Certificate A", he shall pay twenty dollars and for "Certificate B", three dollars. *Approved June 25, 1963.*

Chap. 492. AN ACT RELATIVE TO RESIDENCE REQUIREMENT FOR CONTRIBUTION BY THE COMMONWEALTH TOWARD THE EXPENSES OF HIGHER EDUCATION OF CHILDREN OF CERTAIN DECEASED VETERANS.

Be it enacted, etc., as follows:

Section 7B of chapter 69 of the General Laws is hereby amended by striking out the first paragraph, as amended by section 21 of chapter 627 of the acts of 1954, and inserting in place thereof the following paragraph: — The commonwealth, acting through the department, and under such conditions of residence as may be established by the department may contribute toward the expenses of the higher education of any child, who has matriculated between the ages of sixteen and twenty-four, inclusive, whose father or mother was a World War I or II or Korean veteran as defined in clause Forty-third of section seven of chapter four, and whose wartime service was credited to Massachusetts, and who was killed in action or died from other cause as a result of such service; provided, that claim for reimbursement is filed within two years after such matriculation. *Approved June 25, 1963.*

Chap. 493. AN ACT AUTHORIZING AND REGULATING UNIT OWNERSHIP IN MULTI-FAMILY DWELLINGS, AND PROVIDING FOR TAXATION THEREOF.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by inserting after chapter 183 the following chapter: —

CHAPTER 183A.

CONDOMINIUMS.

Section 1. As used in this chapter, the following words shall, unless the context otherwise requires, have the following meanings: —

"Building", a building designed primarily for dwelling purposes, containing two or more units comprising a part of the condominium.

"By-laws", the by-laws of the organization of unit owners.

"Common areas and facilities" shall, except as otherwise provided or stipulated in the master deed, mean and include: —

(1) The foundations, columns, girders, beams, supports, party walls, common walls, main walls, roofs, halls, corridors, lobbies, public stairs and stairways, fire escapes and entrances and exits of the building;

(2) Installations of central services such as power, light, gas, hot and cold water, heating, refrigeration, air conditioning and incinerating;

(3) The elevators, tanks, pumps, motors, fans, compressors, ducts, and in general all apparatus and installations existing for common use;

(4) The land on which the building is located;

(5) The basements, yards, lawns, gardens, recreational facilities, parking areas and storage spaces;

(6) The premises for the lodging of custodian or persons in charge of the condominium;

(7) Such community and commercial facilities as may be provided for in the master deed as being owned in common;

(8) All other parts of the condominium necessary or convenient to its existence, maintenance and safety, or normally in common use.

"Common expenses", the expenses of administration, maintenance, repair or replacement of the common areas and facilities, and expenses declared common expenses by this chapter.

"Common funds", all funds held by the organization of unit owners.

"Common profits", the balance of all income, rents, profits and revenues from the common areas and facilities remaining after the deduction of the common expenses.

"Condominium", the land, the building or buildings, all other improvements and structures thereon, and all easements, rights and appurtenances belonging thereto, which have been submitted to the provisions of this chapter.

"Master deed", the instrument by which the condominium is submitted to the provisions of this chapter, as hereinafter provided, and any amendment to said instrument.

"Organization of unit owners", the corporation, trust or association owned by the unit owners and used by them to manage and regulate the condominium.

Any given "percentage of unit owners" means the owners of that percentage in the aggregate in interest of the undivided ownership of the common areas and facilities.

"Bank or insurance company", a bank as defined in chapter one hundred and sixty-seven, a federal savings and loan association, and an insurance company subject to the provisions of chapter one hundred and seventy-five.

"Unit", a part of the condominium including one or more rooms, with appurtenant areas such as balconies, terraces and storage lockers if any are stipulated in the master deed as being owned by the unit owner, occupying one or more floors or a part or parts thereof, including the enclosed space therein, intended for any type of use, and with a direct exit to a street or way or to a common area leading to a street or way.

"Unit designation", the number, letter or combination thereof designating the unit in the master deed.

"Unit owner", the person or persons owning a unit.

Section 2. This chapter shall apply only when the sole owner or all of the owners of land submit the same to the provisions hereof by duly executing and recording a master deed containing a statement to the effect that the owner or owners propose to create a condominium to be governed by and subject to the provisions of this chapter. The provisions of this chapter shall not be deemed to preclude or regulate the creation or maintenance of other interests in real property not expressly declared by the owner or owners to be subject hereto.

Section 3. Each unit together with its undivided interest in the common areas and facilities shall constitute real estate, and may be the subject of demise, devise, gift, mortgage, ownership, possession, sale, trust, the laws of descent and distribution and all other rights incidental to the holding of real estate as if it were sole and entirely independent of the other apartments in the building of which it forms a part.

Section 4. Each unit owner shall be entitled to the exclusive ownership and possession of his unit, subject to the provisions of this section and of sections seventeen, eighteen and nineteen; provided, however, that: —

(1) No unit shall be devoted to a use prohibited in the master deed;

(2) The organization of unit owners, its agent or agents shall have access to each unit from time to time during reasonable hours for the maintenance, repair or replacement of any of the common areas and facilities therein or accessible therefrom or for making emergency repairs therein necessary to prevent damage to the common areas and facilities or to another unit or units; and

(3) Each unit owner shall comply with the by-laws and with any administrative rules and regulations adopted pursuant thereto, as either of the same may be amended from time to time, and with the lawful covenants, conditions and restrictions set forth in the master deed or in the deed to his unit.

Section 5. (*a*) Each unit owner shall be entitled to an undivided interest in the common areas and facilities in the percentage set forth in the master deed. Such percentage shall be in the approximate relation that the fair value of the unit on the date of the master deed bears to the then aggregate fair value of all the units.

(*b*) The percentage of the undivided interest of each unit owner in the common areas and facilities as expressed in the master deed shall not be altered without the consent of all unit owners, expressed in an amended master deed duly recorded. The percentage of the undivided interest in the common areas and facilities shall not be separated from the unit to which it appertains, and shall be deemed to be conveyed or encumbered with the unit even though such interest is not expressly mentioned or described in the conveyance or other instrument.

(*c*) The common areas and facilities shall remain undivided and no unit owner or any other person shall bring any action for partition or division of any part thereof, except as provided in sections seventeen, eighteen and nineteen. Any covenant or provision to the contrary shall be null and void.

(*d*) Each unit owner may use the common areas and facilities in accordance with their intended purposes without being deemed thereby to be hindering or encroaching upon the lawful rights of the other unit owners.

(*e*) The necessary work of maintenance, repair and replacement of the common areas and facilities shall be carried out as provided in the by-laws.

(*f*) Unless the by-laws otherwise provide, whenever the common areas and facilities shall require emergency works of repair, replacement or maintenance, any unit owner may undertake the same at his expense and recover his reasonable costs as a common expense.

(*g*) No work which would jeopardize the soundness or safety of the building shall be done in a unit or in the common areas and facilities unless in every such case the unanimous consent of all unit owners is first obtained.

Section 6. (*a*) The common profits shall be distributed among, and the common expenses shall be charged to, the unit owners according to their respective percentages of the undivided interest in the common areas and facilities.

(*b*) The unit owner shall be personally liable for all sums lawfully assessed for his share of the common expenses.

(*c*) The unit owner's share of the common expenses shall constitute a lien upon his unit and shall be enforced in the manner provided in section five of chapter two hundred and fifty-four. Such lien shall have priority over all other liens, except municipal liens and first mortgages of record held by a bank or insurance company, as to such portion of said common expenses as became due within six months prior to the commencement of an action to enforce such lien pursuant to said section five.

(*d*) A statement from the organization of unit owners setting forth the amount of unpaid common expenses which have been assessed against a unit owner shall operate to discharge the unit from any lien for any other sums then unpaid when recorded in the appropriate registry of deeds.

Section 7. No unit owner may exempt himself from liability for his contribution towards the common expenses by waiver of the use or enjoyment of any of the common areas and facilities or by abandonment of his unit; except that, subject to any terms or conditions contained in the by-laws, a unit owner may at any time exempt himself from liability for his share of the common expenses subsequently to be assessed by a conveyance duly recorded of his unit or units to the organization of unit owners.

Section 8. The master deed shall be recorded in the registry of deeds or the land registration office where the real estate is located and shall contain the following particulars: —

(*a*) The statement required by section two.

(*b*) A description of the land on which the building or buildings and improvements are located.

(*c*) A description of each building stating the number of stories, the number of units and the principal materials of which it is constructed.

(*d*) The unit designation of each unit, and a statement of its location, approximate area, number of rooms, and immediate common area to

which it has access, and any other data necessary for its proper identification.

(*e*) A description of the common areas and facilities and the proportionate interest of each unit therein.

(*f*) A set of the floor plans of the building or buildings, showing the layout, location, unit numbers and dimensions of the units, stating the name of the building or that it has not a name, and bearing the verified statement of a registered architect, registered professional engineer, or registered surveyor, certifying that the plans fully and accurately depict the layout, location, unit number and dimensions of the units as built.

(*g*) A statement of the purposes for which the building and each of the units are intended and the restrictions, if any, as to their use.

(*h*) The method by which the master deed may be amended.

(*i*) The name of the corporation, trust or association which has been formed and through which the unit owners will manage and regulate the condominium, together with a statement that such corporation, trust or association has enacted by-laws pursuant to this chapter. If a trust or unincorporated association is named, the master deed shall also set forth the names of the trustees or managing board.

Section 9. Deeds of units shall include the following particulars: —

(*a*) An indication that the deed relates to a condominium and is subject to the provisions of this chapter.

(*b*) A description of the land as provided in section eight, or the post office address of the property, in either case including the book, page and date of recording of the master deed.

(*c*) The unit designation of the unit in the master deed and any other data necessary for its proper identification.

(*d*) A statement of the use for which the unit is intended and the restrictions, if any, on its use.

(*e*) The undivided interest appertaining to the unit in the common areas and facilities.

(*f*) Any further provisions which the grantor and grantee may deem desirable to set forth, consistent with the master deed and this chapter.

The first deed of each unit shall, in addition, have attached thereto, as part thereof, a copy of the portion or portions of the plans theretofore filed with the master deed to which copy shall be affixed the verified statement of a registered architect or registered professional engineer certifying that they show the unit designation of the unit being conveyed and of immediately adjoining units, and that they fully and accurately depict the layout of the unit, its location, dimensions, approximate area, main entrance and immediate common area to which it has access, as built.

Section 10. (*a*) Each unit owner shall have the same percentage interest in the corporation, trust or unincorporated association provided for in the master deed for the management and regulation of the condominium as his proportionate interest in the common areas and facilities. Such interest shall not be separated from ownership in the unit to which it appertains and shall be deemed conveyed or encumbered with the unit even though such interest is not expressly mentioned or described in the conveyance or other instrument.

(*b*) Such corporation, trust or association shall have, among its other powers, the following rights and powers: —

(1) To lease, manage, and otherwise deal with such community and

commercial facilities as may be provided for in the master deed as being common areas and facilities.

(2) To own, convey, encumber, lease and otherwise deal with units conveyed to it or purchased by it as the result of enforcement of the lien for common expenses, any right of first refusal, or otherwise.

(3) To obtain insurance on the common areas and facilities. Such insurance coverage shall be written in its name, and the provisions thereof shall be without prejudice to the right of each unit owner to insure his own unit for his own benefit.

(4) To conduct litigation and to be subject to suit as to any course of action involving the common areas and facilities or arising out of the enforcement of the by-laws, administrative rules or restrictions in the master deed.

The expenses incurred in and proceeds accruing from the exercise of the aforesaid rights and powers shall be common expenses and common profits.

(*c*) The organization of unit owners may, if the by-laws so provide, appoint a manager or managing agent to administer the condominium. Such manager or agent or the president may, when so empowered, act for the organization and references herein to the organization of unit owners shall include such person when so empowered.

(*d*) The organization of unit owners shall keep a complete copy of the by-laws, including the amendments thereto, if any. The by-laws, the minute book, financial records, and vouchers authorizing payments shall be available for inspection by any unit owner during reasonable hours. A written report of receipts and expenditures shall be rendered to all unit owners at least once annually. Records of the receipts and expenditures affecting the common areas and facilities shall specify and itemize the maintenance and repair expenses of the common areas and facilities, and any other expenses incurred.

(*e*) If the organization of unit owners is a trust or unincorporated association, an instrument signed by a majority of the trustees or of the managing board named in the master deed and duly attested as the act of such trust or association may be relied on as conclusively establishing that such instrument was the free act of the trust or association, and shall be binding upon such trust or association when recorded. No purchaser, mortgagee, lender or other person dealing with the trustees or the managing board of the association, as they appear of record, shall be bound to ascertain or inquire further as to the persons who are then trustees or members of the managing board nor be affected by any notice, implied or actual, relative thereto, other than a recorded certificate thereof, and such recorded certificate shall be conclusive evidence of the personnel of said trustees or members of the managing board and of any changes therein.

Section 11. In addition to other provisions required or permitted by law, the by-laws of the organization of unit owners shall provide at all times for at least the following: —

(*a*) The method of providing for the necessary work of maintenance, repair and replacement of the common areas and facilities and payments therefor, including the method of approving payment vouchers.

(*b*) The manner of collecting from the unit owners their share of the common expenses.

(*c*) The procedure for hiring all personnel, including whether or not a manager or managing agent may be engaged.

(*d*) The method of adopting and of amending administrative rules and regulations governing the details of the operation and use of the common areas and facilities.

(*e*) Such restrictions on and requirements respecting the use and maintenance of the units and the use of the common areas and facilities, not set forth in the master deed, as are designed to prevent unreasonable interference with the use of their respective units and of the common areas and facilities by the several unit owners.

Section 12. The by-laws may also provide: —

(*a*) A method for determining the fair market value of the unit and of the condominium in cases arising under sections seventeen and eighteen by submitting the matter to arbitration by a board consisting of one member chosen by the dissenting unit owner, one member chosen by the organization of unit owners, and one member chosen by the two members so selected.

(*b*) A procedure for submitting the disputes arising from the administration of the condominium to arbitration.

(*c*) A right of first refusal by the organization of unit owners in case of the sale of a unit, such right to be exercised within thirty days after written notice of intent to sell is given to such organization, provided, however, that this right shall not be exercised so as to restrict alienation, conveyance, sale, leasing, purchase, ownership and occupancy of units because of race, creed, color or national origin.

(*d*) Such other provisions as may be deemed necessary for the management and regulation of the organization of unit owners or the condominium not inconsistent with this chapter and the master deed.

Section 13. All claims involving the common areas and facilities shall be brought against the organization of unit owners, and all attachments and executions related to such claims shall be made only against common funds or property held by the organization of unit owners and not against the common areas and facilities themselves. After such common funds and property have been exhausted, individual unit owners shall be liable for the balance due, if any, provided, however, that the amount for which a unit owner is liable shall be limited to a sum equal to the amount of his percentage interest in the common areas and facilities times the balance due.

Section 14. Each unit and its interest in the common areas and facilities shall be considered an individual parcel of real estate for the assessment and collection of real estate taxes, but the common areas and facilities, the building and the condominium shall not be deemed to be a taxable parcel. Betterment assessments or portions thereof, annual sewer use charges, water rates and charges, and all other assessments or portions thereof, rates and charges of every nature, due to a city, town or district with respect to the condominium or any part thereof, other than real estate taxes, may be charged or assessed to the organization of unit owners; but any lien of the city, town or district provided by law therefor shall attach to the units in proportion to the percentages, set forth in the master deed on record, of the undivided interests of the respective units in the common areas and facilities.

Section 15. The subdivision control law shall not apply to the division of a building into units.

Section 16. The owners of any land and buildings who wish to submit such land and buildings to the provisions of this chapter may petition

the land court for removal of such land from the provisions of chapter one hundred and eighty-five.

Section 17. (*a*) Rebuilding of the common areas and facilities made necessary by fire or other casualty loss shall be carried out in the manner set forth in the by-law provision dealing with the necessary work of maintenance, repair and replacement, using common funds, including the proceeds of any insurance, for that purpose, provided such casualty loss does not exceed ten per cent of the value of the condominium prior to the casualty.

(*b*) If said casualty loss exceeds ten per cent of the value of the condominium prior to the casualty, and

(1) If seventy-five per cent of the unit owners do not agree within one hundred and twenty days after the date of the casualty to proceed with repair or restoration, the condominium, including all units, shall be subject to partition at the suit of any unit owner. Such suit shall be subject to dismissal at any time prior to entry of an order to sell if an appropriate agreement to rebuild is filed. The net proceeds of a partition sale together with any common funds shall be divided in proportion to the unit owners' respective undivided ownership in the common areas and facilities. Upon such sale, the condominium shall be deemed removed from the provisions of this chapter.

(2) If seventy-five per cent of the unit owners agree to proceed with the necessary repair or restoration, the cost of the rebuilding of the condominium, in excess of any available common funds, including the proceeds of any insurance, shall be a common expense, provided, however, that if such excess cost exceeds ten per cent of the value of the condominium prior to the casualty, any unit owner who did not so agree may apply to the superior court of the county in which the condominium is located on such notice to the organization of unit owners as the court shall direct, for an order directing the purchase of his unit by the organization of unit owners at the fair market value thereof as approved by the court. The cost of any such purchase shall be a common expense.

Section 18. (*a*) If fifty per cent or more but less than seventy-five per cent of the unit owners agree to make an improvement to the common areas and facilities, the cost of such improvement shall be borne solely by the owners so agreeing.

(*b*) Seventy-five per cent or more of the unit owners may agree to make an improvement to the common areas and facilities and assess the cost thereof to all unit owners as a common expense, but if such improvement shall cost in excess of ten per cent of the then value of the condominium, any unit owner not so agreeing may apply to the superior court of the county in which the property is located, on such notice to the organization of unit owners as the court shall direct, for an order directing the purchase of his unit by the organization of unit owners at fair market value thereof as approved by the court. The cost of any such purchase shall be a common expense.

Section 19. (*a*) Seventy-five per cent of the unit owners, or such greater percentage as is stipulated in the by-laws, may remove all of a condominium or portion thereof from the provisions of this chapter by an instrument to that effect, duly recorded, provided that the holders of all liens upon any of the units affected consent thereto by instruments duly recorded. Upon such removal, the condominium, including all the units, or the portion thereof thus removed shall be owned in common

by the unit owners and the organization of unit owners shall be dissolved, unless it is otherwise provided in the removal instrument. The undivided interest in the property owned in common held by each unit owner shall be equal to the percentage of the undivided interest of such owner in the common areas and facilities.

(*b*) Such removal shall not bar the subsequent resubmission of the land and buildings involved to the provisions of this chapter.

SECTION 2. The provisions of this act are severable, and if any of its provisions shall be held invalid or unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

SECTION 3. Section 5 of chapter 254 of the General Laws, as amended by section 2 of chapter 461 of the acts of 1954, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — All proceedings to enforce a lien upon land for the erection, alteration, repair or removal of a building or other structure or to enforce a lien established under section seventy-six of chapter sixty-three, or under section six of chapter one hundred and eighty-three A, shall be begun by bill in equity filed in the superior court for the county where the land lies. *Approved June 25, 1963.*

Chap. 494. AN ACT RELATING TO THE APPOINTMENT AND TERMS OF CERTAIN MEMBERS OF THE WOODS HOLE, MARTHA'S VINEYARD AND NANTUCKET STEAMSHIP AUTHORITY.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section three of chapter seven hundred and one of the acts of nineteen hundred and sixty relating to the terms of office of the members of the Woods Hole, Martha's Vineyard and Nantucket Steamship Authority, upon the expiration of the terms of the three members of said Authority, in the year nineteen hundred and sixty-four, their successors shall be appointed to serve for the following terms: — the member appointed by the selectmen of the town of Nantucket, one year; the member appointed by the county commissioners of the county of Dukes county, two years; and the member appointed by the selectmen of the town of Falmouth, three years. Upon the expiration of the term of each such member, his successor shall be appointed for a term of three years as provided in said section three of said chapter seven hundred and one.

Approved June 27, 1963.

Chap. 495. AN ACT INCREASING THE AMOUNT OF REAL AND PERSONAL PROPERTY THAT THE SAINT VINCENT HOSPITAL OF WORCESTER, MASSACHUSETTS MAY HOLD.

Be it enacted, etc., as follows:

Chapter 770 of the acts of 1951 is hereby amended by striking out, in line 5, the word "ten" and inserting in place thereof the word: — twenty, — so as to read as follows: — The Saint Vincent Hospital of Worcester, Massachusetts, a corporation incorporated under general law, is hereby authorized to hold, for the purposes for which it is incorporated, real and personal estate to an amount not exceeding twenty million dollars. *Approved June 27, 1963.*

Chap. 496. AN ACT FURTHER DEFINING THE LAW RELATIVE TO THE LIABILITY FOR TAXATION OF CERTAIN PARTNERSHIPS, ASSOCIATIONS OR TRUSTS.

Be it enacted, etc., as follows:

Subsection (*e*) of section 1 of chapter 62 of the General Laws, as amended by section 7 of chapter 489 of the acts of 1935, is hereby further amended by adding at the end the following sentence: — Any such dividend issued by partnerships, associations or trusts, the beneficial interest in which is represented by transferable shares, regardless of their source and whether taxable or not, shall be taxable under this section if the said partnership, association or trust fails to file an agreement with the commissioner as hereinbefore provided.

Approved June 27, 1963.

Chap. 497. AN ACT PROVIDING FOR PAYMENT OF ALLOWANCES TO CERTAIN BENEFICIARIES PENDING DETERMINATION OF CLAIMS FOR ACCIDENTAL DEATH BENEFITS UNDER THE RETIREMENT LAW.

Be it enacted, etc., as follows:

Chapter 32 of the General Laws is hereby amended by striking out section 12A, inserted by chapter 505 of the acts of 1956, and inserting in place thereof the following section: — *Section 12A.* Any person, or the legal guardian of any person, who may be entitled to accidental death benefits under the provisions of section nine may, during and within the period of one year next succeeding the death of the member in service, avail himself of the allowance provided under option (*d*) of section twelve or under section twelve B in so far as it may be applicable and said person is eligible therefor, effective from the date of the death of the member and pending the determination of the application of said person for such accidental death benefits.

The filing of an application for accidental death benefits shall not arrest or suspend the payment of an allowance under option (*d*) of section twelve or under section twelve B; provided, however, that upon the first payment of any benefits provided under section nine payments under said option (*d*) or section twelve B shall cease and the amount of the first payment under said section nine shall be reduced by a sum equal to the aggregate allowance paid to said person under said option (*d*) or section twelve B.

Approved June 27, 1963.

Chap. 498. AN ACT RELATIVE TO NOTICE TO CERTAIN EMPLOYEES OF TERMINATION OF EMPLOYMENT WHO HAVE ATTAINED THE MAXIMUM AGE UNDER THE CONTRIBUTORY RETIREMENT LAWS.

Be it enacted, etc., as follows:

Chapter 664 of the acts of 1957 is hereby amended by adding at the end the following sentence: — The provisions of paragraph (*e*) of subdivision (5) of section twenty of said chapter thirty-two, as most recently amended by section three of said chapter six hundred and nine, relative to notice of termination of employment shall apply to any such person.

Approved June 27, 1963.

Chap. 499. AN ACT TO PROVIDE FUNDS FOR STATE ACTIVITIES BY CONTINUING CERTAIN TAXES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide funds forthwith for state activities, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. There is hereby imposed upon all domestic manufacturing corporations, foreign manufacturing corporations, domestic business corporations and foreign corporations, as defined in chapter sixty-three of the General Laws, as amended, in addition to the taxes levied under the provisions of sections thirty to fifty-one, inclusive, of said chapter sixty-three, and all acts in amendment thereof and in addition thereto, and in addition to the taxes imposed upon such corporations under section nine of chapter seven hundred and twenty-nine of the acts of nineteen hundred and forty-one, an additional excise tax equal to three per cent of the net income of each such corporation determined to be taxable in accordance with the provisions of said chapter sixty-three; provided, that the tax imposed by this section shall not apply to corporations taxable under the specific dollar minimum measure of section thirty-two or section thirty-nine or under section thirty-eight B, all of said chapter sixty-three. All provisions of law relative to the assessment, payment, collection and abatement of the taxes imposed under said chapter sixty-three upon corporations taxable hereunder shall apply to the additional taxes herein imposed. This section shall apply only to taxes levied in or on account of the months of July to December, inclusive, nineteen hundred and sixty-three, the calendar year nineteen hundred and sixty-four and the months of January to June, inclusive, nineteen hundred and sixty-five. The surtaxes imposed under section nine of chapter seven hundred and twenty-nine of the acts of nineteen hundred and forty-one shall apply to the taxes imposed by this section.

SECTION 2. There is hereby imposed, in addition to the taxes levied under subsection (*b*) of section five and subsection (*c*) of section five A of chapter sixty-two of the General Laws, upon income derived from professions, employments, trade or business, and all acts in amendment thereof and in addition thereto, and in addition to any surtaxes, an additional tax equal to one per cent of such income. All provisions of law relative to the assessment, payment, collection and abatement of the taxes imposed under said chapter sixty-two shall apply to the additional taxes herein imposed. This section shall apply only to income received in the months of July to December, inclusive, nineteen hundred and sixty-three, the calendar year nineteen hundred and sixty-four and the months of January to June, inclusive, nineteen hundred and sixty-five. The surtaxes imposed under section nine of chapter seven hundred and twenty-nine of the acts of nineteen hundred and forty-one shall apply to the taxes imposed by this section.

SECTION 3. There is hereby imposed in addition to the taxes levied under subsection (*c*) of section five of chapter sixty-two of the General Laws, upon the excess of gains over losses received by the taxpayer from purchases or sales of intangible personal property, whether or not said taxpayer is engaged in the business of dealing in such property, and all acts in amendment thereof and in addition thereto, and in addition to

any surtaxes, an additional tax equal to three per cent of such income. All provisions of law relative to the assessment, payment, collection and abatement of the taxes imposed under said chapter sixty-two shall apply to the additional taxes herein imposed. This section shall apply only to income received in the months of July to December, inclusive, nineteen hundred and sixty-three, the calendar year nineteen hundred and sixty-four and the months of January to June, inclusive, nineteen hundred and sixty-five. The surtaxes imposed under section nine of chapter seven hundred and twenty-nine of the acts of nineteen hundred and forty-one shall apply to the taxes imposed by this section.

SECTION 4. There is hereby imposed, in addition to the taxes levied under the provisions of chapter sixty-two of the General Laws, and all acts in amendment thereof and in addition thereto, and taxes levied under the provisions of sections thirty to sixty, inclusive, of chapter sixty-three of the General Laws, and all acts in amendment thereof and in addition thereto, an additional tax equal to twenty per cent of the taxes assessed under the provisions of said sections, acts and chapters in or on account of the months of July to December, inclusive, nineteen hundred and sixty-three, the calendar year nineteen hundred and sixty-four and the months of January to June, inclusive, nineteen hundred and sixty-five, and all provisions of law relative to the assessment, payment, collection and abatement of the said taxes shall apply to the taxes imposed by this section. This additional tax shall apply also to taxes levied under sections one, two and three of this act.

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

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

SECTION 7. Notwithstanding the provisions of section two of chapter sixty-three of the General Laws, every bank taxed thereunder shall, with respect to taxes assessed in the months of July to December, inclusive, nineteen hundred and sixty-three, the calendar year nineteen hundred and sixty-four and the months of January to June, inclusive, nineteen hundred and sixty-five, 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; pro-

vided, 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. During the period that the provisions of this section are in effect, trust companies having savings deposits shall not be subject to the excise imposed by section eleven of said chapter sixty-three, nor to the requirements of sections eleven to sixteen, inclusive, of said chapter sixty-three.

SECTION 8. Notwithstanding the provisions of section twenty-two of chapter sixty-three of the General Laws, and in lieu thereof, every domestic insurance company coming within the scope of the definition of a domestic company in section one of chapter one hundred and seventy-five of the General Laws, except life insurance companies with respect to business taxable under section twenty of said chapter sixty-three, and marine, or fire and marine, insurance companies with respect to business taxable under section twenty-nine A of said chapter sixty-three, shall pay for the years nineteen hundred and sixty-four and nineteen hundred and sixty-five, an excise of two per cent upon the gross premiums for all policies written or renewed, all additional premiums charged, and all assessments made by such company on policyholders during the preceding calendar year, exclusive of reinsurance; but such premiums and assessments for policies written or renewed for insurance, exclusive of reinsurance, of property or interests in other states or countries where a tax is actually paid by such company, or its agents, shall not be so taxed.

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

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

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

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

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

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

Approved June 28, 1963.

Chap. 500. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SIXTY-FOUR, FOR THE MAINTENANCE OF THE DEPARTMENTS, BOARDS, COMMISSIONS, INSTITUTIONS AND CERTAIN ACTIVITIES OF THE COMMONWEALTH, FOR INTEREST, SINKING FUND AND SERIAL BOND REQUIREMENTS, AND FOR CERTAIN PERMANENT IMPROVEMENTS.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of the several departments, boards, commissions and institutions, of sundry other services, and for certain permanent improvements, and to meet certain requirements of law, the sums set forth in section two, for the several purposes and subject to the conditions specified in said section two, are hereby appropriated from the funds designated in said section, subject to the provisions of law regulating the disbursement of public funds and the approval thereof, for the fiscal year ending June thirtieth, nineteen hundred and sixty-four, in this act referred to as the year nineteen hundred and sixty-four, 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	$158,000
0101-02	For the salary of the clerk of the senate	15,000
0101-03	For the salary of the assistant clerk of the senate	12,000
0101-04	For clerical assistance to the clerk of the senate, including not more than two permanent positions	18,000
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	53,270
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	30,000
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	2,500
0101-54	For expenses of the senate clerk's office	500
0101-55	For expenses of the committee on rules on the part of the senate	350
0101-56	For the expenses of the senate committee on ways and means, including not more than three permanent positions, prior appropriation continued	18,000
0101-60	For traveling and such other expenses of the committees of the senate as may be authorized by order of the senate	2,000
	Total	$401,680

House of Representatives.

0102-01	For the compensation of representatives, prior appropriation continued	$882,000

Item		
0102-02	For the salary of the clerk of the house of representatives	$15,000
0102-03	For the salary of the assistant clerk of the house of representatives	12,000
0102-04	For clerical assistance to the clerk of the house of representatives, including not more than four permanent positions	37,000
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	122,000
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	76,500
0102-30	For expenses of representatives, including travel, prior appropriation continued	220,000
0102-51	For stationery, supplies and other equipment for the house of representatives, purchased by and with the approval of the clerk	1,000
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	2,500
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	3,000
	Total	$1,514,120

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 seven permanent positions	46,126
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 four permanent positions	31,884
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	382,454
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	189,146
0103-06	For the salaries of clerks employed in the legislative document room, including not more than three permanent positions	51,450
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	36,500
0103-52	For the payment of witness fees to persons summoned to appear before committees of the general court, and for expenses incidental to summoning them, with the approval of the sergeant-at-arms	300
	Total	$747,691

Legislative Research Council.

0104-01	For expenses of the legislative research council, prior appropriation continued	$9,000
0104-02	For personal services and other expenses of the legislative research bureau	116,800
	Total	$125,800

Recodification Counsel.

Item		
0105–01	For expenses of the recodification counsel, including not more than four permanent positions	$38,000

Other Expenses.

0110–02	For printing, binding and paper ordered by the senate and house of representatives, or by concurrent order of the two branches, with the approval of the clerks of the respective branches, prior appropriation continued	$300,000
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
0110–05	For telephone service, prior appropriation continued	70,000
0110–12	For the emergency services of a physician, for medical supplies in the state house and for expenses including the purchase of equipment in connection therewith, subject to the approval of the joint committee on rules; provided, that section twenty-one of chapter thirty of the General Laws shall not apply to the payments made under this item	5,700
0110–13	For expenses of completing an index to the Special Acts and Resolves under the supervision of the counsel to the house of representatives	15,000
0110–30	For traveling and such other expenses of joint committees of the general court as may be authorized by joint order of the general court	3,500
	Total	$449,200
	Total, Legislative	$3,276,491

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	5,799
0301–05	For law clerks and clerical assistance for the justices	90,865
0301–06	For office supplies, services and equipment	10,000
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	37,715
0301–14	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, including not more than thirteen permanent positions, to be expended with any other public or private funds available for the purpose	97,969
0302–01	For the salary of the reporter of decisions	15,000
0302–02	For the service of the reporter of decisions, including not more than three permanent positions	19,800
	Total	$478,604

Superior Court.

0305–01	For the salaries of the chief justice and of the forty-one justices	$790,000
0305–02	For traveling allowances and expenses, prior appropriation continued	60,000

Item		
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	52,000
0305–11	For compensation of justices of district courts while sitting in the superior court, prior appropriation continued	15,000
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	321,435
0305–15	For personal services and expenses of the office of the supervisor of probation	7,780
	Total	$1,262,715

Judicial Council.

0308–01	For the service of the judicial council	$8,000

Administrative Committee of District Courts.

0310–01	For the service of the administrative committee of district courts	$16,850

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:

	Barnstable:	
0321–01	Judge of probate	$14,000
0321–02	Register	10,500
0321–03	Assistant register	7,875
0321–04	Clerical assistance to register, including not more than four permanent positions	18,760
	Berkshire:	
0322–01	Judge of probate	14,000
0322–02	Register	10,500
0322–03	Assistant register	7,875
0322–04	Clerical assistance to register, including not more than five permanent positions	21,954
	Bristol:	
0323–01	Two judges of probate	32,000
0323–02	Register	12,000
0323–03	Two assistant registers	17,400
0323–04	Clerical assistance to register, including not more than fourteen permanent positions	58,750
	Dukes:	
0324–01	Judge of probate	6,000
0324–02	Register	4,950
0324–04	Clerical assistance to register, including not more than one permanent position	3,601

Item		
	Essex:	
0325–01	Two judges of probate	$34,000
0325–02	Register	12,750
0325–03	Three assistant registers	26,775
0325–04	Clerical assistance to register, including not more than seventeen permanent positions	68,120
	Franklin:	
0326–01	Judge of probate	14,000
0326–02	Register	10,500
0326–03	Assistant register	7,875
0326–04	Clerical assistance to register, including not more than two permanent positions	7,931
	Hampden:	
0327–01	Two judges of probate	32,000
0327–02	Register	12,000
0327–03	Three assistant registers	25,200
0327–04	Clerical assistance to register, including not more than fifteen permanent positions	64,170
	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	7,904
	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	187,734
	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	69,426
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	35,898
	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	214,303
	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	71,790
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	$1,644,717

Land Court.

Item		
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	344,750
	Total	$416,000

Pensions for Certain Retired Justices.

0345-01	For pensions of retired judges, as authorized by law	$135,000

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 seven permanent positions	42,000
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	$471,300

Committee on Probation.

0370-01	For the office of the commissioner of probation, including not more than fifty-nine permanent positions	$284,435
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	$286,035

Board of Bar Examiners.

0380-01	For the service of the board, including not more than six permanent positions	$39,638
	Total, Judiciary	$4,765,859

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	98,000
0401-04	For maintenance expenses of the governor's automobile	1,800
	Total	$299,800

Lieutenant-Governor.

Item		
0402–01	For the salary of the lieutenant-governor	$11,000
0402–02	For personal services for the lieutenant-governor's office	38,600
	Total	$49,600

Governor's Council.

0403–01	For the salaries of the eight councillors	$24,000
0403–02	For personal services for the council	37,844
0403–03	For postage, printing, stationery, traveling and contingent expenses of the governor and council	14,000
0403–05	For travel and expenses of the lieutenant-governor and council from and to their homes	4,000
	Total	$79,844

Extraordinary Expenses.

0405–01	For the cost, not to exceed fifteen thousand dollars, of entertainment of distinguished visitors to the commonwealth, provided that no expenditure shall be allowed for a party exceeding fifty visitors; for the payment of extraordinary expenses not otherwise provided for; and for transfers to appropriation accounts where the amounts otherwise available are insufficient, provided that requests for such transfers shall be referred to the commissioner of administration who, after investigation, shall submit for approval of the governor and council his written recommendation as to the amount of funds required with facts pertinent thereto	$100,000

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 purposes of this item, prior appropriation continued	$283,678
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	60,000
	Total	$343,678
	Total, Executive	$872,922

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	$225,135
	Militia:	
0421–01	For allowances to companies and other administrative units, to be expended under the direction of the adjutant general.	190,000
0421–02	For officers' uniform allowances, as authorized by section eighty-seven of chapter thirty-three of the General Laws	75,000
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	94,030

Item		
0421-14	For compensation for accidents and injuries sustained in the performance of military duty and for small claims for damages to private property	$8,000
0421-17	For the military reservation, located in Barnstable county, including compensation of the commissioner	629
0421-21	For the service of the air national guard, including not more than one permanent position	12,183
0421-60	For the operation of the war records project, so called, including not more than ten permanent positions	43,654
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	$650,131

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	700,375
	Militia:	
0424-01	For reimbursement for rent and maintenance of armories not of the first class	21,250
0424-02	For the Camp Curtis Guild rifle range, including not more than seven permanent positions	34,152
0424-05	For certain storage and maintenance facilities, including not more than twenty-eight permanent positions	114,130
0424-08	For certain national guard aviation facilities, including not more than ten permanent positions	41,328
	Total	$915,135

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	$1,565,461

Boards and Commissions serving under Governor and Council.

Executive Office for Administration and Finance.

0441-01	For the office of the commissioner of administration, including not more than thirty-three permanent positions, to be in addition to any federal funds available for the purpose; provided, that the comptroller shall transfer to the General Fund the sum of ninety-four thousand six hundred and eighty dollars from the Highway Fund	$315,600
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	18,000
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 executive office for administration and finance, of a management team consisting of an employee to be designated by the budget director, an employee to be designated by the comptroller, and an employee to be designated by the director of personnel and standardization, for the purpose of co-ordinating the organization, procedures and accounting practices of the department of public works in respect to its relations with the executive office for	

Item

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

Total $378,600

Fiscal Affairs Division.

0441-10 For the fiscal affairs division, including not more than one hundred and five permanent positions, to be in addition to any federal funds available for the purpose; provided, that the comptroller shall transfer to the General Fund the sum of two hundred and seven thousand six hundred and sixty dollars from the Highway Fund $692,200

0441-11 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

0441-12 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 fifty thousand dollars from the Highway Fund 77,967

0441-13 For the bureau of hospital costs and finances, including not more than six permanent positions 45,200

Total $818,717

Central Services Division.

0441-20 For the central services division, including not more than four permanent positions, to be in addition to any federal funds available for the purpose $36,802

0441-21 For the bureau of building construction, including not more than forty-eight permanent positions, to be in addition to any federal funds available for the purpose 500,438

0441-22 For the bureau of state buildings, and for the maintenance of the state house and the Ford building, including not more than one hundred and seventy-two permanent positions 1,071,975

Total $1,609,215

Comptroller's Division.

0442-01 For the comptroller's division, including not more than one hundred and twenty-five permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of two hundred and thirty-nine thousand eight hundred and fifty dollars from the Highway Fund $799,500

Purchasing Agent's Division.

0444-01 For the purchasing agent's division, including not more than seventy-six permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and thirty-four thousand seven hundred and seventeen dollars from the Highway Fund . $449,058

0444-02 For the purchase of paper used in the execution of the contracts for state printing, other than legislative 90,000

Total $539,058

The Group Insurance Commission.

0448-01 For administration of the group insurance program, including not more than twenty-five permanent positions $208,350

Item		
0448–02	For the commonwealth's share of the 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	$3,870,000
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 nineteen hundred and sixty-two; 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	400,000
	Total	$4,478,350

Suggestion Awards Board.

0451–00	For awards to state employees to be granted as provided in section thirty-one A of chapter seven of the General Laws, to be in addition to the amount available in item 0440–32 of section two of chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two	$500
	Total, Executive Office for Administration and Finance	$8,623,940

Commissioners on Uniform State Laws.

0457–01	For the expenses of the commissioners	$2,950

George Fingold Library.

0459–01	For the service of the library, including not more than thirty-one permanent positions	$183,523

Art Commission.

0460–01	For expenses of the commission, notwithstanding the limitation of section nineteen of chapter six of the General Laws	$500

Ballot Law Commission.

0461–01	For compensation and expenses of the commissioners, including not more than three permanent positions	$3,100

Massachusetts Commission Against Discrimination.

0462–01	For the service of the commission, including not more than sixteen permanent positions	$115,046
0462–02	For a branch office to be located in the city of Springfield	15,353
	Total	$130,399

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	$165,307

Records Conservation Board.

Item		
0464–01	For expenses of the records conservation board, as authorized by section forty-two of chapter thirty of the General Laws . .	$100

Council for the Aging.

0465–01	For expenses of the council	$40,020

Mount Greylock Reservation Commission.

0466–01	For the maintenance of the Mount Greylock war memorial	$1,439

Old State House.

0467–01	For the contribution of the commonwealth toward the maintenance of the old provincial state house	$1,500

Alcoholic Beverages Control Commission.

0469–01	For the service of the commission, including not more than sixty-five permanent positions	$467,050

Contributory Retirement Appeal Board.

0471–01	For the service of the board	$100

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

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	$40,616
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	$215,616

Finance Advisory Board.

0477–01	For expenses of the board	$100

Medical, Dental and Nursing Scholarship Board.

0479–01	For expenses of the board	$650
0479–02	For scholarships, as authorized by section one hundred of chapter six of the General Laws, other than to students at the University of Massachusetts	150,000
	Total	$150,650

Boxers' Fund Board.

0480–01	For the expenses of the board	$200

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	$3,408,700

Soldiers' Home in Holyoke.

Item		
0482-01	For the maintenance of the Soldiers' Home in Holyoke, including not more than two hundred and twenty permanent positions	$1,303,354

State Housing Board.

0483-01	For the service of the board, including not more than forty-one 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	$346,056
0484-01	For the service of the division of urban renewal, including not more than eleven permanent positions	86,740
	Total	$432,796

Commissioner of Veterans' Service.

0485-01	For personal services of the commissioner and deputies, including not more than three permanent positions	$25,409
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	495,266
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	121,500
	Total	$642,175

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	69,870
	Total	$76,870

Commission on Employment of the Handicapped.

0496-07	For expenses of the commission	$2,250

Massachusetts Rehabilitation Commission.

0497-01	For the service of the commission, including not more than one permanent position, prior appropriation continued	$954,000

Massachusetts Commission on Atomic Energy.

0498-01	For the service of the commission	$7,727
	Total, Boards and Commissions serving under Governor and Council	$16,816,366

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	551,970
0501-04	For the expenses of the bureau of corporate organization and registration, including not more than thirteen permanent positions	100,385

Item

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 $674,305

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-four, prior appropriation continued $40,000

0503-02 For the printing of reports of decisions of the supreme judicial court, prior appropriation continued 20,000

0503-03 For printing and binding public documents, prior appropriation continued 9,000

Total $69,000

Matters Relating to Elections.

0504-01 For preparing, printing and distributing ballots and other miscellaneous expenses for primary and other elections, including not more than five permanent positions, prior appropriation continued . $513,082

Commission on Interstate Co-operation.

0506-01 For the service of the commission, including not more than two permanent positions $38,286

Total, Department of the Secretary of the Commonwealth $1,294,673

Treasurer and Receiver-General.

0601-01 For the salary of the treasurer and receiver-general, notwithstanding the provisions of section one of chapter ten of the General Laws $13,000

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-four thousand and seventy-eight dollars from the Highway Fund 513,594

Total $526,594

Commissioners on Firemen's Relief.

0602-01 For expenses of administration and for relief disbursed by the commissioners on firemen's relief $15,000

State Board of Retirement.

0604-01 For the administrative office of the board, including not more than twenty-nine permanent positions $170,358

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 six 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,

Item		
	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, education and the Massachusetts port authority are to be in addition to this item and to be available for expenditure without further appropriation	**$11,000,000**
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 ninety-two thousand dollars from the Highway Fund	**3,600,000**
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 . .	**22,400**
0604–07	For retirement allowances of certain employees formerly in the service of the administrative division of the metropolitan district commission; provided, that the comptroller shall transfer to the General Fund from the Highway Fund twenty-five per cent and from the Metropolitan 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	**5,300**
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	**478,000**
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	**150,000**
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	**373,000**
	Total	**$15,812,858**

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	**$19,071**

World War and Spanish-American War Service.

0606–01	For making payments to soldiers in recognition of service during World War I and the Spanish War, as provided by law . .	**$750**
	Total, Department of the Treasurer and Receiver-General	**$16,374,273**

Auditor of the Commonwealth.

Item		
0701–01	For the salary of the auditor, notwithstanding the provisions of section one of chapter eleven of the General Laws	$14,500
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 fifty-one thousand two hundred and thirty dollars from the Highway Fund	504,100
0701–23	For an audit of the accounts of the Metropolitan Transit Authority	35,500
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	120,100
0701–26	For an audit of the Massachusetts Parking Authority and the Massachusetts Turnpike Authority	7,710
	Total, Department of the Auditor	$685,810

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	400,239
0801–03	For the cost of providing certain legal assistance for the benefit of veterans, their wives and dependents	17,000
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	100,000
0802–02	For the settlement of certain small claims, as authorized by section three A of chapter twelve of the General Laws	8,000
	Total, Department of the Attorney General	$540,239

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	215,111
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	8,700
0901–22	For the program of soil conservation, as authorized by chapter one hundred and twenty-eight B of the General Laws	1,870
0901–24	For matching certain federal funds allocated to the department for a program of quality improvement of the production and marketing of eggs	4,350
	Total	$240,531

Division of Dairying and Animal Husbandry.

0905–01	For the service of the division, including not more than five permanent positions	$35,914

Item		
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	$101,413
0905-04	For matching certain federal funds allocated to the department for a program of quality improvement of dairy products	4,405
	Total	$141,732

Milk Control Commission.

0906-01	For the service of the commission, including not more than thirty-four permanent positions	$204,049

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	$251,145
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	$262,445

Division of Markets.

0908-01	For the service of the division, including not more than eleven permanent positions	$111,754
0908-02	For matching federal funds in preparing certain crop survey reports	4,484
	Total	$116,238

Division of Plant Pest Control and Fairs.

0909-01	For the service of the division, including not more than four permanent positions	$32,321

State Reclamation Board.

0910-01	For the service of the board, including not more than two permanent positions	$11,661
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	$18,161
	Total, Department of Agriculture	$1,015,477

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-one permanent positions	192,750
1001-04	For the expenses of the natural resources board	500
	Total	$203,250

Division of Forests and Parks.

Item		
1002-01	For the office of the director, including not more than thirteen permanent positions	$90,750
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	390,165
1002-14	For the expenses of forest fire patrol, as authorized by section twenty-eight A of chapter forty-eight of the General Laws	63,450
1002-21	For the development of forests, including not more than thirty-seven permanent positions	244,050
1002-26	For certain farm forestry projects in co-operation with the United States Forest Service and the county of Berkshire, including not more than one permanent position; provided, that no expenditure shall be made under this item until the county of Berkshire shall have deposited the sum of one thousand eight hundred and fifty-five dollars in the state treasury for this project	7,421
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 seven hundred and twenty-eight dollars in the state treasury for this project	6,911
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 one thousand seven hundred and fifty-two dollars in the state treasury for this project	7,006
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-three permanent positions	191,930
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	58,673
1002-41	For a federal-state co-operative forest management program	21,638
	Total	$1,081,994

Division of Law Enforcement.

1003-01	For the office of the director, including not more than five permanent positions	$27,848
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	256,900
	Total	$284,748

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	$129,649
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	27,300

Item		
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	$55,700
1010-31	For the operation and maintenance of a certain flood control project in the town of New Marlborough	1,600
1010-35	For operation and maintenance of flood control reservoirs on the SuAsCo watershed	3,000
1010-36	For property surveys for establishment of flood plain limits in the Assabet and Chicopee river valleys	10,000
	Total	$229,549
	Total, Department of Natural Resources	$1,799,541

Department of Banking and Insurance.

Division of Banks.

1101-01	For the salary of the commissioner	$12,500
1101-02	For the office of the commissioner, including not more than two hundred and one permanent positions	1,428,842
1102-01	For the office of the supervisor of loan agencies, including not more than forty-one permanent positions	293,200
	Total	$1,734,542

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-two 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 and thirty-one thousand two hundred and seventeen dollars from the Highway Fund	1,656,084
	Total	$1,668,584

Division of Savings Bank Life Insurance.

1105-01	For the service of the division, including not more than twenty-eight permanent positions	$162,930
	Total, Department of Banking and Insurance	$3,566,056

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 eight hundred and nine permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of two hundred and twelve thousand eight hundred and thirty dollars from the Highway Fund, the sum of three hundred and twenty thousand dollars from the receipts of the corporation tax and two million seven hundred and sixty-six thousand eight hundred dolllars from the receipts of the income tax	4,256,615

Item		
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 eight hundred and forty dollars from the Highway Fund and one hundred and eighty thousand dollars from the receipts of the corporation tax	$319,200
1201-52	For certain tax audits of foreign corporations, prior appropriation continued.	
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	1,094,750
	Total	$5,713,565

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	$841,500
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	87,200
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	21,782
	Total	$1,028,482

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	$229,364
	Total, Department of Corporations and Taxation	$6,971,411

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-three permanent positions	558,542
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 in 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, and for the expenses of holding teacher institutes in an amount not exceeding twenty-five hundred dollars; 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 nine hundred thousand dollars with the approval of the state board of education	9,000
1301-04	For matching, with the approval of the commissioner of administration, 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	

Item		
	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
1301–08	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	45,071
1301–13	For the commonwealth's share of the expenses of the national council of state school officers	1,500
1301–15	For expenses of the advisory board of higher education policy, including not more than two permanent positions	14,000
1301–20	For the board of education, including not more than two permanent positions	11,929
1301–23	For printing guides for school curricula	7,300
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	400,000
1301–33	For certain educational services to certain war veterans .	27,550
	Total	$1,226,292

School Lunch and Commodity Distribution Program.

1305–01	For the administration of the program, including not more than thirty-two permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of fifty thousand dollars from the School Lunch Distribution and Salvage Fund	$194,183
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	400,000
	Total	$594,183

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	$140,446
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	12,000
	Total	$152,446

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	$1,750,000

Education of Emotionally Disturbed Children.

Item		
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-four and the previous year	$315,000

Division of University Extension.

1313-01	For the university extension courses, including not more than fifty-five permanent positions; provided, that the division may, in addition to the sums appropriated for the purpose in this item, expend from receipts, without appropriation, income derived from such courses as may be conducted at no net expense to the commonwealth to an amount not exceeding four hundred thousand dollars with the approval of the state board of education, to be in addition to any federal funds available for the purpose	$268,000

Division of Immigration and Americanization.

1315-01	For the service of the division, including not more than seventeen permanent positions	$104,805

Division of Public Libraries.

1316-01	For the service of the division, including not more than twenty-five permanent positions	$159,336

Division of the Blind.

1317-01	For general administration and for instruction of the adult blind in their homes, including not more than seventy-three permanent positions	$388,540
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 thirteen permanent positions	265,778
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	45,423
1317-16	For the operation of the Cambridge industries for the blind, including not more than twelve permanent positions	493,787
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 cooperation with the federal government, prior appropriation continued	155,000
	Total	$3,424,528

Teachers' Retirement Board.

1319-01	For the service of the board, including not more than thirty-four permanent positions	$176,188
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	$176,688

Massachusetts Maritime Academy.

Item		
1327-10	For administration and for maintenance of the academy and ship, including not more than fifty-one permanent positions, with the approval of the commissioner of education	$509,041

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 forty-eight permanent positions	$1,136,340
1330-21	State college at Bridgewater, boarding hall, including not more than thirty-eight permanent positions	283,915
1331-01	State college at Fitchburg, including not more than one hundred and twenty-nine permanent positions; provided, that said college may expend a sum not to exceed sixty thousand dollars for the purpose of maintaining at said college a community college program as authorized by chapter four hundred and seventy-seven of the acts of nineteen hundred and fifty-nine	1,006,240
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	154,878
1332-01	State college at Framingham, including not more than one hundred and twelve permanent positions	688,550
1332-21	State college at Framingham, boarding hall, including not more than thirty-six permanent positions	259,530
1333-01	State college at Lowell, including not more than eighty-four permanent positions	506,570
1333-21	State college at Lowell, boarding hall, including not more than four permanent positions	14,960
1334-01	State college at North Adams, including not more than fifty-eight permanent positions	364,452
1334-21	State college at North Adams, boarding hall, including not more than eight permanent positions	50,420
1335-01	State college at Salem, including not more than one hundred and thirty-five permanent positions	953,739
1336-01	State college at Westfield, including not more than eighty permanent positions	500,165
1336-21	State college at Westfield, boarding hall, including not more than seven permanent positions	31,200
1337-01	State college at Worcester, including not more than one hundred and nineteen permanent positions	758,830
1338-01	State college at Boston, including not more than one hundred and fifty-six permanent positions	1,153,175
1339-01	Massachusetts college of art, including not more than forty-eight permanent positions	381,675
	Total	$8,249,639

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-seven 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	

Item

the charges to be paid by said city to the commonwealth in the calendar year nineteen hundred and sixty-three; 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 $506,625

1340-10 For scholarships, as authorized by section forty-six C of chapter seventy-four of the General Laws 2,500

1342-01 New Bedford Institute of Technology, including not more than sixty-eight 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-three; 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 538,566

1342-10 For scholarships, as authorized by section forty-six C of chapter seventy-four of the General Laws 2,500

Total $1,050,191

Lowell Technological Institute of Massachusetts.

1345-01 For the maintenance of the institute, with the approval of the trustees, including not more than two hundred and sixteen 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 year nineteen hundred and sixty-three; 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 $1,929,150

1345-22 For a certain program designed to encourage students in the field of science 5,000

1345-42 For scholarships, as authorized by section seventeen of chapter seventy-five A of the General Laws 10,000

1345-86 For the purchase of scientific, technological and other educational reference material for the institute library 25,000

Total $1,969,150

Southeastern Massachusetts Technological Institute.

1347-01 For expenses of administration of the program, as authorized by chapter five hundred and forty-three of the acts of nineteen hundred and sixty, including not more than four permanent positions . . $34,741

University of Massachusetts.

1350-01 For the maintenance of the university, with the approval of the trustees, including not more than fourteen hundred and fifty-nine permanent positions; provided, that the trustees may, in addition to the sums appropriated, receive and expend as university trust funds under section eleven 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-eight 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

Item		
	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	$13,309,475
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
1350-37	For the preparation of plans for the construction of the University of Massachusetts medical school, prior appropriation continued, expires June thirtieth, nineteen hundred and sixty-five.	
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, prior appropriation continued, expires June thirtieth, nineteen hundred and sixty-five.	
1350-70	For a senior internship program; provided, that any public or private funds received for this purpose shall reduce, by a like amount, the expenditures authorized from this item	35,000
1350-96	For scholarships, as authorized by sections thirty-one and thirty-three of chapter seventy-five of the General Laws and for a work scholarship program with the approval of the board of trustees; provided, that any part of the sum appropriated by this item may be used for matching federal grants made under the National Defense Education Act of nineteen hundred and fifty-eight; and, provided further, that the comptroller shall transfer to the General Fund from the Agricultural Purposes Fund the cost of payments made under this item notwithstanding the limitation of said section thirty-three of chapter seventy-five	300,000
	Total	$13,647,675

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 four permanent positions	$60,087
1361-00	Massachusetts Bay community college, including not more than fifty-three permanent positions	344,060
1362-00	Northern Essex community college, including not more than twenty-six permanent positions	185,580
1363-00	Cape Cod community college, including not more than twenty-four permanent positions	184,225
1364-00	Berkshire community college, including not more than twenty-three permanent positions	182,320
1365-00	Central Massachusetts community college, including not more than twenty-six permanent positions	180,350
1366-00	Greenfield community college, including not more than fifteen permanent positions	149,863
1368-00	Regional community college, Northern Worcester County .	20,000
	Total	$1,306,485

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	$943,991

For the maintenance of and for certain improvements at the institutions within the division:

Item		
1381–01	Industrial school for boys, including not more than one hundred and twenty-nine permanent positions	$799,640
1382–01	Industrial school for girls, including not more than ninety-five permanent positions	546,150
1383–01	Lyman school for boys, including not more than one hundred and forty-nine permanent positions	1,032,710
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	416,755
1385–01	For the operation of the institute of juvenile guidance, including not more than fifty-four permanent positions	364,705
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	201,715
1387–01	For the operation of a detention center in Hampden county, including not more than eighteen permanent positions	112,007
1388–01	For the operation of a residential treatment unit for small boys in Oakdale, including not more than twenty-five permanent positions	190,900
1389–01	For the operation of a detention center in Worcester county, including not more than nineteen permanent positions	118,897
1390–01	For the maintenance of Stephen L. French Youth Forestry Camp	69,350
	Total	$3,852,829
	Total, Division of Youth Service	$4,796,820

School Building Assistance Commission.

1393–01	For the school building assistance commission	$83,968

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	$12,441
1394–02	For scholarships, as authorized by section twenty-six of chapter fifteen of the General Laws, other than to students at the University of Massachusetts; provided, that notwithstanding the provisions of said section twenty-six, the board may grant scholarships equal to fifty per cent of the amount appropriated in this item to students enrolled in state colleges operated by the commonwealth, prior appropriation continued	300,000
	Total	$312,441
	Total, Department of Education	$40,131,429

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-six permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of two hundred and one thousand five hundred and three dollars from the Highway Fund	1,343,350
1402–21	For expenses of hearings, as authorized by section forty-three of chapter thirty-one of the General Laws	6,000
	Total	$1,396,850

Division of Registration.

Item		
1403–01	For the salary of the director	$6,000
1403–02	For the service of the division, including not more than fifty-one permanent positions	378,958
	Total	$384,958

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	6,275
1406–01	Board of registration in chiropody, including not more than five permanent positions, notwithstanding the limitations of section twelve C of chapter thirteen of the General Laws	3,100
1407–01	Board of registration in pharmacy, including not more than nine permanent positions	36,632
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	3,305
1412–01	Board of registration of professional engineers and land surveyors	29,100
1413–01	Board of registration of architects, including not more than five permanent positions	4,325
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
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	184,400
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	53,185
1421–01	Board of registration of hairdressers, including not more than seventeen permanent positions	96,800
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	$486,362
	Total, Department of Civil Service and Registration	$2,268,170

Department of Commerce.

1551–01	For the service of the department, including not more than fifty-seven permanent positions	$620,838
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

Item		
1551–10	For the commonwealth's share of the expenses of the New England governors' research committee	$1,500
	Total, Department of Commerce	$822,338

Department of Labor and Industries.

1601–01	For general administration and for the division of employment of older workers, including not more than thirteen permanent positions	$107,400
1603–01	For the division of industrial safety, including not more than sixty-eight permanent positions	468,494
1605–01	For the division of occupational hygiene, including not more than fourteen permanent positions	97,445
1607–01	For the division of statistics, including not more than thirty-four permanent positions	179,281
1609–01	For administration of the division on necessaries of life, including not more than five permanent positions	30,536
1609–05	For administration, by said division, of sections two hundred and ninety-five A to two hundred and ninety-five O, inclusive, of chapter ninety-four of the General Laws, relating to the advertising and sale of motor fuel at retail, including not more than twelve permanent positions	80,931
1611–01	For the board of conciliation and arbitration, including not more than fifteen permanent positions	138,975
1613–01	For the commission on minimum wage and for expenses of wage boards, including not more than thirty-four permanent positions	186,280
1615–01	For the division of standards, including not more than twenty-one permanent positions	144,191
	Total	$1,433,533

Division of Apprentice Training.

1620–01	For the service of the division, including not more than thirty-six permanent positions; provided, that the positions of this division, with the exception of the head clerk, shall not be subject to chapter thirty-one of the General Laws	$199,485

Labor Relations Commission.

1630–01	For the service of the commission, including not more than twenty permanent positions	$147,230

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	$182,100

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	959,363
1651–05	For expenses of impartial examinations, prior appropriation continued	25,000
1651–06	For the compensation of certain public employees for injuries sustained in the course of their employment, as provided by section sixty-nine of chapter one hundred and fifty-two of the General Laws, prior appropriation continued; provided, that the comptroller shall transfer to the General Fund the sum of four hundred and fifty-five thousand dollars from the Highway Fund	1,300,000
	Total	$2,453,363

Division of Self-Insurance.

Item		
1651-21	For the service of the division, including not more than six permanent positions	$36,194

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	$4,465,570

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 North Reading rehabilitation center, 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 five hundred and six permanent positions	4,804,050
	Total	$4,824,050

For the maintenance of and for certain improvements at the following institutions under the control of the department of mental health:

1710-00	Massachusetts mental health center, including not more than two hundred and seventy-nine permanent positions	$1,630,795
1711-00	Boston state hospital, including not more than one thousand one hundred and twenty-two permanent positions	6,168,076
1712-00	Danvers state hospital, including not more than eight hundred and forty-five permanent positions	4,536,500
1713-00	Foxborough state hospital, including not more than five hundred and fifty-nine permanent positions	3,028,850
1714-00	Gardner state hospital, including not more than five hundred and seven permanent positions	2,804,975
1715-00	Grafton state hospital, including not more than five hundred and seventy-five permanent positions	3,146,277
1716-00	Medfield state hospital, including not more than six hundred and seventy-eight permanent positions	3,517,650
1717-00	Metropolitan state hospital, including not more than seven hundred and forty-one permanent positions	3,992,655
1718-00	Northampton state hospital, including not more than seven hundred and fifty-one permanent positions	4,143,460
1719-00	Taunton state hospital, including not more than seven hundred and eleven permanent positions	3,951,000
1720-00	Westborough state hospital, including not more than seven hundred and seventy-eight permanent positions	4,076,050
1721-00	Worcester state hospital, including not more than one thousand and fifty permanent positions	5,342,859
1722-00	Monson state hospital, including not more than seven hundred and fifty-four permanent positions	3,517,450
1723-00	Belchertown state school, including not more than five hundred and eighty-eight permanent positions	2,943,700
1724-00	Walter E. Fernald state school, including not more than nine hundred and sixty-two permanent positions	5,242,144
1725-00	Wrentham state school, including not more than six hundred and forty-seven permanent positions	3,873,525
1726-00	Paul A. Dever state school, including not more than six hundred and twenty-five permanent positions	3,551,260

Item		
1727-00	Cushing hospital, including not more than six hundred and seventy-six permanent positions	$3,050,400
	Total	$68,517,626
	Total, Department of Mental Health	$73,341,676

Department of Correction.

1801-01	For the salary of the commissioner	$15,000
1801-02	For administration, including not more than sixty-nine 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	534,675
	Total	$549,675

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 sixty-two permanent positions	$4,189,000
1812-01	Correctional institution at Walpole, including not more than three hundred permanent positions	2,159,050
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	831,034
1814-01	Correctional institution at Concord, including not more than two hundred and forty-seven permanent positions	1,787,650
1814-02	Correctional institution at Concord, industries, including not more than twenty-three permanent positions	356,200
1816-01	Correctional institution at Framingham, including not more than one hundred and thirty-four permanent positions	941,800
1816-02	Correctional institution at Framingham, industries, including not more than nine permanent positions	233,246
1818-01	Correctional institution at Norfolk, including not more than two hundred and fifty-five permanent positions	2,070,400
1818-02	Correctional institution at Norfolk, industries, including not more than twenty-nine permanent positions	506,625
1820-01	For the operation of correctional institution camps, including not more than thirty-six permanent positions	375,090
	Total	$13,450,095

Parole Board.

1830-01	For the service of the board, including not more than seventy-three permanent positions	$552,860
	Total, Department of Correction	$14,552,630

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 eighty-six permanent positions	3,313,671

Item		
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	$43,000
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	83,300
1906–04	For the care and maintenance of children under the jurisdiction of the division of child guardianship, prior appropriation continued	4,950,000
	Total, Department of Public Welfare	$8,402,471

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	274,825
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-four, prior appropriation continued	6,000
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	5,505
	Total	$302,330

Bureau of Environmental Sanitation.

2002–01	For the service of the bureau, including not more than seventy-seven permanent positions	$559,400
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	58,411
	Total	$617,811

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	$1,406,292
2003–21	For a study of equine encephalitis	24,400
	Total	$1,430,692

Bureau of Health Services.

2004–01	For the service of the bureau, including not more than sixty-two permanent positions	$797,360

Bureau of Hospital Facilities.

2005–01	For the service of the bureau, including not more than twenty-three permanent positions	$177,162

Bureau of Tuberculosis and Institutions.

Item		
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	$5,694,500

Institute of Laboratories.

2007–01	For the service of the institute, including not more than one hundred and thirty-nine permanent positions	$860,125

Bureau of Consumer Products Protection.

2008–01	For the service of the bureau, including not more than fifty-three permanent positions	$378,400
2008–02	For the service of the pesticide board, as authorized by section nine A of chapter seventeen of the General Laws	15,115
	Total	$393,515

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	$4,506,440
2022–00	Lakeville state sanatorium, including not more than two hundred and fifty-eight permanent positions	1,341,600
2024–00	Rutland state sanatorium, including not more than two hundred and fifty-two permanent positions	1,268,300
2025–00	Western Massachusetts hospital, including not more than two hundred and ninety-one permanent positions	1,680,900
2026–00	Lemuel Shattuck hospital, including not more than eight hundred and thirty permanent positions	4,730,800
2026–50	For a research program of chronic hepatitis and related diseases, to be in addition to any federal or other funds available	44,546
2027–00	Massachusetts hospital school, including not more than two hundred and twenty-five permanent positions	1,240,500
2031–00	Pondville hospital, including not more than two hundred and seventy-five permanent positions	1,778,300
2031–50	For the expenses of a cancer research project	24,700
	Total	$16,616,086

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	$26,899,336

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	634,716
	Total	$647,216

Division of Fire Prevention.

Item		
2103-01	For the fire prevention service, including not more than twenty-five permanent positions	$243,910

Division of Inspection.

2104-01	For the service of the division, except as otherwise provided, including not more than fifty-nine permanent positions	$508,350
2104-31	For the board of boiler rules, including not more than four permanent positions	1,500
	Total	$509,850

State Boxing Commission.

2105-11	For the service of the commission, including not more than six permanent positions	$29,455

Board of Standards.

2106-01	For the service of the board, including not more than seven permanent positions	$5,150

Board of Elevator Regulations.

2107-01	For the service of the board, including not more than seven permanent positions	$5,100

Board of Fire Prevention Regulations.

2108-01	For the service of the board, including not more than eight permanent positions	$5,300

Division of Subversive Activities.

2109-01	For the service of the division, including not more than five permanent positions	$34,282

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	$1,484,913

Department of Public Works.

Item

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-four 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 $497,500

2202-06 For the maintenance and repair of certain property in the town of Plymouth, including not more than two permanent positions . 9,720

2202-07 For the operation and maintenance of the New Bedford state pier, including not more than one permanent position 21,655

Total $528,875

Outdoor Advertising Division.

2230-01 For the service of the division, including not more than eleven permanent positions $55,040

Mass Transportation Commission.

2260-02 For expenses of the commission, as authorized by chapter four hundred and sixteen of the acts of nineteen hundred and fifty-nine, including not more than three permanent positions, to be in addition to any federal funds made available for the purpose, prior appropriation continued $74,300

Government Center Commission.

2280-01 For expenses of the commission, as authorized by chapter six hundred and thirty-five of the acts of nineteen hundred and sixty . $90,982

Total, Department of Public Works $749,197

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-two permanent positions 519,221

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 18,000

Total $614,221

Commercial Motor Vehicle Division.

2304-01 For the service of the division, including not more than thirty-two permanent positions $219,150

Securities Division.

2308-01 For the service of the division, including not more than nine permanent positions $53,325

Gas Fitting Regulations Board.

Item		
2370–02	For administration of the program of regulating the installation of gas fittings in buildings, as authorized by section twelve J of chapter twenty-five of the General Laws	$18,164
	Total, Department of Public Utilities	$904,860

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	$12,600

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 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	$10,000

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	$340,000
	Total, Judiciary	$350,000

Boards and Commissions serving under Governor and Council.

Service of the State Housing Board.

Item		
2604–02	For the reimbursement of housing authorities, as authorized by chapter six hundred and sixty-eight of the acts of nineteen hundred and fifty-three	$1,000,000
2604–03	For the reimbursement of certain cities and towns, as provided by chapter two hundred of the acts of nineteen hundred and forty-eight, as amended	3,950,000
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	400,000
2604–05	For reimbursement of cities and towns for the commonwealth's share of the cost of urban, commercial and industrial renewal projects, as authorized by the provisions of section twenty-six HHH of chapter one hundred and twenty-one of the General Laws	5,000
	Total	$5,355,000

Service of the Commissioner of Veterans' Services.

2604–06	For reimbursing cities and towns for money paid for veterans' benefits, as provided in section six of chapter one hundred and fifteen of the General Laws	$6,400,000
2604–08	For reimbursing cities and towns for financial aid granted to certain needy dependents of persons in the service of the armed forces, as authorized by section four of chapter seven hundred and fifty-nine of the acts of nineteen hundred and sixty-two	5,000
	Total	$6,405,000
	Total, Boards and Commissions serving under Governor and Council	$11,760,000

Department of Agriculture.

Division of Livestock Disease Control.

2609–01	For the reimbursement of certain towns for compensation paid to inspectors of animals	$5,500
	Total, Department of Agriculture	$5,500

Department of Natural Resources.

Division of Forests and Parks.

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.

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-three, and for reimbursement of certain towns as authorized by section seventeen B of chapter fifty-eight of the General Laws	$1,000,000

Item		
2612-02	For the reimbursement of cities and towns for abatements granted, as provided by section eight A of chapter fifty-eight and section five of chapter fifty-nine of the General Laws	$250,000
2612-03	For reimbursing the city of Boston for loss of taxes on land for the government center, as authorized by section eight of chapter six hundred and thirty-five of the acts of nineteen hundred and sixty	123,000
	Total	$1,373,000
	Total, Department of Corporations and Taxation	$1,373,000

Department of Education.

2613-01	For reimbursement to cities and towns of a portion of the cost of a program for extended school services for certain children of certain employed mothers, as authorized by sections twenty-six 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	185,000
2613-04	For the reimbursement of certain towns and regional school districts 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	8,500,000
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	6,000,000
2613-06	For reimbursement of certain cities and towns for adult English-speaking classes	100,000
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	162,000
2613-18	For expenses of regional public libraries with the approval of the board of library commissioners, prior appropriation continued.	
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	19,000
	Total	$14,971,000

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	$16,300,000

School Lunch and Commodity Distribution Program.

2613-09	For the reimbursement of cities and towns for partial assistance in the furnishing of lunches to school children, as authorized by chapter five hundred and thirty-eight of the acts of nineteen hundred and fifty-one, and, if necessary, for supplementing federal funds allocated for the special milk program; provided, that notwithstanding any provisions of law to the contrary, reimbursements so authorized to be paid from state funds shall not exceed fifty per cent of the total reimbursement authorized by the national school lunch act; and, provided further, that a sum equivalent to the payments under this item shall be transferred to the General Fund from the receipts of the income tax	$2,500,000

Education of Deaf and Blind Pupils.

Item		
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	$140,000

Teachers' Retirement Board.

2613-11	For reimbursement of certain cities and towns for pensions to retired teachers	$3,400,000
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	18,500,000
	Total	$21,900,000

Division of Youth Service.

2613-12	For reimbursement of cities and towns for tuition, including transportation to and from school, of children attending public schools	$2,700
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	3,500
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	358,000
	Total	$397,200
	Total, Department of Education	$56,208,200

Department of Public Welfare.

2619-01	For the payment of suitable aid to certain dependent children	$14,150,000
2619-02	For the burial by cities and towns of indigent persons who have no legal settlement	8,000
2619-03	For expenses in connection with smallpox and other diseases dangerous to the public health	275,000
2619-04	For the support of sick indigent persons who have no legal settlement	300,000
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	560,000
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	6,130,000
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-three	870,000
2619-08	For reimbursement to cities and towns for old age assistance, as provided by law	15,400,000
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	16,400,000
	Total, Department of Public Welfare	$54,093,000

Department of Public Health.

Bureau of Tuberculosis and Institutions.

2620-01	For the payment of subsidies for tubercular patients in certain hospitals	$190,000
	Total, Department of Public Health	$190,000

DEBT SERVICE APPROPRIATIONS.

Interest and Redemption of Debt.

Item		
2810-00	For the payment of interest on the direct debt of the commonwealth, to be in addition to the amount appropriated in item 2951-00, prior appropriation continued	**$7,986,000**
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	**28,795,750**
	Total, Interest and Redemption of Debt	**$36,781,750**
	TOTAL, GENERAL FUND	**$394,372,719**

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-four 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	**1,582,400**
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 most of which is less than twenty thousand dollars for each project	**2,741,300**
2900-06	For expenses of a traffic safety and traffic control program on state highways, including traffic-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 not less than six hundred thousand dollars of the sum herein appropriated shall be made available for traffic-line painting and necessary related expenses connected therewith; and, provided further, that any portion of the sum appropriated herein 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	**5,000,000**
2900-12	For projects for improving state highways and through routes, including bridges, and including construction and reconstruction, it being the intent of the general court that state highways shall be made continuous	

Item

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 $800,000

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 . 28,880,000

2900-35 For resurfacing existing state highways with not less than one and one-quarter inches of bituminous-bound aggregate, using present traveled ways as a base; provided, that the state purchasing agent may buy the required bituminous-treated aggregate in place, notwithstanding the provisions of section eight A of chapter twenty-nine of the General Laws, prior appropriation continued 1,000,000

2900-36 For the construction or reconstruction of state highway and other bridges, including certain bridges placed under the authority of the department of public works by chapter six hundred and ninety of the acts of nineteen hundred and forty-five and by chapter four hundred and eighty-two of the acts of nineteen hundred and forty-eight; provided, that sums herein appropriated may be used, upon agreement with city or town officials, in conjunction with city or town funds without acceptance by the commonwealth of responsibility for maintenance . 500,000

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-five 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 12,943

2900-80 For the operation and maintenance of the public works building, including not more than eighty-three permanent positions . . 501,250

Total, Department of Public Works $43,183,893

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 $6,419,500

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 . . 489,471

Total, Registry of Motor Vehicles $6,908,971

Department of Public Safety.

Division of State Police.

2926-01 For the service of the division, including not more than seven hundred permanent positions $5,625,400

Item

2926–11 For the compensation of state police officers formerly in the service of the commonwealth, now retired $25,710

The comptroller is hereby authorized to transfer to the Highway Fund the sum of eight hundred and forty-eight thousand nine hundred and fifty-two dollars from the General Fund on account of the expenditures under the division of state police.

Total, Department of Public Safety $5,651,110

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 $390,900

2931–04 For the construction, reconstruction and improvement of boulevards and parkways, including bridges, and including the resurfacing and repairing thereof, prior appropriation continued. . . . .

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-eight permanent positions; provided, that the comptroller shall transfer to the Highway Fund proportions of payments made under this item, as provided by section fifty-five of chapter ninety-two of the General Laws . 9,926,000

2931–74 For the purchase of certain highway maintenance equipment 75,000

Total, Metropolitan District Commission . . . $10,391,900

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-four to enter into agreements with officials of cities and towns for projects to be constructed in the nineteen hundred and sixty-five fiscal year not exceeding in the aggregate seven million dollars, prior appropriation continued $5,500,000

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-four, the pro-

Item

visions 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, prior appropriation continued $2,650,000

Total, Department of Public Works $8,150,000

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 $12,536,000

2952-00 For certain serial bonds maturing, to be in addition to the amount appropriated in item 2820-00, prior appropriation continued . 32,537,000

Total, Interest and Redemption of Debt . . . $45,073,000

TOTAL, HIGHWAY FUND $119,358,874

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 $162,624

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 441,229

3304-44 For the contribution of the department of natural resources towards a wild life co-operative research project, in accordance with a contract with the federal government, to be expended by the University of Massachusetts 8,100

3304-47 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 38,007

3304-51 For expenses of game farms and for wild life research and management, including not more than fifty-one permanent positions . 408,431

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 . 120,875

Total $1,179,266

Division of Law Enforcement.

3308-05 For the payment of damages caused by wild deer and wild moose, including not more than one permanent position, prior appropriation continued $6,815

Item		
3308–07	For the supervision of public fishing and hunting grounds .	$9,498
	Total	$16,313
	Total, Department of Natural Resources . . .	$1,195,579
	TOTAL, INLAND FISHERIES AND GAME FUND	$1,195,579

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-nine permanent positions	$236,848
	Total, Registry of Motor Vehicles	$236,848
	TOTAL, RECREATIONAL BOATING FUND .	$236,848

PUBLIC ACCESS FUND.

STATE PURPOSES APPROPRIATION.

Department of Natural Resources.

Public Access Board.

3501–01	For the construction of public access and related facilities in and to the waters of the commonwealth as defined in section seventeen of chapter twenty-one of the General Laws and to such other public waters as the public access board may determine; provided, that notwithstanding the provisions of the last sentence of said section seventeen of chapter twenty-one, the public access board may be the contracting agent for expenditures authorized by this item	$200,000
	Total, Department of Natural Resources . . .	$200,000
	TOTAL, PUBLIC ACCESS FUND . . .	$200,000

MARINE FISHERIES FUND.

STATE PURPOSES APPROPRIATIONS.

Department of Natural Resources.

Division of Marine Fisheries.

3601–01	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 3601–05 . . .	$134,754
3601–02	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	38,621
3601–03	For expenses of the marine fisheries advisory commission, as authorized by section five A of chapter twenty-one of the General Laws .	2,000

Item		
3601-04	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; provided, that the comptroller shall transfer to the Marine Fisheries Fund the sum of one hundred and fifty thousand dollars from the General Fund	$255,400
3601-06	For a program of estuarine research	145,807
3601-07	For a special investigation of the coastal lobster fishery program	10,461
	Total	$587,043
	Total, Department of Natural Resources	$587,043

LOCAL AID APPROPRIATION.

Department of Natural Resources.

Division of Marine Fisheries.

3601-05	For the reimbursement to certain coastal cities and towns of a part of the cost of projects for the suppression of enemies of shellfish and for propagation, as authorized by section twenty of chapter one hundred and thirty of the General Laws; provided, that the expenditure by said cities and towns of funds herein provided shall not be subject to appropriation as required by section fifty-three of chapter forty-four of the General Laws	$20,000
	Total, Department of Natural Resources	$20,000
	TOTAL, MARINE FISHERIES FUND	$607,043

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	$211,850
	Total, Department of Agriculture	$211,850
	TOTAL, AGRICULTURAL PURPOSES FUND	$211,850

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-three	$156,441

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-three	$125,300
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-three	117,760
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-three	87,221
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-three	95,110
	Total	$581,832
	Total, Department of Agriculture	$581,832
	TOTAL, MOSQUITO CONTROL FUND	$581,832

STATE RECREATION AREAS FUND.

STATE PURPOSES APPROPRIATIONS.

Department of Natural Resources.

Division of Forests and Parks.

4010–01	For the service of the bureau of recreation, including not more than seventy-seven permanent positions	$836,400
4010–21	For the improvement of roads in forests, parks and reservations	50,000
4010–25	For the purchase of equipment, Warwick state forest	30,000
4010–27	For the purchase of equipment, Monroe and Myles Standish state forests	24,000
	Total	$940,400
	Total, Department of Natural Resources	$940,400

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-four 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 five permanent positions	$37,251
4050–02	For the maintenance of Salisbury beach reservation, including not more than three permanent positions	119,326
4050–05	For the maintenance of Horseneck beach, including not more than one permanent position	119,075
4050–06	For the maintenance of Scusset beach	36,125
4050–07	For the maintenance of Fort Phoenix beach	10,750
	Total	$322,527
	Total, Department of Public Works	$322,527

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	$77,155
4082-00	For certain serial bonds maturing, to be in addition to any amounts otherwise available for the purpose, prior appropriation continued	407,875
	Total, Interest and Redemption of Debt	$485,030
	TOTAL, STATE RECREATION AREAS FUND	**$1,747,957**

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	45,000
8602-27	For the cost of suppressing the gypsy moth	5,000
8602-37	For the expenses of holding band concerts	35,000
8602-95	For certain repairs to the sea wall, William J. Day boulevard	12,000
	Total, Metropolitan Parks, General	$172,000

Metropolitan Sewerage District.

8701-00	For the maintenance and operation of a system of sewage disposal for the metropolitan sewerage district, including payments to the state retirement system under the provisions of the General Laws, and including not more than three hundred and twenty-one permanent positions	$2,566,750
8701-28	For the purchase and installation of comminutors, Nut Island, prior appropriation continued	25,000
8701-33	For the purchase and installation of certain power equipment, Nut Island sewage treatment plant	45,000
8701-34	For the replacement of suction channel gates, Charlestown pumping station	24,000
	Total, Metropolitan Sewerage District	$2,660,750

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	$4,093,675
8902-22	For emergency repairs to water mains, prior appropriation continued	10,000
8902-34	For the construction of additions and improvements to certain supply and distribution mains, prior appropriation continued	150,000

Item		
8902-36	For the purchase of certain pipe and valve stock, prior appropriation continued	$20,000
8902-38	For the replacement of water meter registers	10,000
8902-62	For the prevention of soil erosion, Winsor dam and Quabbin dike areas	5,000
8902-90	For the purchase of a forest fire truck, Quabbin reservoir	10,000
	Total, Metropolitan Water System	$4,298,675
	TOTAL, METROPOLITAN DISTRICT COMMISSION FUNDS	$7,131,425

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 commissioner of administration; 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 commissioner.

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 bureau of personnel, 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 avail-

able for the payment of overtime service to any employee of the commonwealth without the prior written approval of such overtime by the commissioner of administration, upon recommendation of the director of personnel and standardization, except where such overtime service is essential to replace the service of an employee necessary for the care of patients or inmates in institutions operated by the commonwealth.

SECTION 6A. Notwithstanding the provisions of paragraph (5A) of section forty-six of chapter thirty of the General Laws, the director 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 any 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 section 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 commissioner of administration 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 within the limits of funds available for the purpose; provided, however, that such emergency authorization shall not be extended to the succeeding fiscal year. The commissioner 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-four 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 commissioner of administration. All federal subventions and grants received by the commonwealth, or by a corporation or other organization established as an affiliate of any 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 under the terms and conditions provided in rules and regulations established by the commissioner of administration and 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 director 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-four 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 commissioner of administration.

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 personnel and standardization, with the approval of the commissioner of administration, 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-four 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 commissioner of administration, 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-four, submit for approval by a board consisting of the commissioner of administration, 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. The budget director, notwithstanding the provisions of section twenty-nine of chapter twenty-nine of the General Laws, 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 director 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. 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 commissioner of administration upon the recommendation of the director 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 director that funds are available for the purpose and shall then file a statement of intent with

the budget director, 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 director with the house and senate committees on ways and means prior to the passage of this act; provided, that the commissioner of administration may authorize the replacement of other motor vehicles with similar models from available funds when he determines that the replacement is necessary because the cost of necessary repairs would not be economical; and, provided further, that said commissioner is hereby authorized to transfer a motor vehicle from one agency or department to another, when, in his 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-four 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 and 9204-09 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	9107-26
8330-00	9107-31
9020-01	9107-33
9022-01	9107-34
9105-01	9107-35
9107-21	9107-36
9107-23	9107-39
9107-25	9125-01

SECTION 19. Notwithstanding any provision of law to the contrary, during the entire fiscal year nineteen hundred and sixty-four, for the payment of classified personal services, the fiscal year shall be from July first, nineteen hundred and sixty-three through June twenty-seventh, nineteen hundred and sixty-four. Classified personal services for June twenty-eighth, twenty-ninth and thirtieth, nineteen hundred and sixty-four, shall be charged to the next fiscal year.

SECTION 20. The provisions of section ten, section fifteen, and section sixteen of this act shall not apply to expenditures from appropriations made under this act for the University of Massachusetts; nor shall the provisions of section nine B or section twenty-nine of chapter twenty-nine of the General Laws, or any provision of section six or section eight of this act which is inconsistent with any provision of chapter seventy-five of the General Laws, apply to the said expenditures from said appropriations or to other funds available to the University of Massachusetts.

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-three. However, beginning June first, nineteen hundred and sixty-three, 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-three; 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 director to permit the effective operation of this section on June first, nineteen hundred and sixty-three. 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-three.

SECTION 22. The budget director 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-three; sections twenty-one and twenty-two shall take effect upon the passage of this act.

Approved June 28, 1963.

Chap. 501. AN ACT PROVIDING FOR THE REIMBURSEMENT BY THE COMMONWEALTH OF THE TOWN OF EAST BRIDGEWATER OF PART OF THE COST OF CONSTRUCTION OF AN ADDITION TO ITS CENTRAL GRADE SCHOOL BUILDING.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the reimbursement by the commonwealth of the town of East Bridgewater of part of the cost of construction of an addition to its central grade school building, 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 state treasurer is hereby authorized and directed to pay to the town of East Bridgewater the matching stabilization fund payment that would be due such town from the commonwealth under the provisions of chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, as amended, if the amount appropriated from the town's stabilization fund on March seventh, nineteen hundred and sixty for constructing and originally equipping and furnishing an addition to its Central Grade School Building had been contained in such fund on December thirty-first of the prior year. Such matching stabilization fund payment shall be applied by the town either to the cost of the aforesaid project or the repayment of bond anticipation notes issued therefor.

Approved June 28, 1963.

Chap. 502. AN ACT AUTHORIZING THE APPOINTMENT OF A THIRD ASSISTANT CLERK OF COURTS FOR PLYMOUTH COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 221 of the General Laws is hereby amended by striking out the paragraph inserted by section 1 of chapter 432 of the acts of 1956 and inserting in place thereof the following paragraph: —

Plymouth, subject to approval of a justice of the supreme judicial or superior court, a second assistant and a third assistant clerk.

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

Approved June 28, 1963.

Chap. 503. AN ACT EXTENDING THE TIME WITHIN WHICH CLAIMS MAY BE FILED FOR REIMBURSEMENT OF THE EXCISE IMPOSED UPON CERTAIN FUELS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to extend forthwith the time within which claims may be filed for reimbursement of the excise imposed upon certain fuels, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 7 of chapter 64A of the General Laws is hereby amended by striking out the third sentence, as amended by section 3 of chapter 715 of the acts of 1962, and inserting in place thereof the following sentence: — All claims for reimbursement shall be filed with the commissioner within two years from the date of purchase or invoice of fuel; except claims for reimbursement of the excise paid for fuel used in producing or generating power for the operation of water-craft of every description, other than a seaplane, which shall be filed within six months from the date of purchase or invoice of such fuel.

SECTION 2. This act shall take effect as of May first, nineteen hundred and sixty-three and shall apply to fuel purchased on and after said date.

Approved June 28, 1963.

Chap. 504. AN ACT PROVIDING FOR LAYING OUT AS A PUBLIC WAY THE VIADUCT BETWEEN LONG ISLAND AND MOON ISLAND AND THE APPROACHES TO SAID VIADUCT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 480 of the acts of 1949 is hereby amended by inserting after section 3 the following section: —

Section 3A. At any time or from time to time, but in each instance after a public hearing of which at least fourteen days' notice shall have been given by publication once in a newspaper published in the city of Boston and once in a newspaper published in the city of Quincy, said viaduct and the whole or any part or parts of said approaches may be laid out as a public way of the city of Boston by the public improvement commission of said city with the approval of the mayor of said city,

notwithstanding that such public way may be in whole or in part within the territorial limits of the city of Quincy.

SECTION 2. Said chapter 480 is hereby further amended by striking out sections 4 and 5 and inserting in place thereof the following two sections: — *Section 4.* Said viaduct and approaches, whether or not laid out in whole or in part as a public way under section three A, shall be maintained by the city of Boston through its hospital department; and the board of trustees in charge of said hospital department shall exclusively authorize poles, wires or other structures to be placed on any part or all of the same, in such places as it may deem proper. *Section 5.* Said viaduct and approaches shall be deemed to be held by the city of Boston in its governmental capacity; and neither said city nor the city of Quincy shall be liable for any injury, loss or damage suffered by any person or property on or about said viaduct or approaches, whether or not laid out in whole or in part as a public way under section three A.

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

Approved June 28, 1963.

Chap. 505. AN ACT AUTHORIZING THE MASSACHUSETTS TURNPIKE AUTHORITY TO LEASE AIR RIGHTS IN CONNECTION WITH THE EXTENSION INTO THE CITY OF BOSTON OF THE MASSACHUSETTS TURNPIKE, AND PROVIDING FOR THE TAXATION OF BUILDINGS AND OTHER THINGS ERECTED OR AFFIXED PURSUANT TO ANY SUCH LEASE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 354 of the acts of 1952 is hereby amended by inserting after section 15 the following section: —

Section 15A. Utilization of Air Rights. — In addition to any other power the Authority may have to make leases, the Authority may, on behalf of itself and the commonwealth, lease at one time, or from time to time for a term or terms not to exceed ninety-nine years, upon such terms and conditions as the Authority in its discretion deems advisable, air rights over land owned or held by the Authority in connection with the extension of the Massachusetts Turnpike from the town of Weston into the city of Boston (hereinafter referred to as the Boston Extension), including rights for support, access, utilities, light and air, for such non-turnpike purposes as, in the opinion of the Authority, will not impair the construction, full use, safety, maintenance, repair, operation or the revenues of the Boston Extension; provided, however, that no lease under this section for a location not previously thereto the subject of a lease shall be granted after January first, nineteen hundred and sixty-six; and provided, further, that any such lease for a period of forty years or more shall be subject to the approval of the governor. Any lease granted under this section may, with the consent of the Authority, be assigned, pledged or mortgaged and the lien of such pledge or mortgage may be foreclosed by appropriate action. The proceeds from any such lease, after payment of all expenses in connection therewith, shall, before the Massachusetts Turnpike becomes part of the state highway system in accordance with section seventeen, be applied toward the cost of the Boston Extension or deposited to the credit of the sinking fund for

the Turnpike Revenue Bonds issued under the provisions of this act, and thereafter be paid into the treasury of the commonwealth for credit to the Highway Fund.

Use of air rights leased under this section respecting land within the territorial limits of the city of Boston and the construction and occupancy of buildings or other things erected or affixed pursuant to any such lease shall be subject to the provisions of chapter one hundred and forty-three of the General Laws relative to the safety of persons in buildings, but shall not be subject to any other building, fire, garage, health or zoning law or any building, fire, garage, health or zoning ordinance, rule or regulation applicable in the city of Boston. The Authority shall include in any lease of such air rights a requirement that buildings or other things shall be erected or affixed pursuant to such lease in accordance with the provisions of the National Building Code, Edition of 1955 (as amended in December, 1957 and January, 1963) and such other requirements as the Authority deems necessary or advisable to promote the public health, convenience and the safety of persons and property.

The Authority shall not lease any air rights in a particular location unless it shall find that the construction and use of buildings or other things to be erected or affixed pursuant to any such lease will be in no way detrimental to the maintenance, use and operation of the Boston Extension; and, in the City of Boston, unless the Authority shall also find, after consultation with the Mayor, that the construction and use of such buildings or other things will preserve and increase the amenities of the community.

The construction or occupancy of any building, or other thing erected or affixed under any lease under this section of air rights respecting land outside the territorial limits of the city of Boston shall be subject to the building, fire, garage, health or zoning laws and the building, fire, garage, health and zoning ordinances, by-laws, rules and regulations applicable in the city or town in which such building or other thing is located.

A copy of all leases granted by the Authority under this section, attested by the secretary-treasurer, shall be filed by the Authority with the governor and with the mayor or chairman of the board of selectmen of the city or town concerned and such leases shall be deemed to be public records within the meaning of chapter sixty-six of the General Laws.

Neither such air rights nor any buildings or other things erected or affixed pursuant to any such lease nor the proceeds from any such lease shall be taxed or assessed to the Authority under any general or special law; but buildings and other things erected or affixed pursuant to any such lease 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; provided, that no part of the value of the land shall be included in any such assessment; and provided, further, that payment of any such taxes shall not be enforced by any lien upon or sale or taking of said land except that the leasehold estate may be sold or taken by the collector of taxes of the city or town in which the real estate is situated for the non-payment of any tax assessed as aforesaid in the manner provided by law for the sale or taking of real estate for non-payment of local taxes. Said collector shall have for the collec-

tion of taxes assessed under this section all other remedies provided by the General Laws for the collection of taxes by collectors of cities and towns.

The Authority shall include in any lease of such air rights a provision whereby the lessee agrees, in the event that the foregoing tax provision is determined by any court of competent jurisdiction to be inapplicable, to pay annually to the city or town in which the building or other thing leased is located, a sum of money in lieu of taxes which would otherwise be assessed for such year.

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

Approved June 28, 1963.

Chap. 506. AN ACT FURTHER REGULATING THE COMPENSATION, TRAVEL ALLOWANCE AND EXPENSES OF THE MEMBERS OF THE GENERAL COURT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to provide forthwith for the payment of increased allowances for expenses, travel, lodging and meals to members of the General Court, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 3 of the General Laws is hereby amended by striking out section 9 and inserting in place thereof the following section: — *Section 9.* Each member of the general court shall receive for each regular annual session seven thousand eight hundred dollars. The president of the senate and the speaker of the house of representatives shall each receive seven thousand eight hundred dollars additional compensation. The floor leaders of each of the major political parties in the senate and house of representatives, the chairman of the senate committee on ways and means and the chairman and the vice chairman of the house committee on ways and means shall each receive three thousand nine hundred dollars additional compensation. Each member of the general court shall be entitled to be paid his compensation for such regular session at the rate of six hundred dollars for each full month of the session. Such payments shall be made to him, upon his request on the last legislative day in which the general court is in session preceding the fifteenth day of each month and on the day preceding the last legislative day of each month, and shall be for an amount not exceeding the proportion then due at the aforesaid rate; provided, that the state treasurer may, during such regular session, make additional payments on account, in excess of such monthly rate, to any member making written request therefor, but the amount of such additional payments shall not exceed, in the aggregate, twelve hundred dollars in any one such session, or sixteen hundred dollars if such session continues beyond July first, and in no event shall the amount of all payments under this section during such session to any member exceed, in the aggregate, the compensation of such member for such session.

SECTION 2. Said chapter 3 is hereby further amended by striking out section 9B and inserting in place thereof the following section: — *Section 9B.* Each member of the general court shall receive six hundred

dollars annually for expenses, to be paid as follows: — each member shall be entitled to receive seventy-five dollars on the first day of each session and on the first day of each month thereafter until said sum of six hundred dollars shall have been paid; and on the last day of the session there shall be paid to each member of the general court the balance, if any, of said sum of six hundred dollars.

Each member of the general court who lives less than forty miles from the state house shall receive eight cents for every mile traveling distance as established by the mileage schedules adopted by the house and senate, respectively, in eighteen hundred and ninety-two, with additions thereto which have been authorized from time to time, from his place of abode to the state house and return therefrom for each day of attendance upon the general court, but for not more than four days in each week; and for four days attendance in each week no member shall receive less than seven dollars. Each member of the general court who lives forty miles or more from the state house shall receive the aforementioned allowance or, at his election, an allowance of eight cents per mile for not more than one round trip a week and in addition an allowance for lodging and meals of not more than fifteen dollars a day for not more than four days each week. Payments under this paragraph shall be paid by the state treasurer only upon a voucher in which a member certifies that he traveled daily as above specified, or traveled and incurred expenses for lodging and meals as above specified, and shall be payable on or after the last day of each legislative week.

The above allowances for travel, lodging and meals shall not be due or payable to any member after thirty days subsequent to prorogation of the legislative session to which said allowances apply.

SECTION 3. Said chapter 3 is hereby further amended by striking out section 10 and inserting in place thereof the following section: — *Section 10.* Each member of the general court chosen to fill a vacancy, or who resigns his seat during a regular annual session, shall be entitled to a per diem compensation for the time of his membership at the rate of seven thousand eight hundred dollars for each regular annual session, and the allowances for travel and other expenses for the time of his membership as provided in section nine B.

SECTION 4. In addition to the compensation provided by section nine of chapter three of the General Laws, the president of the senate and the speaker of the house of representatives shall each be paid thirty-nine hundred dollars, the floor leaders of each of the major political parties in the senate and house of representatives, the chairman of the senate committee on ways and means, and the chairman and the vice chairman of the house committee on ways and means shall each be paid twenty-nine hundred and twenty-five dollars, and each other member of the general court shall be paid the sum of nineteen hundred and fifty dollars, for the regular annual session of nineteen hundred and sixty-three.

SECTION 5. In addition to the allowance for expenses provided by the first paragraph of section nine B of said chapter three, each member of the general court shall for the calendar year nineteen hundred and sixty-three receive an additional two hundred dollars for expenses, to be paid as follows: — twenty-five dollars on the first day of each month, and on the last day of the session there shall be paid to each member the balance, if any, of said two hundred dollars.

SECTION 6. In lieu of the allowances provided by the second paragraph of section nine B of said chapter three for travel and for lodging and meals, the following allowances shall be in effect during the balance of the calendar year nineteen hundred and sixty-three for certain expenses incurred for travel and for lodging and meals on and after the effective date of this section: — Each member of the general court who lives less than forty miles from the state house shall receive eight cents for every mile traveling distance as established by the mileage schedules adopted by the house and senate, respectively, in eighteen hundred and ninety-two, with additions thereto which have been authorized from time to time, from his place of abode to the state house and return therefrom for each day of attendance upon the general court, but for not more than four days in each week; and for four days attendance in each week no member shall receive less than seven dollars. Each member of the general court who lives forty miles or more from the state house shall receive the aforementioned allowance or, at his election, an allowance of eight cents per mile for not more than one round trip a week and in addition an allowance for lodging and meals of not more than fifteen dollars a day for not more than four days each week. Payments under this section shall be paid by the state treasurer only upon a voucher in which a member certifies that he traveled daily as above specified, or traveled and incurred expenses for lodging and meals as above specified, and shall be payable on or after the last day of each legislative week.

The above allowances for travel, lodging and meals shall not be due or payable to any member after thirty days subsequent to prorogation of the legislative session to which said allowances apply.

SECTION 7. Sections one, two and three shall take effect on January first, nineteen hundred and sixty-four. Sections four, five and six shall take effect upon the passage of this act. *Approved June 28, 1963.*

Chap. 507. AN ACT DIRECTING THE CITY OF BOSTON TO CONSTRUCT AND MAINTAIN A TOT-LOT PLAYGROUND ON CERTAIN LAND IN THE DORCHESTER DISTRICT OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. The city of Boston is hereby authorized and directed to construct and maintain a tot-lot playground on a certain parcel of land in the Dorchester district upon which the Robert Swan school formerly was located.

SECTION 2. This act shall take effect upon its acceptance by the city of Boston. *Approved June 28, 1963.*

Chap. 508. AN ACT AUTHORIZING THE ARMORY COMMISSION TO PURCHASE CERTAIN LAND IN THE CITY OF NORTH ADAMS.

Be it enacted, etc., as follows:

The armory commission is hereby authorized, subject to appropriation, to purchase in the name and on behalf of the commonwealth, by deed approved as to form by the attorney general, two parcels of land in the city of North Adams located adjacent to the present site of the National Guard armory, one owned by Stanley Taskin and the other

owned by Adrien Apkim. Said parcels are indicated as lots numbered 19 and 96 on the assessor's map of said city. No payment shall be made for the purchase of said land until an independent appraisal of the value of the land has been made by a qualified, disinterested appraiser.

Approved June 28, 1963.

Chap. 509. AN ACT DIRECTING THE DIVISION OF FISHERIES AND GAME TO PREPARE PLANS AND SPECIFICATIONS FOR A FISH HATCHERY AT THE QUABBIN RESERVOIR.

Be it enacted, etc., as follows:

The division of fisheries and game, in the department of natural resources, is hereby authorized and directed to prepare plans and specifications for a fish hatchery below the Windsor Dam at the Quabbin reservoir. For such purposes said division may expend such sums from the inland fisheries and game fund as may be appropriated therefor.

Approved June 28, 1963.

Chap. 510. AN ACT INCREASING THE EXAMINATION FEES FOR INSTRUCTORS IN BARBER SCHOOLS AND THE FEES FOR THE ANNUAL RENEWAL OF THEIR REGISTRATION CERTIFICATES.

Be it enacted, etc., as follows:

SECTION 1. Section 87P of chapter 112 of the General Laws is hereby amended by striking out the last paragraph, added by section 1 of chapter 440 of the acts of 1950, and inserting in place thereof the following paragraph: —

No person shall act as an instructor until he shall have passed an examination conducted by the board and obtained a certificate of registration from said board. Each applicant for registration as an instructor who shall furnish the board with satisfactory proof that he possesses the educational qualities required for graduation from a high school and that he has been a practising registered barber for the five years immediately preceding the date of the application, shall upon the payment of an examination fee of fifty dollars, be entitled to be examined as set forth under the provisions in section eighty-seven G; and if found by the board to be qualified, shall be registered by it as an instructor, and receive a certificate thereof signed by the chairman and secretary of the board. Each such certificate shall expire on December thirty-first next succeeding its date. The board may renew any such registration, and issue a certificate thereof, upon the payment of an annual renewal fee of twenty-five dollars.

SECTION 2. Section eighty-seven Q of said chapter one hundred and twelve is hereby repealed.

SECTION 3. Notwithstanding the provisions of section eighty-seven P of chapter one hundred and twelve of the General Laws, as amended by section one of this act, any person duly registered and certified as an instructor prior to the effective date of this act may continue to act as an instructor until December thirty-first, nineteen hundred and sixty-three. Thereafter he may renew said certificate annually as provided in said section eighty-seven P without any further examination.

Approved June 28, 1963.

Chap. 511. AN ACT RELATIVE TO THE ACCEPTANCE BY A REGIONAL SCHOOL DISTRICT OF THE VETERANS RETIREMENT LAW, SO CALLED.

Be it enacted, etc., as follows:

SECTION 1. Chapter 32 of the General Laws is hereby amended by striking out section 59, as appearing in section 4 of chapter 728 of the acts of 1960, and inserting in place thereof the following section: — *Section 59.* The words "retiring authority", as used in sections fifty-six to sixty, inclusive, shall mean as to the commonwealth, the state board of retirement; as to a county, city, town, district or regional school district, the appropriate retirement board established under section twenty, having jurisdiction in the governmental unit in which a veteran was employed at the time of his retirement or death, or, if there is no such board in the case of a town, the selectmen; or, in the case of a district, the prudential committee; or, in the case of a regional school district, the regional district school committee.

SECTION 2. Chapter 297 of the acts of 1961 is hereby amended by striking out, in line 4, the words "or district" and inserting in place thereof the words: — district or regional school district, — and by inserting after the word "committee", in line 7, the words: — or by majority vote of the regional district school committee.

SECTION 3. Notwithstanding the limitation contained in the first paragraph of section sixty of chapter thirty-two of the General Laws and of the limitation contained in said chapter two hundred and ninety-seven of the acts of nineteen hundred and sixty-one, sections fifty-six to fifty-nine, inclusive, of said chapter thirty-two shall be in effect in any regional school district which accepts said sections prior to January first, nineteen hundred and sixty-five, by majority vote of the regional district school committee. *Approved June 28, 1963.*

Chap. 512. AN ACT AUTHORIZING THE WATER RESOURCES COMMISSION TO CONSTRUCT RESERVOIRS FOR FLOOD CONTROL AND OTHER PURPOSES IN THE WATERSHED OF BRADLEY BROOK IN THE TOWNS OF BLANDFORD AND RUSSELL.

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 Bradley Brook in the towns of Blandford and Russell for the purposes of flood prevention and related purposes, including water resources utilization, which project shall be designated as the Bradley Brook Watershed Project.

SECTION 2. The commission, acting on behalf of the commonwealth, may enter into agreements providing for the construction of flood pro-

tection works including, but not limited to, the following reservoirs for the storage of flood waters and other water resources utilization in said watershed area:

1. Reservoir on Black Brook in the town of Blandford.
2. Reservoir on Freeland Brook in the town of Blandford.

SECTION 3. The commission, acting for and in behalf of the commonwealth, may enter into agreements with the towns of Blandford and Russell for the commission to be the contracting authority to construct the works of improvement described in section two, provided, however, that the towns 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 towns in proportion to their contributions.

SECTION 4. 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 over-all 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 5. The towns of Blandford and Russell 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 town acquiring them.

SECTION 6. 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 7. Upon completion, the reservoir on Black Brook shall be maintained and operated by the town of Russell and the reservoir on Freeland Brook shall be maintained and operated by the town of Blandford in a manner satisfactory to the commission.

Approved June 28, 1963.

Chap. 513. AN ACT INCLUDING CERTAIN SURVIVING PARENTS IN THE DEFINITION OF DEPENDENTS UNDER THE LAW RELATIVE TO CONTRIBUTORY GROUP GENERAL OR BLANKET INSURANCE FOR PERSONS IN THE SERVICE OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Paragraph (*d*) of section 2 of chapter 32A of the General Laws, as most recently amended by chapter 516 of the acts of 1959, is hereby further amended by adding at the end the following four sentences: — Said definition shall further include the parents of an employee, or an employee who retired on or after January first, nineteen hundred and fifty-six, who are dependent upon him for over one half of their annual maintenance and support, proof of which shall be furnished to the satisfaction of the commission upon its request. The commission shall establish a separate schedule of hospital, surgical, medical benefits for dependent parents, and the claim experience applicable thereto shall be maintained separate from the schedule of hospital, surgical, medical benefits and claim experience applicable to employees insured hereunder. Payment of the premium applicable to the schedule of hospital, surgical, medical benefits for dependent parents shall be made to the commission without contribution by the commonwealth. Any person who fraudulently claims to furnish over one half of the maintenance and support of a dependent parent which claim results in the parent becoming insured hereunder, shall, upon the determination by the commission, forfeit his eligibility for insurance coverage under this chapter for a period of not less than one or more than three years from the date of such determination. *Approved June 28, 1963.*

Chap. 514. AN ACT RELATIVE TO THE DISPOSITIONS OF THE MILITARY SERVICE CREDIT DEDUCTIONS OF CERTAIN MEMBERS UNDER THE CONTRIBUTORY RETIREMENT LAW WHO DIE BEFORE BEING RETIRED.

Be it enacted, etc., as follows:

Subdivision (4) of section 22 of chapter 32 of the General Laws is hereby amended by striking out paragraph (*d*), as amended by section 3 of chapter 597 of the acts of 1961, and inserting in place thereof the following paragraph: —

(*d*) If any member, whose last discharge or release from military service as set forth in said chapter seven hundred and eight, as amended, and as may be further amended, was under honorable conditions as defined in defense department regulations, for whom a liability had previously been established in the special fund for military service credit of one system for any period of his military leave of absence while a member of such system, is retired while a member of a second system, or in the event a member survivor benefit under the provisions of option (*d*) of subdivision (2) of section twelve, or payment of allowances under the provisions of section twelve B becomes effective on account of his death while a member of a second system, an amount equal to the value of the regular deductions with which he was credited under the provisions of sections nine and nine A of said chapter seven hundred and eight for

such period of his military leave of absence, together with regular interest thereon to the date his retirement allowance, member survivor benefit, or allowances provided for under the provisions of section twelve B becomes effective, shall be paid from the pension fund of the first system at the date on which said retirement, member survivor benefit, or allowances under the provisions of section twelve B becomes effective and transferred to the special fund for military service credit of the second system to be credited to his account therein, and thereafter such account shall be handled in the manner set forth in paragraph (*b*) of this subdivision; provided, that such transfer shall be made and credit for such period of his military leave of absence allowed only if he has transferred his membership from the first system to the second system as provided for in paragraph (8) (*a*) of section three, or only if and only to the extent he has re-established credit for his former membership by paying into the annuity savings fund of the second system the make-up payments provided for in paragraph (8) (*b*) of such section.

Approved June 28, 1963.

Chap. 515. AN ACT RELATIVE TO SURVIVOR BENEFITS OF WIDOWS UNDER THE CONTRIBUTORY RETIREMENT LAW.

Be it enacted, etc., as follows:

Option (*d*) of subdivision (2) of section 12 of chapter 32 of the General Laws is hereby amended by striking out the last paragraph, as most recently amended by section 1 of chapter 547 of the acts of 1961, and inserting in place thereof the following paragraph: —

The normal monthly retirement allowance payable under this option to a widow of a deceased member having at least two years of creditable service shall not be less than the allowance provided for a widow under the provisions of section twelve B; provided that such widow had been married to such member for at least three years; and provided further that upon the remarriage of such widow any additional amount that was required to make the allowance under this option equal to the allowance provided for a widow under the provisions of section twelve B shall terminate and thereafter she shall receive two-thirds of the yearly amount of said option (*c*) allowance to which such member would have been entitled had his retirement taken place on the date of his death. Such eligible widow may in the alternative, in addition to any existing right of election under this option, elect to receive either the survivor benefits under this option or the allowances provided by section twelve B.

Approved June 28, 1963.

Chap. 516. AN ACT AUTHORIZING THE TRUSTEES OF THE ESSEX AGRICULTURAL AND TECHNICAL INSTITUTE TO BORROW MONEY FOR THE CONSTRUCTION OF A SCIENCE AND CLASSROOM BUILDING AT SAID INSTITUTE.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of providing adequate educational facilities at the Essex agricultural and technical institute, the trustees of said institute and five persons, who are residents of Essex county, to be appointed by the governor are hereby authorized to construct, orig-

inally equip, and furnish a science and classrooom building for the instruction of science and general educational subjects. Said trustees and appointees shall interview no less than three architects before awarding the architectural contract for the drafting of plans and specifications.

SECTION 2. For the purpose aforesaid, the treasurer of the county of Essex, with the approval of the county commissioners of said county, may borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, five hundred thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Essex Agricultural and Technical Institute Building Loan, Act of 1963. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than fifteen years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

SECTION 3. The county treasurer of said county, with the approval of the county commissioners, may issue temporary notes of the county, payable in not more than one year from their dates, in anticipation of the issue of serial bonds or notes under this act, but the time within which such serial bonds or notes shall become due and payable shall not, by reason of such temporary notes, be extended beyond the time fixed by this act. Any notes issued in anticipation of the serial bonds or notes shall be paid from the proceeds thereof.

SECTION 4. This act shall take effect upon its acceptance during the current year by the county commissioners of the county of Essex, but not otherwise. *Approved June 28, 1963.*

Chap. 517. AN ACT CHANGING THE NAME OF RUTLAND STATE SANATORIUM TO RUTLAND HOSPITAL AND THE NAME OF LAKEVILLE STATE SANATORIUM TO LAKEVILLE HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. The Rutland sanatorium and the Lakeville sanatorium shall henceforth be known and designated as the Rutland hospital and the Lakeville hospital, respectively.

SECTION 2. Chapter 111 of the General Laws is hereby amended by striking out section 63, as most recently amended by section 3 of chapter 598 of the acts of 1962, and the caption preceding said section, and inserting in place thereof the following section under the caption STATE HOSPITALS: — *Section 63.* The commissioner shall have general supervision and control of the Rutland hospital, the Lakeville hospital, and the Western Massachusetts hospital and shall see that the affairs of such hospitals are conducted according to law, and to the by-laws and regulations established by the council in respect thereto.

SECTION 3. Said chapter 111 is hereby further amended by striking out section 64, as amended by section 3 of chapter 546 of the acts of 1962,

and inserting in place thereof the following section: — *Section 64.* The commissioner shall annually cause to be made an accurate inventory of the stock and supplies on hand and the amount and value thereof at the end of the fiscal year at each hospital under the department; shall make a full and detailed annual report of the condition of each such hospital, and all its affairs, with a copy of the inventory required herein; shall receive and audit the annual report of the treasurer of each hospital, and shall deposit the same, with said annual report, with the state secretary.

SECTION 4. Section sixty-five of said chapter one hundred and eleven is hereby repealed.

SECTION 5. Section 65A of said chapter 111, as most recently amended by chapter 458 of the acts of 1957, is hereby further amended by striking out, in line 2, the words "state sanatorium" and inserting in place thereof the word: — hospital.

SECTION 6. Section 67 of said chapter 111, as amended by chapter 345 of the acts of 1956, is hereby further amended by striking out, in lines 2 and 3, the words "sanatorium or".

SECTION 7. Said chapter 111 is hereby further amended by striking out section 69E, as most recently amended by section 5 of chapter 546 of the acts of 1962, and inserting in place thereof the following section: — *Section 69E.* The commissioner shall have general supervision and control of the Lemuel Shattuck hospital and the Pondville hospital. Upon written application of a registered physician, the department may admit patients to the Lemuel Shattuck hospital, and to the chronic disease sections of the Rutland hospital and the Lakeville hospital, for the treatment of chronic disease, and to the Pondville hospital, for the treatment of cancer, and to the cancer division of the Western Massachusetts hospital, for the treatment of cancer and chronic diseases, subject to such rules and regulations as the department may prescribe; provided, that preference shall be given to residents of the commonwealth. Any such patient may be discharged from said hospitals either upon his own request or upon determination of the department, but not otherwise. The commissioner may establish outpatient departments at the Lemuel Shattuck hospital and the Pondville hospital.

Approved June 28, 1963.

Chap. 518. AN ACT AUTHORIZING THE CITY OF LEOMINSTER TO PAY A SUM OF MONEY TO ALBERT E. CRANSON ON ACCOUNT OF INJURIES SUSTAINED BY HIS SON KENNETH CRANSON.

Be it enacted, etc., as follows:

For the purpose of discharging a moral obligation, the city of Leominster may appropriate and pay a sum not exceeding ten thousand dollars to Albert E. Cranson on account of injuries sustained by his son Kenneth Cranson, a minor, in the course of his activities as a student in the Leominster Trade School. *Approved June 28, 1963.*

Chap. 519. AN ACT AUTHORIZING THE BORROWING OF MONEY FOR CONSTRUCTING AND EQUIPPING A COURT HOUSE IN THE CITY OF SOMERVILLE FOR THE DISTRICT COURT OF SOMERVILLE.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Middlesex county and the mayor of the city of Somerville are hereby constituted a board authorized to construct and originally equip a court house to provide suitable and adequate facilities for the district court of Somerville, which shall be constructed at a suitable location in the city of Somerville satisfactory to said board. Said board may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise any land that may be necessary for the purposes of this act, including a sufficient area for the parking of the motor vehicles of persons in attendance upon said court. Said board may expend for the purposes of this act, including the preparation of plans and specifications in connection therewith and for landscaping, such sums as may be necessary not exceeding in the aggregate seven hundred and fifty thousand dollars. Any sums received from the federal government for the purposes of this act shall be included in, and considered a part of, the total amount authorized to be expended hereunder.

SECTION 2. For the purposes authorized by section one, 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, seven hundred and fifty thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, District Court of Somerville Court House Loan, Act of 1963. Each authorized issue shall constitute a separate loan and such loans shall be payable not more than five years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

SECTION 3. The county treasurer of said county, with the approval of the county commissioners, may issue temporary notes of the county, payable in not more than one year from their dates, in anticipation of the 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 July 3, 1963.

Chap. 520. AN ACT AUTHORIZING THE CITY COUNCIL OF THE CITY OF WALTHAM TO APPOINT COUNCILLOR JOSEPH S. TROMBLEY TO THE POSITION OF ASSISTANT CITY CLERK IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section eight of chapter thirty-nine of the General Laws or any other provision of law to the contrary, the city council of the city of Waltham may appoint Joseph S. Trombley as assistant city clerk of said city to serve for the balance of the unexpired term of the retired assistant city clerk; provided, that said Joseph S. Trombley resigns as a member of the city council of said city.

SECTION 2. This act shall take effect upon its acceptance by the city of Waltham. *Approved July 3, 1963.*

Chap. 521. AN ACT TO FACILITATE THE CONTINUED OPERATION OF DOMESTIC INSURANCE COMPANIES AND FRATERNAL BENEFIT SOCIETIES IN THE EVENT OF CERTAIN NATIONAL EMERGENCIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 175 of the General Laws is hereby amended by inserting after section 180L, under the caption CONTINUITY OF OPERATION OF INSURERS IN NATIONAL EMERGENCIES, the following five sections: —

Section 180M. As used in this section and in sections one hundred and eighty N to one hundred and eighty Q, inclusive, the following words shall have the following meanings: —

"National emergency", an emergency caused by an attack on the United States or by a nuclear, atomic or other disaster which makes it impossible or impracticable for a company to conduct its business in strict accord with law, its by-laws or its charter.

"Domestic company", shall also include the United States branch of a foreign insurance company formed under the laws of any government or state, other than the United States or one of the United States, which, being authorized to do business in the commonwealth, has its principal office in the commonwealth, and the term "board of directors" shall also include the resident manager in the United States of such a company.

Section 180N. In order to promote the general welfare and in particular the welfare of insurance beneficiaries, policyholders, injured claimants and others by enabling domestic insurance companies to continue their business in the event of a national emergency, any domestic company may adopt by-laws reasonably necessary for the operation of the company during a national emergency. The board of directors of any such company may at any time adopt emergency by-laws subject to the approval of the commissioner or a duly designated person exercising the powers of the commissioner, and subject to repeal or change by action of those having power to adopt regular by-laws for the company, which shall be operative during a national emergency and which may, notwithstanding any different provisions of the regular by-laws or of the applicable statutes, or of the company's charter, make any pro-

vision that may be reasonably necessary for the operation of the company during the period of such emergency.

Section 180O. In the event that by-laws have not been adopted as provided in section one hundred and eighty N, the following provisions shall become effective upon the occurrence of a national emergency: —

(1) Three directors shall constitute a quorum for the transaction of business at all meetings of the board.

(2) Any vacancy in the board may be filled by a majority of the remaining directors, though less than a quorum or though a sole remaining director.

(3) If there are no surviving directors, but at least three vice-presidents of the company survive, the three vice-presidents with the longest term of service shall be the directors and shall possess all of the powers of the previous board of directors and such powers as are granted herein or by subsequently enacted legislation. By majority vote, such emergency board of directors may elect other directors. If there are not at least three surviving vice-presidents, the commissioner or a duly designated person exercising the powers of the commissioner shall appoint three persons as directors who shall possess all of the powers of the previous board of directors and such powers as are granted herein or by subsequently enacted legislation, and these persons by majority vote may elect other directors. The directors who hold office under this paragraph shall hold office only until succeeded by directors elected at the next regular annual meeting of the company, but if the regular annual meeting of the company is not scheduled to occur within six months of the termination of the national emergency, a special meeting of the company shall be called within six months after the termination of such emergency at which meeting directors shall be elected to succeed those holding office under this paragraph.

Section 180P. At any time the board of directors of a domestic company may, by resolution, provide that in the event of a national emergency and in the event of the death or incapacity of the president, secretary and treasurer of said company, such officers, or any of them, shall be succeeded in office by the person named or described in a succession list adopted by the board. Such list may be on the basis of named persons or position titles, shall establish the order of priority and may prescribe the conditions under which the powers of the office shall be exercised.

Section 180Q. At any time the board of directors of a domestic company may, by resolution, provide that in the event of a national emergency the home office or principal place of business of the company shall be at such location as is named or described in the resolution. Such resolution may provide for alternative locations and establish an order of preference.

SECTION 2. Section 50 of chapter 176 of the General Laws, as appearing in section 1 of chapter 540 of the acts of 1958, is hereby amended by adding after the word "therein", in line 8, the following: — ; provided, however, that the provisions of sections one hundred and eighty M to one hundred and eighty Q, inclusive, of chapter one hundred and seventy-five shall apply to domestic societies. *Approved July 3, 1963.*

Chap. 522. 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, for the purchase and installation of certain equipment and for certain other activities and projects, 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 provisions of law regulating the disbursement of public funds and the approval thereof; provided, however, that appropriations made in this act shall not be construed to supersede appropriations made in chapter six hundred and forty-nine of the acts of nineteen hundred and sixty-two, as provided in section fifteen of chapter twenty-nine of the General Laws, or to supplement such appropriations unless specifically stated in section two of this act. 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 director and shall be expended according to the priority order of such schedules unless exceptions are approved by the budget director on written application of the head of the spending agency.

SECTION 2.

Judiciary.

Item		
8264–01	For equipment, land court	$15,000

Executive.

8264–02	For equipment, civil defense agency	$1,250
8264–03	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 and shall be expended with at least an equivalent amount of federal grants for the purposes of this item, to be in addition to the amount appropriated in item 0406–07 of section two of chapter seven hundred and ninety-one of the acts of nineteen hundred and sixty-two	211,000

Military Division.

8264–04	For equipment, office of the adjutant general . . .	$1,450
8264–05	For equipment, training camps	800
8264–06	For repairs and improvements, military reservations . .	500
8264–07	For equipment, war records office	400
8264–08	For equipment, state quartermaster	2,200
8264–09	For repairs and improvements, armories	200,000
8264–10	For equipment, armories	1,200
8264–11	For repairs and improvements, storage and maintenance facilities	2,500
8264–12	For repairs and improvements, national guard aviation facilities	2,000

Boards and Commissions serving under Governor and Council.

Executive Office for Administration and Finance.

Fiscal Affairs Division.

Item		
8264–13	For equipment	$1,000

Central Services Division.

8264–14	For repairs and improvements, state house and Ford building	$46,400
8264–15	For equipment, state house and Ford building	8,000
8264–16	For certain plumbing renovations, to be in addition to the amount appropriated in item 8463–73 of section two of chapter six hundred and forty-nine of the acts of nineteen hundred and sixty-two	80,000
8264–17	For certain improvements to the exterior doors, state house	28,000
8264–18	For exterior masonry repairs, state house, to be in addition to the amount appropriated in item 8063–52 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two	160,000
8264–19	For certain roof repairs	37,730
8264–20	For certain heating zone controls	4,755
8264–21	For an incinerator	5,000
8264–22	For certain improvements to the flag cases, state house	25,000

Comptroller's Division.

8264–23	For equipment	$10,000

Purchasing Agent's Division.

8264–24	For equipment	$10,000

The Group Insurance Commission.

8264–25	For equipment	$2,000

George Fingold Library.

8264–26	For equipment	$1,000

Massachusetts Commission Against Discrimination.

8264–27	For equipment	$400

State Racing Commission.

8264–28	For equipment	$800

Council for the Aging.

8264–29	For equipment	$506

Alcoholic Beverages Control Commission.

8264–30	For equipment	$300

Soldiers' Home in Massachusetts.

8264–31	For repairs and improvements	$18,800
8264–32	For equipment	33,135
8264–33	For exterior painting	29,000
8264–34	For a new X-ray unit, including film processing machines	99,750
8264–35	For waterproofing hospital building	15,848

Soldiers' Home in Holyoke.

Item		
8264–36	For repairs and improvements	$19,300
8264–37	For equipment	7,500

State Housing Board.

8264–38	For equipment	$4,175
8264–39	For equipment, division of urban renewal	840

Commissioner of Veterans' Services.

8264–40	For equipment	$700

Massachusetts Aeronautics Commission.

8264–41	For equipment	$35,000

Secretary of the Commonwealth.

8264–42	For equipment	$9,152
8264–43	For equipment, bureau of corporate organization	1,700
8264–44	For equipment, primary and other elections	3,400

Treasurer and Receiver-General.

8264–45	For repairs and improvements	$10,000
8264–46	For equipment	9,290
8264–47	For equipment, office of the state board of retirement	550

Auditor of the Commonwealth.

8264–48	For equipment	$2,092

Department of the Attorney General.

8264–49	For equipment	$7,500

Department of Agriculture.

8264–50	For equipment	$2,225
8264–51	For equipment, division of dairying and animal husbandry	1,800
8264–52	For equipment for administering the law relative to inspection of barns and dairies	9,000
8264–53	For equipment, milk control commission	1,800
8264–54	For equipment, division of livestock disease control	7,150
8264–55	For equipment, division of markets	5,250
8264–56	For equipment, division of plant pest control and fairs	2,000
8264–57	For equipment, state reclamation board	1,600

Department of Natural Resources.

8264–58	For equipment, administration	$2,675
8264–59	For equipment, office of the director, division of forests and parks	6,300
8264–60	For equipment, state fire warden	13,000
8264–61	For equipment, forest fire patrol; provided, that fifty per cent of the cost of expenditures under this item shall be apportioned and assessed as provided in section twenty-eight A of chapter forty-eight of the General Laws	21,000
8264–62	For equipment, development of state forests	14,000
8264–63	For equipment, suppression of insect pests and shade tree diseases	26,500

Item		
8264–64	For equipment, accelerated program of forest management on state forest lands	$400
8264–65	For equipment, federal-state co-operative forest management program; provided, that any federal funds received as reimbursement for expenditures made from this item shall be deposited in the General Fund	7,500
8264–66	For forest fire equipment	30,000
8264–67	For equipment, division of law enforcement; 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	14,000
8264–68	For equipment, division of water resources	1,080

Department of Banking and Insurance.

8264–69	For equipment, division of banks	$1,912
8264–70	For equipment, office of the supervisor of loan agencies	1,470
8264–71	For equipment, division of insurance	5,450
8264–72	For equipment, division of savings bank life insurance; provided, that the commonwealth shall be reimbursed for expenditures made from this item as provided in section seventeen of chapter one hundred and seventy-eight of the General Laws	1,320

Department of Corporations and Taxation.

8264–73	For equipment	$10,000
8264–74	For equipment, income tax division; provided, that the comptroller shall transfer to the General Fund from the receipts of the income tax an amount equal to the payments made from this item	16,676
8264–75	For equipment, division of accounts	3,795

Department of Education.

8264–76	For equipment, office of the commissioner	$2,460
8264–77	For equipment, board of education	335
8164–23	For the purchase of scientific, technological, and other educational reference material for the libraries at the Massachusetts Maritime Academy, the state colleges, Massachusetts College of Art, Bradford Durfee College of Technology and the New Bedford Institute of Technology, to be allocated by the commissioner of education with the approval of the board of education	100,000
8264–78	For equipment, division of vocational education	1,500
8264–79	For equipment, division of immigration and Americanization	1,200
8264–80	For equipment, division of the blind, administration	5,315
8264–81	For repairs and improvements, local shops	1,000
8264–82	For equipment, local shops	1,125
8264–83	For equipment, operation of the salesroom	300
8264–84	For equipment, operation of Cambridge industries for the blind	4,735
8264–85	For equipment, teachers' retirement board	1,350
8264–86	For repairs and improvements to the wharf and buildings, Massachusetts maritime academy	85,000
8264–87	For equipment, Massachusetts maritime academy	2,800
8264–88	For repairs and improvements, state college at Bridgewater	16,550
8264–89	For repairs, boarding hall	5,000
8264–90	For repairs to floors, Burnell school	20,000
8264–91	For certain improvements and additions to the library, state college at Bridgewater	32,000
8264–92	For equipment, state college at Bridgewater and boarding hall	12,700
8264–93	For classroom and laboratory equipment, state college at Bridgewater	36,000
8264–94	For repairs and improvements, state college at Fitchburg	10,350
8264–95	For equipment, state college at Fitchburg and boarding hall	7,300
8264–96	For repairs and improvements, state college at Framingham	10,000

Item		
8264–97	For equipment, state college at Framingham and boarding hall	$13,475
8264–98	For classroom and laboratory equipment, state college at Framingham	19,650
8264–99	For repairs and improvements, state college at Lowell	12,000
8364–01	For equipment, state college at Lowell	5,000
8364–02	For equipment, state college at North Adams and boarding hall	5,250
8364–03	For repairs and improvements, state college at Salem	20,000
8364–04	For equipment, state college at Salem	11,500
8364–05	For certain repairs and improvements to convert the auditorium to classrooms, state college at Salem	26,000
8364–06	For repairs and improvements, state college at Westfield	9,000
8364–07	For equipment, state college at Westfield	7,500
8364–08	For repairs and improvements, state college at Worcester	10,000
8364–09	For equipment, state college at Worcester	11,200
8364–10	For repairs and improvements, state college at Boston	25,500
8364–11	For equipment, state college at Boston	11,200
8364–12	For repairs and improvements, Massachusetts college of art	25,000
8364–13	For equipment, Massachusetts college of art	5,400
8364–14	For equipment, Bradford Durfee college of technology	35,000
8364–15	For repairs and improvements, New Bedford institute of technology	15,000
8364–16	For equipment, New Bedford institute of technology	10,000

Lowell Technological Institute of Massachusetts.

8364–17	For repairs and improvements	$35,000
8364–18	For equipment	6,000
8364–19	For classroom and laboratory equipment	99,000
8364–20	For dormitory furniture	25,000

Southeastern Massachusetts Technological Institute.

8364–21	For equipment	$1,950

University of Massachusetts.

8364–22	For repairs and improvements	$74,500
8364–23	For administrative and maintenance equipment	60,000
8364–24	For classroom and laboratory equipment	190,000
8364–25	For the purchase of scientific, technological and other educational reference material for the university library	100,000
8364–26	For the renovation of certain older classroom buildings, including the cost of furnishings and equipment; to be in addition to the amount appropriated in item 8063–18 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two; to be expended with any federal funds available for the purpose	250,000
8364–27	For repairs and improvements to dormitories, including the cost of furnishings and equipment	300,000
8364–28	For the acquisition and construction of coal handling and storage facilities, including the cost of equipment	350,000

Massachusetts Board of Regional Community Colleges.

8364–29	For equipment, office of the board	$3,000
8364–30	For equipment, Massachusetts Bay community college	10,000
8364–31	For equipment, Northern Essex community college	20,000
8364–32	For equipment, Cape Cod community college	5,000
8364–33	For the purchase of scientific, technological and other educational reference material for the library, Cape Cod community college	10,000
8364–34	For equipment, Berkshire community college	4,000
8364–35	For equipment, Greenfield community college	4,000

Division of Youth Service.

8364–36	For equipment, division of youth service, administration	$6,700
8364–37	For equipment, industrial school for boys	4,000

Item		
8364–38	For repairs and improvements, industrial school for girls	$10,900
8364–39	For equipment, industrial school for girls	7,600
8364–40	For equipment, Lyman school for boys	7,770
8364–41	For repairs and improvements, reception and detention facilities for boys	4,700
8364–42	For equipment, reception and detention facilities for boys, Boston	7,475
8364–43	For repairs and improvements, institute of juvenile guidance	4,800
8364–44	For equipment, institute of juvenile guidance	1,690
8364–45	For repairs and improvements, reception and detention facilities for girls	6,100
8364–46	For equipment, reception and detention facilities for girls	3,375
8364–47	For repairs and improvements, detention center in Hampden county	2,500
8364–48	For equipment, detention center in Hampden county	2,000
8364–49	For repairs and improvements, residential treatment center, Oakdale	5,000
8364–50	For equipment, residential treatment center, Oakdale	5,100
8364–51	For repairs and improvements, detention center, Worcester county	2,500
8364–52	For equipment, detention center, Worcester county	2,220
8364–53	For repairs and improvements, youth forestry camp	5,000
8364–54	For equipment, youth forestry camp	4,050

School Building Assistance Commission.

8364–55	For equipment	$1,620

Department of Civil Service and Registration.

8364–56	For equipment, division of civil service, administration	$7,275
8364–57	For equipment, division of registration, administration	2,925
8364–58	For equipment, board of registration in pharmacy	2,000
8364–59	For equipment, board of registration of professional engineers and land surveyors	400
8364–60	For equipment, board of registration of barbers	900
8364–61	For equipment, board of registration of hairdressers	948

Department of Commerce.

8364–62	For equipment	$4,100

Department of Labor and Industries.

8364–63	For equipment, department of labor and industries, administration	$490
8364–64	For equipment, division of industrial safety	850
8364–65	For equipment, division of occupational hygiene	580
8364–66	For equipment, division of statistics	1,300
8364–67	For equipment, division of motor fuel sales	5,000
8364–68	For equipment, board of conciliation and arbitration	900
8364–69	For equipment, commission on minimum wage	405
8364–70	For equipment, division of standards	5,000
8364–71	For equipment, health, welfare and retirement trust funds board	450
8364–72	For equipment, division of industrial accidents	7,350

Department of Mental Health.

8364–73	For equipment, administration	$14,345
8364–74	For the demolition of the East Newton Street armory	30,000
8364–75	For reconditioning sewer beds, North Reading rehabilitation center	5,000
8364–76	For equipment, North Reading rehabilitation center	50,000

Item		
8364–77	For repairs and improvements, Massachusetts mental health center	$10,100
8364–78	For equipment, Massachusetts mental health center	11,450
8364–79	For the replacement of sash, wards "I" and "B", Massachusetts mental health center	18,000
8364–80	For repairs and improvements, Boston state hospital	21,650
8364–81	For certain fence repairs and improvements, Boston state hospital	10,000
8364–82	For the installation of insect screens, Boston state hospital	16,000
8364–83	For the replacement of sash, "B–7" and "B–8", Boston state hospital	36,000
8364–84	For renovations to X-ray equipment, Boston state hospital	18,000
8364–85	For certain roofing repairs, Boston state hospital	16,000
8364–86	For waterproofing stairwells, Boston state hospital	10,000
8364–87	For the purchase and installation of new elevators in "B" and "H" buildings, Boston state hospital	90,000
8364–88	For certain plumbing renovations and improvements, Boston state hospital	32,000
8364–89	For equipment, Boston state hospital	40,755
8364–90	For repairs and improvements, Danvers state hospital	26,220
8364–91	For repointing and waterproofing, Danvers state hospital	12,100
8364–92	For certain boiler renovations, Danvers state hospital	15,000
8364–93	For equipment, Danvers state hospital	41,000
8364–94	For repairs and improvements, Foxborough state hospital	19,600
8364–95	For porch screens, Foxborough state hospital	33,800
8364–96	For equipment, Foxborough state hospital	30,000
8364–97	For laundry equipment, Foxborough state hospital	80,000
8364–98	For repairs and improvements, Gardner state hospital	31,460
8364–99	For painting and repairing "B" building, Gardner state hospital	15,000
8464–01	For equipment, Gardner state hospital	38,000
8464–02	For laundry equipment, Gardner state hospital	11,000
8464–03	For repairs and improvements, Grafton state hospital	33,000
8464–04	For the installation of glass window blocks and detention screens, Pines "D", Grafton state hospital	40,000
8464–05	For improvements, steam heating system, Pines "C", Grafton state hospital	15,000
8464–06	For equipment, Grafton state hospital	52,700
8464–07	For repairs and improvements, Medfield state hospital	35,500
8464–08	For repairs and improvements to porches, "F–1" and "F–2", Medfield state hospital	30,000
8464–09	For improvements to the heating system, Medfield state hospital	18,000
8464–10	For equipment, Medfield state hospital	29,900
8464–11	For laundry equipment, Medfield state hospital	47,000
8464–12	For repairs and improvements, Metropolitan state hospital	30,000
8464–13	For waterproofing exterior walls and certain other repairs and improvements, continued treatment group, Metropolitan state hospital	150,000
8464–14	For plumbing improvements, children's unit, Metropolitan state hospital	11,550
8464–15	For floor covering, Metropolitan state hospital	50,000
8464–16	For equipment, Metropolitan state hospital	48,000
8464–17	For repairs and improvements, Northampton state hospital	32,600
8464–18	For equipment, Northampton state hospital	96,950
8464–19	For laundry equipment, Northampton state hospital	36,000
8464–20	For repairs and improvements, Taunton state hospital	30,500
8464–21	For equipment, Taunton state hospital	25,000
8464–22	For repairs and improvements, Westborough state hospital	26,000
8464–23	For repairs and improvements to floors, "I" and "J" buildings, Westborough state hospital	24,000
8464–24	For repairs to roads, Westborough state hospital	15,000
8464–25	For installation of screens and metal sash, TB Building, Westborough state hospital	21,000
8464–26	For the installation of an oil burner, Warren Colony, Westborough state hospital	13,500
8464–27	For improvements to the water supply system, Westborough state hospital, to be in addition to the amount appropriated in item 8063–32 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two	110,000

Item		
8464-28	For equipment, Westborough state hospital	$18,950
8464-29	For laundry equipment, Westborough state hospital	45,000
8464-30	For repairs and improvements, Worcester state hospital	31,450
8464-31	For repairs to roads, Worcester state hospital	19,000
8464-32	For equipment, Worcester state hospital	29,950
8464-33	For repairs and improvements, Monson state hospital	35,300
8464-34	For improvements to summer camp facilities, Monson state hospital	14,000
8464-35	For installation of steel sash and detention screens, farm group, Monson state hospital	22,000
8464-36	For equipment, Monson state hospital	84,000
8464-37	For repairs and improvements, Belchertown state school	40,600
8464-38	For certain improvements to the hot water system, Belchertown state school	90,000
8464-39	For equipment, Belchertown state school	33,600
8464-40	For laundry equipment, Belchertown state school	20,500
8464-41	For repairs and improvements, Walter E. Fernald state school	30,670
8464-42	For the replacement of ceilings, Walter E. Fernald state school	30,000
8464-43	For equipment, Walter E. Fernald state school	42,500
8464-44	For beds and mattresses, Walter E. Fernald state school	59,670
8464-45	For kitchen equipment, Walter E. Fernald state school	19,650
8464-46	For dairy equipment, Walter E. Fernald state school	13,250
8464-47	For repairs and improvements, Wrentham state school	39,200
8464-48	For repairs and improvements to floors, Wrentham state school	21,000
8464-49	For the installation of detention screens, Wrentham state school	18,200
8464-50	For equipment, Wrentham state school	42,000
8464-51	For laundry equipment, Wrentham state school	45,000
8464-52	For repairs and improvements, Paul A. Dever state school	24,600
8464-53	For equipment, Paul A. Dever state school	15,500
8464-54	For repairs and improvements, Cushing hospital	20,500
8464-55	For additional repairs and renovations, including repairs to roofs and construction of certain service roads, and including the cost of furnishings and equipment, Cushing hospital	180,000
8464-56	For equipment, Cushing hospital	16,050

Department of Correction.

8464-57	For equipment, department of correction, administration	$2,730
8464-58	For repairs and improvements, M. C. I., Bridgewater	52,200
8464-59	For certain repairs to refrigerator units, M. C. I., Bridgewater	17,000
8464-60	For roof repairs, state hospital chapel and office, M. C. I., Bridgewater	15,000
8464-61	For certain repairs and improvements to the heating and ventilating systems in the cafeteria, including the cost of certain cafeteria equipment	42,000
8464-62	For equipment, M. C. I., Bridgewater	45,000
8464-63	For repairs and improvements, M. C. I., Walpole	11,000
8464-64	For certain improvements to the drainage system and for black topping, M. C. I., Walpole, to be in addition to the amount appropriated in item 8463-18 of section two of chapter six hundred and forty-nine of the acts of nineteen hundred and sixty-two	50,000
8464-65	For equipment, M. C. I., Walpole	21,000
8464-66	For repairs and improvements, M. C. I., Concord	12,750
8464-67	For the purchase and installation of two oil burners, M. C. I., Concord	13,000
8464-68	For equipment, M. C. I., Concord	29,000
8464-69	For repairs and improvements, M. C. I., Framingham	3,500
8464-70	For exterior painting, M. C. I., Framingham	13,500
8464-71	For equipment, M. C. I., Framingham	6,720
8464-72	For equipment, M. C. I., Framingham, industries	1,200
8464-73	For repairs and improvements, M. C. I., Norfolk	22,000
8464-74	For equipment, M. C. I., Norfolk	37,500
8464-75	For equipment, M. C. I., Norfolk, industries	7,300

Item		
8464–76	For certain new buildings, Warwick prison camp, including the cost of furnishings and equipment	$8,900
8464–77	For a recreation building, Plymouth prison camp	1,500
8464–78	For equipment, Warwick prison camp	7,350
8464–79	For equipment, parole board	4,900

Department of Public Welfare.

8464–80	For repairs and improvements	$1,850
8464–81	For equipment	15,000

Department of Public Health.

8464–82	For equipment, administration	$19,000
8464–83	For equipment, bureau of environmental sanitation	18,000
8464–84	For equipment, air pollution control district; provided, that the commissioner of public health shall include an amount equal to the expenditures made from this item in the amount to be assessed upon the several cities and towns in the district in accordance with the provisions of section one hundred and forty-two B of chapter one hundred and eleven of the General Laws	3,400
8464–85	For equipment, bureau of preventive disease control	7,000
8464–86	For equipment, special encephalitis study	1,310
8464–87	For equipment, bureau of health services	4,200
8464–88	For equipment, bureau of hospital facilities	600
8464–89	For equipment, bureau of tuberculosis and institutions	900
8464–90	For equipment, institute of laboratories	7,200
8464–91	For equipment, bureau of consumer products protection	9,000
8464–92	For repairs and improvements, Tewksbury hospital	11,000
8464–93	For equipment, Tewksbury hospital	20,000
8464–94	For converting the surgical building to apartments, Lakeville state sanatorium	9,500
8464–95	For equipment, Lakeville state sanatorium	4,340
8464–96	For an incinerator, Lakeville state sanatorium	15,000
8464–97	For repairs and improvements, Rutland state sanatorium	15,000
8464–98	For equipment, Rutland state sanatorium	13,900
8464–99	For repairs and improvements, Western Massachusetts hospital	31,000
8164–01	For equipment, Western Massachusetts hospital	25,650
8164–02	For X-ray equipment, Western Massachusetts hospital	30,000
8164–03	For repairs and improvements, Lemuel Shattuck hospital	16,000
8164–04	For equipment, Lemuel Shattuck hospital	20,500
8164–05	For X-ray processing equipment, Lemuel Shattuck hospital	25,000
8164–06	For special research equipment, Lemuel Shattuck hospital	8,000
8164–07	For repairs and improvements, Massachusetts hospital school	9,500
8164–08	For equipment, Massachusetts hospital school	7,125
8164–09	For repairs and improvements, Pondville hospital	13,000
8164–10	For improvements to steam lines, Pondville hospital	16,000
8164–11	For equipment, Pondville hospital	16,760
8164–12	For special research equipment, Pondville hospital	2,420

Department of Public Safety.

8164–13	For equipment, administration	$11,475

Department of Public Works.

8164–14	For equipment, division of waterways	$9,235
8164–15	For repairs and improvements, property at Plymouth	2,400
8164–16	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, to be in addition to the amount appropriated in item 8463–84 of section two of chapter six hundred and forty-nine of the acts of nineteen hundred and sixty-two	100,000

Item		
8164-17	For equipment, mass transportation commission	$1,400
8164-18	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 nineteen hundred and sixty-one, to be in addition to any other federal funds available for the purpose and to be in addition to the amount made available by item 8463-85 of section two of chapter seven hundred and sixteen of the acts of nineteen hundred and sixty-two	350,000
8164-19	For equipment, government center commission	1,300

Department of Public Utilities.

8164-20	For equipment, administration	$5,465
8164-21	For equipment, commercial motor vehicle division . .	3,400
8164-22	For equipment, gas fitting regulation board	1,700

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 director with the house and senate committees on ways and means prior to the passage of this act; provided, that the commissioner of administration may authorize the replacement of other motor vehicles with similar models from available funds when he determines that the replacement is necessary because the cost of necessary repairs would not be economical; and, provided further, that said commissioner is hereby authorized to transfer a motor vehicle from one agency or department to another, when, in his 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 commissioner of administration 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 fourteen 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 commissioner of administration upon the recommendation of the director 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 director that funds are available for the purpose and shall then file a statement of intent with the budget director, 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. To provide for the payment of certain maturing notes issued under the authority of section six of chapter six hundred and forty-nine and section three of chapter seven hundred and sixteen of the acts of nineteen hundred and sixty-two, or to meet the cost of expenditures authorized by section two of said chapter six hundred and forty-nine and section two of said chapter seven hundred and sixteen already in the main incurred during the fiscal year nineteen hundred and sixty-three, the sum of five million dollars is hereby appropriated from the General Fund debt service account, established in accordance with the provisions of section six of chapter seven hundred and seventy-four of the acts of nineteen hundred and sixty; provided, that in case the state treasurer has not borrowed sums authorized in said chapters on the effective date of this act, the amount appropriated in this section shall reduce the authority to borrow in said chapter six hundred and forty-nine by four million one hundred thousand dollars and said chapter seven hundred and sixteen by nine hundred thousand dollars.

SECTION 7. 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. 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.

SECTION 8. This act shall take effect on July first, nineteen hundred and sixty-three. *Approved July 9, 1963.*

Chap. 523. AN ACT ESTABLISHING LIMITATIONS ON PROCEEDINGS RELATING TO BUILDING RESTRICTIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 184 of the General Laws is hereby amended by inserting after section 23 the following section: —

Section 23A. No action, suit, or proceeding shall be maintained either at law or in equity in any court to recover damages or to compel the removal, alteration, or relocation of any structure by reason of any violation of any private restriction or condition in the nature of a restriction by which the use of real property is affected in regard to: (*a*) building set-back requirements from front, side, or rear property lines, (*b*) the size, type, number of dwelling units, or number of stories of

any structure, (*c*) the addition of any porch, garage, sign, bay window or similar addition, or the location or construction of any driveway, fence or wall, or (*d*) the materials used or the expenditures made for construction, unless such action, suit, or proceeding is commenced within six years next after the completion of such building, addition, or other construction.

For the purposes of this section, the record of assessment of any house or other structure for taxation shall be prima facie evidence of the completion of such house or structure by the first day of January of the year of assessment.

This section shall not be construed as extinguishing, limiting or abridging any defense against any such action, suit or proceeding which would otherwise be available nor as affecting sections nineteen to twenty-three, inclusive, or sections twenty-four to thirty, inclusive.

SECTION 2. Section twenty-three A of chapter one hundred and eighty-four of the General Laws, inserted by section one of this act, shall not apply to any action, suit or proceeding commenced prior to January first, nineteen hundred and sixty-five.

Approved July 9, 1963.

MDC

Chap. 524. AN ACT AUTHORIZING AND DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO CONSTRUCT A CULVERT IN THE TOWN OF BELMONT.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized and directed to construct a reinforced concrete box culvert in the town of Belmont to enclose a brook running from Brighton street northeasterly through land of the metropolitan district commission to Little pond following the present course of said brook.

Approved July 9, 1963.

Chap. 525. AN ACT PROVIDING A PENALTY FOR ABANDONING MOTOR VEHICLES ON PUBLIC OR PRIVATE WAYS OR ON CERTAIN PROPERTY.

Be it enacted, etc., as follows:

Chapter 90 of the General Laws is hereby amended by inserting after section 22A the following section: —

Section 22B. Whoever abandons a motor vehicle on any public or private way or upon any property other than his own without the permission of the owner or lessee of said property shall be punished by a fine of not less than one hundred nor more than five hundred dollars. A conviction of a violation of this section shall be reported forthwith by the court to the registrar, who may revoke for a period not exceeding three months the license of the person so convicted, and no appeal, motion for new trial or exceptions shall operate to stay the revocation of the license.

Approved July 9, 1963.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, July 29, 1963.

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

DEAR MR. SECRETARY: — I, Endicott Peabody, 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 525 of the Acts of 1963 entitled "An Act Providing a Penalty for Abandoning Motor Vehicles on Public or Private Ways or on Certain Property." and the enactment of which received my approval on July 9, 1963, 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 hundreds of abandoned vehicles have been left upon the public ways of communities throughout the Commonwealth of Massachusetts and upon private property without the consent of the owners of said property, all of which constitutes a serious public nuisance which should be abated forthwith. It would seem a sufficient emergency exists that this act become effective at once.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, July 29, 1963.

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 five hundred and twenty-five of the acts of nineteen hundred and sixty-three.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 526. AN ACT PROVIDING FOR THE PAYMENT OF AN ANNUITY TO THE SURVIVING WIDOWS OF CERTAIN DECEASED MEMBERS OF THE STATE POLICE.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of promoting the public good, and in consideration of long and meritorious service of any member of the uniformed branch of the state police who has been retired for reasons of superannuation and who at the time of his retirement did not have the right to elect to receive a lesser retirement allowance so as to provide a survivor allowance for his widow, the state board of retirement shall pay to the surviving widow of such member an annuity amounting to

fifteen hundred dollars; provided that such widow is not receiving a retirement allowance or pension under the provisions of any general or special law.

SECTION 2. This act shall take effect as of January first, nineteen hundred and sixty-three. *Approved July 9, 1963.*

Chap. 527. AN ACT ESTABLISHING A POULTRY INSPECTION SECTION IN THE DEPARTMENT OF PUBLIC HEALTH.

Be it enacted, etc., as follows:

The second paragraph of section 4 of chapter 17 of the General Laws, as amended by section 3 of chapter 611 of the acts of 1959, is hereby further amended by inserting after the word "section" the second time it appears in line 2, the words: —, a poultry inspection section.

Approved July 9, 1963.

Chap. 528. AN ACT INCREASING THE TOTAL AMOUNT OF BONDS OF THE WOODS HOLE, MARTHA'S VINEYARD AND NANTUCKET STEAMSHIP AUTHORITY WHICH MAY BE OUTSTANDING AT ANY ONE TIME.

Be it enacted, etc., as follows:

Clause (*b*) of section 4 of chapter 701 of the acts of 1960 is hereby amended by striking out, in line 6, the word "six" and inserting in place thereof the word: — ten. *Approved July 9, 1963.*

MDC

Chap. 529. AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO REIMBURSE PROPERTY OWNERS FOR DAMAGE CAUSED BY THE BURSTING OF A WATER SUPPLY MAIN IN THE CITY OF CHELSEA.

Be it enacted, etc., as follows:

Notwithstanding any other provision of law, including provisions relative to the settlement of claims against the commonwealth, the metropolitan district commission, subject to the approval of the attorney general, is hereby authorized and empowered to reimburse any persons for damage to their property, both real and personal, caused by the bursting, on January thirtieth, nineteen hundred and sixty-three, of a section of a thirty-six inch metropolitan district commission water supply main in Columbus street in the city of Chelsea, and to expend for such purpose such sums as may be necessary, not exceeding, in the aggregate, fifty thousand dollars from the amount available in item 8902-34 of section two of chapter four hundred and ninety-five of the acts of nineteen hundred and sixty-one; provided that no claim for such damage shall be paid under the provisions of this act for any poles, wires, pipes or other public utility facilities located within the limits of any public way under any grant, license or permit.

Approved July 9, 1963.

Chap. 530. AN ACT PROVIDING PENALTIES FOR FAILURE TO KEEP OPEN CERTAIN SCHOOLS FOR ONE HUNDRED AND EIGHTY DAYS DURING EACH SCHOOL YEAR.

Be it enacted, etc., as follows:

SECTION 1. Section 4 of chapter 71 of the General Laws is hereby amended by striking out the second sentence, as amended by chapter 109 of the acts of 1955, and inserting in place thereof the following two sentences: — One or more courses of study, at least four years in length, shall be maintained in such high school and it shall be kept open for the benefit of all inhabitants of the town for at least one hundred and eighty days, exclusive of vacations, in each school year; provided, however, that the date of graduation from such high school may precede the regular closing date of the school by not more than twelve school days; and provided, further, that pupils graduating shall not be released from attendance prior to the fifteenth day of May. A school committee may determine that such school shall be conducted for less than one hundred and eighty days in any year during which school has been closed because of epidemic, extraordinary weather conditions dangerous to the health or safety of pupils or other emergency, subject, however, to the provisions of section four A.

SECTION 2. Said chapter 71 is hereby further amended by inserting after section 4 the following section: —

Section 4A. Every town which, without having received a specific exemption from the department, fails to keep open all schools required to be maintained under sections one and four or fails to provide school facilities under section six for grade one through twelve, for one hundred and eighty days in each school year shall have deducted from the sum of school aid payable to it under chapter seventy for each day by which its school year is less than one hundred and eighty days an amount equal to one one hundred and eightieth of said sum. *Approved July 9, 1963.*

Chap. 531. AN ACT AUTHORIZING THE LICENSING BOARD FOR THE CITY OF BOSTON TO TRANSFER THE LICENSE HELD BY WERNON'S MARKET, INC. TO A CERTAIN OTHER LOCATION.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section sixteen C 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 transfer the license held by Wernon's Market, Inc. to sell alcoholic beverages from its present location at 72 Humboldt avenue in the Roxbury district of the city of Boston to a location on said Humboldt avenue, between Townsend and Harrishof streets.

Approved July 9, 1963.

Chap. 532. AN ACT AUTHORIZING THE CITY OF NORTH ADAMS TO INCUR CERTAIN INDEBTEDNESS RELATIVE TO URBAN REDEVELOPMENT IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section twenty-six CC of chapter one hundred and twenty-one of the General Laws, relative

to the limitation of indebtedness, the city of North Adams 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 million five hundred thousand dollars, for the purposes set forth in said section twenty-six CC.

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

Approved July 15, 1963.

Chap. 533. AN ACT DESIGNATING THAT PORTION OF THE STATE HIGHWAY KNOWN AS THE POND STREET CUTOFF IN THE TOWN OF AVON AS HARRISON BOULEVARD.

Be it enacted, etc., as follows:

That portion of the state highway between state highway routes 24 and 28 known as the Pond street cutoff in the town of Avon shall be designated and known as Harrison Boulevard, in honor of Reverend Edward S. Harrison, Minister Emeritus of the Avon Baptist Church, who served as pastor of said church for thirty-four years. Suitable markers bearing said designation shall be erected at appropriate places thereon by the department of public works. *Approved July 15, 1963.*

Chap. 534. AN ACT PROVIDING FOR THE ESTABLISHMENT BY THE STATE DEPARTMENT OF MENTAL HEALTH OF CERTAIN TREATMENT CENTERS IN THE CITY OF WORCESTER AND IN NORFOLK COUNTY.

Be it enacted, etc., as follows:

The department of mental health shall establish a community habilitation and daytime treatment center in the city of Worcester and in Norfolk County, at sites to be selected by the department, for the purpose of providing diagnostic, evaluation and treatment services for persons suspected of or afflicted with mental retardation or persons with mental illness and for the purpose of assisting members of their families with their related problems. Such centers shall be available to the citizens of the city or town in which the center is located and to residents of any other city or town within a twenty-five mile radius from the center. The department shall, in addition to its service to the general public, co-operate with the school departments of said cities and towns, the youth service board and with public and private social and welfare agencies in the examination, treatment and habilitation of patients referred to the center by such public and private agencies.

The department may expend for the maintenance of such centers such sums as may be appropriated therefor and in addition may expend any federal, public or private funds available for the purpose.

Approved July 15, 1963.

Chap. 535. AN ACT RELATIVE TO FORFEITURE OF DEDUCTION OF SENTENCE UPON CONVICTION OF AN OFFENSE COMMITTED WHILE CONFINED IN A CORRECTIONAL INSTITUTION OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Section 129 of chapter 127 of the General Laws is hereby amended by striking out the last paragraph, added by section 2 of chapter 445 of the acts of 1959, and inserting in place thereof the following paragraph: —

If, during the term of imprisonment of a prisoner confined in a correctional institution of the commonwealth, such prisoner shall commit any offense of which he shall be convicted and sentenced, he shall not be entitled to any deductions hereunder from the new sentence or sentences of imprisonment. *Approved July 15, 1963.*

Chap. 536. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO ERECT A SEA WALL ON CERTAIN LAND OWNED BY THE COMMONWEALTH IN THE CITY OF QUINCY.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to erect a sea wall on land owned by the commonwealth in the city of Quincy, from a point known as "The Key" to the end of the state housing project land, for the purpose of protecting the shore in said area from erosion by the sea. For such purpose, said department may expend such sums as may be appropriated therefor. *Approved July 15, 1963.*

Chap. 537. AN ACT RELATIVE TO THE FINANCIAL AID GIVEN TO CERTAIN NEEDY DEPENDENTS OF CERTAIN PERSONS IN THE SERVICE OF THE ARMED FORCES OF THE UNITED STATES.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 1 of chapter 759 of the acts of 1962 is hereby amended by striking out, in lines 9 to 11, inclusive, the words "; and provided, further, that in no case shall more than seventy-five dollars be allowed to all the dependent relatives of any one such person in any one month", and by adding at the end the following sentence: — The amount of such allowance shall be determined by the commissioner of veterans' services in accordance with budget schedules which he will furnish to each local veterans' agent.

SECTION 2. Section 4 of said chapter 759 is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — Subject to such decision and allowance, the first seventy-five dollars paid to applicants residing in cities and towns making such payments, and one-half of all amounts in excess of seventy-five dollars, 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.

Approved July 15, 1963.

Chap. 538. AN ACT INCREASING THE SALARY OF THE JUSTICE OF THE SECOND DISTRICT COURT OF BARNSTABLE AND PROVIDING THAT HE SHALL DEVOTE FULL TIME TO HIS OFFICIAL DUTIES.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 77A of chapter 218 of the General Laws is hereby amended by inserting after the line reading "first district court of Barnstable,", as appearing in section 1 of chapter 675 of the acts of 1958, the following line: — second district court of Barnstable,.

SECTION 2. Section 78 of said chapter 218 is hereby amended by striking out line 40, as appearing in section 2 of said chapter 675, reading "second district court of Barnstable,". *Approved July 15, 1963.*

Chap. 539. AN ACT EXTENDING THE RESPONSIBILITY OF THE COMMISSIONER OF EDUCATION IN THE APPROVAL OF SCHOOL TRANSPORTATION COSTS FOR STATE REIMBURSEMENT AND THE ASSISTANCE OF LOCAL SCHOOL COMMITTEES IN THE ADOPTION OF EFFICIENT TRANSPORTATION PRACTICES.

Be it enacted, etc., as follows:

The first paragraph of section 7A of chapter 71 of the General Laws, as most recently amended by section 1 of chapter 729 of the acts of 1962, is hereby further amended by adding at the end the following two sentences: — No expense incurred by a town for the transportation of pupils shall be approved by the commissioner for the purpose of such reimbursement, if it appears to him, after diligent inquiry, that such expense has been incurred for transportation for which reimbursement is not authorized hereunder or has been incurred pursuant to any contract awarded in violation of any provision of this section or of section four of chapter forty. The department shall advise and assist the school committees of the several towns relative to the transportation of pupils at the lowest cost commensurate with their safety, including the planning of routes and the selection and use of equipment.

Approved July 15, 1963.

Chap. 540. AN ACT PROVIDING FOR REIMBURSEMENT BY THE COMMONWEALTH TO THE TOWN OF SUTTON FOR CERTAIN EXPENDITURES FOR VETERANS' BENEFITS.

Be it enacted, etc., as follows:

There shall be allowed and paid out of the state treasury to the town of Sutton, subject to appropriation and subject to the approval of the commissioner of veterans' services, such sum, not exceeding twenty-seven thousand one hundred and twenty-nine dollars and ninety cents, as said town would have been entitled to receive in reimbursement for veterans' benefits paid by it in the years nineteen hundred and fifty-nine, nineteen hundred and sixty and nineteen hundred and sixty-one under the provisions of section six of chapter one hundred and fifteen of the General Laws, had said town made a proper and seasonable report thereof to said commissioner as required by said section six.

Approved July 15, 1963.

Chap. 541. AN ACT VALIDATING CERTAIN PROCEEDINGS OF THE TOWN OF LUDLOW.

Be it enacted, etc., as follows:

SECTION 1. All proceedings heretofore taken at representative town meetings in the town of Ludlow are hereby validated and confirmed to the same extent as if notice had been mailed to town meeting members in all cases in compliance with chapter three hundred and thirty-six of the acts of nineteen hundred and twenty-nine, as amended.

SECTION 2. The vote passed by the town of Ludlow on April eighth, nineteen hundred and sixty-three, under article twenty-eight of the warrant for the nineteen hundred and sixty-three annual town meeting, appropriating fifteen thousand dollars from taxation and authorizing thirty-five thousand dollars in bonds for sewer purposes, is hereby validated and confirmed in all respects, notwithstanding any deficiency in the notice of said annual town meeting or of any adjourned session thereof, and notwithstanding any deficiency in the procedure whereby the prior vote under said article was reconsidered.

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

Approved July 16, 1963.

Chap. 542. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO LICENSE AND PRESCRIBE THE TERMS FOR THE VIADUCT, BRIDGE OR OTHER STRUCTURE, WITHOUT A DRAW IN BOSTON HARBOR BETWEEN THOMPSON ISLAND AND THE MAINLAND IN THE CITY OF QUINCY.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to license and to prescribe the terms for the construction, by Thompson Academy, a corporation duly established under the laws of the commonwealth, of a road, causeway, viaduct, bridge or other structure, without a draw, and the filling of land, flats or tidewater, or any combination of the foregoing, between Thompson Island and the mainland in the Squantum district of the city of Quincy, notwithstanding any contrary provision of section fourteen of chapter ninety-one of the General Laws.

Approved July 17, 1963.

Chap. 543. AN ACT PROVIDING THAT PROPERTY WHICH HAS BEEN ABANDONED, MISLAID OR LOST ON THE PREMISES OF THE MASSACHUSETTS PORT AUTHORITY SHALL BECOME THE PROPERTY OF SAID AUTHORITY.

Be it enacted, etc., as follows:

Section 23 of chapter 465 of the acts of 1956 is hereby amended by adding at the end the following paragraph: —

Notwithstanding the provision of chapters one hundred and thirty-four and one hundred and forty-seven of the General Laws, if money, goods or other property which has been abandoned, mislaid or lost on the premises of the Massachusetts Port Authority comes into the possession of said Authority and remains unclaimed in its possession for a period of one hundred and twenty days, the Authority may sell the same, ex-

cepting money so unclaimed, at public auction after notice of such sale has been published for three successive weeks in a newspaper published in the city or town where such sale is to take place. The net proceeds of such sale, after deducting the cost of storage and the expenses of the sale, and all money so unclaimed, shall be paid into and become the property of the Authority. If, in the opinion of the Authority, any property so abandoned, mislaid or lost which comes into the possession of the Authority and remains unclaimed in its possession for a period of one hundred and twenty days, is of the value of three dollars or less, the Authority may donate the same to a charitable organization.

Approved July 17, 1963.

Chap. 544. AN ACT DEFINING THE TERM "HOUSEHOLD TYPE LIQUID PETROLEUM METERS" AND PROVIDING FOR THE TESTING AND SEALING OF SUCH DEVICES.

Be it enacted, etc., as follows:

Chapter 98 of the General Laws is hereby amended by striking out section 28A, added by chapter 425 of the acts of 1950, and inserting in place thereof the following section: — *Section 28A.* Meters for measuring liquefied petroleum gas sold in the vapor state and household type liquid petroleum meters shall be sealed by the manufacturer thereof as hereinafter provided or by a sealer of weights and measures in the town where the meter is used. The director of standards and necessaries of life shall prescribe regulations including specifications and tolerances governing the testing and sealing of such meters by the manufacturers and method of determining quantity of liquefied petroleum gas, and/or other liquid petroleum heating oils, and may authorize any manufacturer to seal such meters upon written agreement to conform to said regulations. The director may at any time for cause revoke the authority so given by him to any manufacturer. For the purposes of this section the term "liquefied petroleum gas" shall mean and include any material which is composed predominantly of any of the following hydrocarbons or mixtures of the same: propane, propylene, butane (normal or isobutane) and butylene; and the term "household type liquid petroleum meters" shall mean positive displacement meters installed between the liquid heating oil storage tank and the oil burner for the purpose of determining the quantity of liquid heating oil consumed.

Approved July 17, 1963.

Chap. 545. AN ACT REQUIRING A PHENYLKETONURIA TEST OF CERTAIN NEWBORN CHILDREN.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by inserting after section 110 the following section: —

Section 110A. The physician attending a newborn child shall cause said child to be subjected to a phenylketonuria test.

The department shall make such rules pertaining to such tests as accepted medical practice shall indicate.

The provisions of this section shall not apply if the parents of such child object thereto on the grounds that such test conflicts with their religious tenets and practices. *Approved July 17, 1963.*

Chap. 546. AN ACT AUTHORIZING THE CITY OF ATTLEBORO TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Attleboro 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 one thousand nine hundred eighty-two dollars and fifty-seven cents, as set forth in the list on file in the office of the director of accounts in the department of corporations and taxation, as are legally unenforceable against said city, by reason of having been incurred in excess of available appropriations, and as are certified for payment by the personnel department, wherein the bills were contracted; provided, that the money so appropriated to pay such bills shall be raised by taxation in said city.

SECTION 2. No bill shall be approved by the auditor of said city for payment or paid by the treasurer thereof under authority of this act unless and until certificates have been signed and filed with said city auditor, stating under the penalties of perjury that the goods, materials or services for which said bills have been submitted were ordered by an official or an employee of said city, and that such goods and materials were delivered to and actually received by said city or that such services were rendered to said city, or both.

SECTION 3. Any person who knowingly files a certificate required by section two, which is false and who thereby receives payment for goods, materials or services which were not received by or rendered to said city, shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both.

Approved July 17, 1963.

Chap. 547. AN ACT PROVIDING ADDITIONAL FUNDS FOR THE METROPOLITAN DISTRICT COMMISSION TO COVER THE COST OF CONSTRUCTION OF A DAM ACROSS THE MYSTIC RIVER.

MDC MYSTIC RIVER DAM

Be it enacted, etc., as follows:

SECTION 1. For the purpose of carrying out the construction, maintenance and operation of a dam with locks, drawbridge if needed, works and appurtenances across the Mystic river in the cities of Everett and Somerville, as authorized by and subject to all applicable provisions of chapter six hundred and forty-seven of the acts of nineteen hundred and fifty-seven, to dredge in the Malden river and to construct, operate and maintain pumping stations, for the purpose of maintaining in said river and in the Malden river above said dam a substantially permanent water level, and a storage area to provide control of waters for flood relief purposes, the metropolitan district commission may expend, in addition to the amounts authorized by said chapter six hundred and forty-seven, a sum not exceeding eleven million two hundred thousand dollars.

SECTION 2. 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 eleven million two hundred thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Mystic River Dam Loan, Act of 1963, 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 3. This act shall take effect upon its passage.

Approved July 17, 1963.

Chap. 548. AN ACT AUTHORIZING THE TOWN OF MARSHFIELD TO PAY A CERTAIN SUM OF MONEY TO SALVATORE A. PERCOCO.

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 Marshfield is hereby authorized to pay to Salvatore A. Percoco a sum not to exceed four thousand five hundred dollars for damages in connection with the taking by eminent domain by said town for school purposes of a parcel of land owned by him containing fifteen and thirty-nine one hundredths (15.39) acres, more specifically described as Lot B on a "Plan of land on Oak street, Marshfield, Massachusetts, to be taken by eminent domain by the town of Marshfield dated June 19, 1959 by Stenbeck & Taylor", recorded in Book 2710, page 152, Plymouth County Registry of Deeds, the time having expired within which a petition may legally be brought for assessment of damages because of said taking.

SECTION 2. The action of the town of Marshfield, taken at its annual town meeting convened March fifth, nineteen hundred and sixty-two, under article 59 of the warrant for said meeting, in voting to raise and appropriate four thousand five hundred dollars to reimburse Salvatore A. Percoco for land damages for a parcel of land containing fifteen and thirty-nine one hundredths (15.39) acres, more specifically described as Lot B on a "Plan of land on Oak street, Marshfield, Massachusetts to be taken by eminent domain by the town of Marshfield dated June 19, 1959 by Stenbeck & Taylor", taken by eminent domain, said order of taking dated June twenty-ninth, nineteen hundred and fifty-nine, is hereby validated and confirmed to the same extent as though this act had been in full force and effect at the time of the posting of the warrant for said meeting.

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

Approved July 18, 1963.

Chap. 549. AN ACT INCREASING THE SALARY OF THE CLERK OF THE DISTRICT COURT OF HOLYOKE.

Be it enacted, etc., as follows:

Paragraph (1) of section 79 of chapter 218 of the General Laws is hereby amended in *Class III* by striking out line 7, reading "district court of Holyoke,", as appearing in chapter 725 of the acts of 1962, and in *Class IV* by inserting after line 8 reading "district court of southern Essex,", as so appearing, the following line: — district court of Holyoke,. *Approved July 18, 1963.*

Chap. 550. AN ACT INCREASING THE LEISURE TIME ACTIVITIES ALLOWANCE UNDER THE OLD AGE ASSISTANCE LAW.

Be it enacted, etc., as follows:

The third paragraph of section 1 of chapter 118A of the General Laws, as most recently amended by chapter 653 of the acts of 1962, is hereby further amended by striking out, in line 3, the word "four" and inserting in place thereof the word: — five. *Approved July 18, 1963.*

Chap. 551. AN ACT INCREASING THE COMMONWEALTH'S GUARANTEE AND ANNUAL CONTRIBUTIONS FOR THE HOUSING OF ELDERLY PERSONS.

Be it enacted, etc., as follows:

Chapter 121 of the General Laws is hereby amended by striking out section 26VV, as most recently amended by chapter 573 of the acts of 1961, and inserting in place thereof the following section: — *Section 26VV.* The commonwealth, acting by and through the state housing board, may enter into a contract or contracts with a housing authority for state financial assistance in the form of a guarantee by the commonwealth of bonds and notes, or either bonds or notes, of the housing authority issued to finance the cost of a project or projects or a part or parts of a project or projects to provide housing for elderly persons of low income. The amount of bonds and notes, or bonds or notes, guaranteed by the commonwealth under this section shall not exceed one hundred and twenty-five million dollars. Each contract for state financial assistance shall provide that the commonwealth will pay to the housing authority annual contributions; provided, however, that the total amount of annual contributions contracted for by the commonwealth for any one year shall not exceed three million one hundred and twenty-five thousand dollars. Each such annual contribution by the commonwealth shall be paid by the commonwealth upon approval and certification by the state housing board to the state comptroller. The provisions of sections twenty-six NN and twenty-six OO shall, so far as apt, be applicable to contracts for state financial assistance under this section.

In addition to said annual contribution, the commonwealth shall, upon approval and certification by the state housing board to the state comptroller, pay an additional annual contribution of one and one half per cent of the completion cost during any fiscal year over and above the annual contribution of two and one half per cent of the completion cost permitted under the first paragraph of this section and under sections

twenty-six NN and twenty-six OO for any project or projects or a part or parts of a project or projects to provide housing for elderly persons of low income; provided, said project or projects have been determined to be complete and eligible to receive such annual contributions by said board; and provided, further, that the chairman of said board finds that the combined revenue and subsidy of such projects is insufficient to meet the cost of operation and debt service. The additional annual contributions authorized under this paragraph shall not in any one year exceed one million eight hundred and seventy-five thousand dollars, over and above the three million one hundred and twenty-five thousand dollars authorized under the first paragraph. *Approved July 18, 1963.*

Chap. 552. AN ACT PROVIDING FOR AN ADDITIONAL JUSTICE AND AN ADDITIONAL SPECIAL JUSTICE FOR THE THIRD DISTRICT COURT OF EASTERN MIDDLESEX.

Be it enacted, etc., as follows:

SECTION 1. Section 6 of chapter 218 of the General Laws is hereby amended by striking out the first sentence, as amended by chapter 422 of the acts of 1963, and inserting in place thereof the following sentence: — Each district court other than the municipal court of the city of Boston shall have one justice, except that the central district court of Worcester, district court of Springfield, municipal court of the Roxbury district and the first district court of eastern Middlesex shall have two justices each, and the third district court of eastern Middlesex shall have three justices.

SECTION 2. The second paragraph of said section 6 of said chapter 218, as appearing in section 1 of chapter 738 of the acts of 1956, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — In every district court except the municipal court of the city of Boston there shall be the same number of special justices as there are justices. *Approved July 18, 1963.*

Chap. 553. AN ACT PROVIDING FOR THE APPOINTMENT OF AN ADDITIONAL ASSISTANT DISTRICT ATTORNEY FOR THE NORTHWESTERN DISTRICT AND ESTABLISHING HIS SALARY.

Be it enacted, etc., as follows:

SECTION 1. Section 14 of chapter 12 of the General Laws is hereby amended by striking out the tenth paragraph, as appearing in section 2 of chapter 423 of the acts of 1948, and inserting in place thereof the following paragraph: —

For the northwestern district, an assistant district attorney and a second assistant district attorney, one of whom shall reside in Hampshire county and the other in Franklin county.

SECTION 2. Section 16 of said chapter 12 is hereby amended by striking out the tenth paragraph, as appearing in section 1 of chapter 686 of the acts of 1956, and inserting in place thereof the following paragraph: —

For the northwestern district, one assistant, three thousand seven hundred dollars; second assistant, three thousand five hundred dollars. *Approved July 18, 1963.*

Chap. 554. AN ACT PROVIDING THAT, FOR A TEMPORARY PERIOD, CERTAIN PAYMENTS UNDER THE WORKMEN'S COMPENSATION ACT IN CASES OF DEATH BE CREDITED TO AND USED FOR THE PURPOSES OF THE GENERAL SECOND-INJURY FUND.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide that certain payments under the workmen's compensation act in cases of death be credited forthwith to and used for the purposes of the general second-injury fund, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section sixty-five N of chapter one hundred and fifty-two of the General Laws, payments made by insurers or self-insurers under the provisions of said section sixty-five N shall, for the period commencing with the effective date of this act and ending on December thirty-first, nineteen hundred and sixty-four, be credited to the special fund established under the provisions of section sixty-five of said chapter one hundred and fifty-two and used for the purposes and under the conditions set forth in said section sixty-five.

Approved July 22, 1963.

Chap. 555. AN ACT DESIGNATING THE ADMISSION-TREATMENT BUILDING AT THE NORTHAMPTON STATE HOSPITAL AS THE DR. RUTH PARKER HASKELL BUILDING.

Be it enacted, etc., as follows:

The admission-treatment building at the Northampton state hospital shall be known and designated as the Dr. Ruth Parker Haskell Building. The department of mental health shall erect a suitable tablet bearing said designation in the foyer of said building.

Approved July 22, 1963.

Chap. 556. AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO TRANSFER PORTIONS OF CERTAIN STATE HIGHWAYS TO THE METROPOLITAN DISTRICT COMMISSION.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to transfer to the metropolitan district commission the following portions of certain state highways: —

In the city of Everett, the General E. Leroy Sweetser interchange and portions of the Revere Beach Parkway, included in layout number 4181, dated August third, nineteen hundred and fifty-four;

In the city of Chelsea, portions of the Northeast Expressway at the Revere Beach Parkway, included in layout number 4288, dated April twelfth, nineteen hundred and fifty-five;

In the city of Revere, portions of the Northeast Expressway at the Revere Beach Parkway, included in layout number 4288, dated April twelfth, nineteen hundred and fifty-five;

In the Dorchester district of the city of Boston, portions of the Southeast Expressway at the William T. Morrissey Boulevard in the vicinity of Neponset Circle, included in layout number 4297, dated May seventeenth, nineteen hundred and fifty-five;

In the city of Quincy, portions of the Southeast Expressway at the Furnace Brook Parkway, included in layout number 4430, dated March twentieth, nineteen hundred and fifty-six.

Upon any such transfer said commission shall hold and manage said portions so transferred as provided in section thirty-five of chapter ninety-two of the General Laws, subject however to such conditions of limited access or non-access as may have been imposed by said department. *Approved July 22, 1963.*

Chap. 557. AN ACT DEFINING THE POWERS AND DUTIES OF THE GAS FITTING REGULATORY BOARD RELATIVE TO UNDILUTED LIQUEFIED PETROLEUM GAS PIPING WITHIN BUILDINGS IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 12H of chapter 25 of the General Laws is hereby amended by striking out the last sentence, as amended by section 1 of chapter 623 of the acts of 1962, and inserting in place thereof the following two sentences: — 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 except undiluted liquefied petroleum gas 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. Undiluted liquefied petroleum gas piping within buildings shall be governed by rules and regulations issued by the board.

SECTION 2. Section 12I of said chapter 25, as appearing in section 2 of said chapter 623, is hereby amended by adding at the end the following definition: —

"Undiluted liquefied petroleum gas installer," a person who does any work in installing undiluted liquefied petroleum gas systems and appliances.

SECTION 3. Said chapter 25 is hereby further amended by striking out section 12J, as so appearing, and inserting in place thereof the following section: — *Section 12J.* The board shall hold examinations for the licensing of journeymen and master gas fitters at such times and places as it shall determine, but not less than once in each year, and for the licensing of undiluted liquefied petroleum gas installers 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; provided, however, that no applicant for licensure as an undiluted liquefied petroleum gas installer shall be examined by the board unless he satisfies the board that he has had at least ninety days training and experience in installing undiluted lique-

fied petroleum gas systems and appliances. 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 or as an undiluted liquefied petroleum gas installer, 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 4. Section 12K of said chapter 25, as so appearing, is hereby amended by adding at the end the following sentence: — The fee for the original license of an undiluted liquefied petroleum gas installer shall be at the rate of ten dollars for twelve months; for any renewal thereof five dollars; and for each examination therefor five dollars.

SECTION 5. The first sentence of section 12L of said chapter 25, as so appearing, is hereby amended by inserting after the word "forty-two", in line 5, the words: —, and no person shall work as an undiluted liquefied petroleum gas installer unless he is licensed by the board as such or is licensed as a master gas fitter or a journeyman gas fitter under the provisions of this chapter or is licensed as a master plumber or journeyman plumber under chapter one hundred and forty-two.

SECTION 6. Notwithstanding the provisions of sections twelve J and twelve K of chapter twenty-five of the General Laws, as amended by sections three and four of this act, any individual who files an application for a license as an undiluted liquefied petroleum gas installer 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-four, on a form furnished by the board, containing such information as to his training and experience as will satisfy the board that he has had at least one year of practical experience in installing undiluted liquefied petroleum gas systems and appliances, and furnishes evidence, satisfactory to the board, that he is of good moral character, and pays the appropriate original license fee as provided in section twelve K of said chapter twenty-five, shall, without examination, be granted such license, and shall be issued a certificate thereof by the board.

Any license issued under this section shall be effective January first, nineteen hundred and sixty-four, 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.

Approved July 22, 1963.

Chap. 558. AN ACT ABOLISHING THE REQUIREMENT OF A DIVISION OF SANATORIA IN THE DEPARTMENT OF PUBLIC HEALTH.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 4 of chapter 17 of the General Laws, as appearing in section 1 of chapter 612 of the acts of 1958, is hereby amended by striking out, in lines 1 and 2, the words "a division of sanatoria,".

SECTION 2. Section 6 of said chapter 17, as most recently amended by section 2 of chapter 482 of the acts of 1957, is hereby further amended by adding at the end the following paragraph: —

The commissioner, with the approval of the public health council, may appoint a treasurer for each institution, who shall give bond for the faithful performance of his duties, and may appoint physicians, assistants and employees necessary for the proper administration of the affairs of the institutions under the jurisdiction of the department and may incur all expenses necessary for the maintenance of the institutions.

SECTION 3. Sections eight and nine of said chapter seventeen are hereby repealed. *Approved July 22, 1963.*

Chap. 559. AN ACT AUTHORIZING THE ESTABLISHMENT OF A SEWER DISTRICT WITHIN THE LIMITS OF THE TOWN OF MONROE.

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the town of Monroe liable to taxation in said town and residing within the territory comprised within the following lines, to wit: —

Beginning at a point on the west bank of the Deerfield river where the towns of Rowe, Florida and Monroe join; thence westerly along the town line between Monroe and Florida to the bank of the canal owned by the New England Power Company; thence northerly along the east bank of the canal to the point where the canal crosses the road between Hoosac tunnel and Monroe bridge; thence straight west to the top of the high cliff overlooking Monroe bridge and the Deerfield river; thence northerly along the top of the ridge to the state line between Vermont and Massachusetts; thence east along the state line to the west shore of Sherman reservoir; thence southerly along the west shore of said reservoir and the west bank of the Deerfield river to the point first mentioned, shall constitute a sewer district and are hereby made a body corporate by the name of the Monroe Sewer District, hereinafter called the district, for the purpose of laying out, constructing, maintaining and operating a system or systems of common sewers for a part or the whole of the territory herein described with such connections and other works as may be required for a system of sewage disposal, and may construct such sewers in said district as may be necessary, and for the purpose 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. The district shall have power to prosecute and defend all actions relating to its property and affairs.

SECTION 2. 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 sewer 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 sewer commissioners, meetings of the district shall be called by warrant under their hands, unless some other method be provided by by-law or vote of the district.

SECTION 3. The district shall elect by ballot at any district meeting not later than the second annual meeting after the commencement of construction hereunder of a system of sewerage and sewage disposal, a board of three sewer commissioners who shall be citizens of the district, 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 district 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 district meeting, and until their successors are qualified, and thereafter, at each annual district meeting when the term of a member expires, the district shall elect one member of the board to serve for three years and until his successor is qualified.

SECTION 4. Said board of sewer commissioners, acting for and on behalf of said district, 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 district, necessary for accomplishing any purpose mentioned in this act, and may construct such main drains and 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 drains and 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 drain or 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, but not in any event later than the second annual meeting after the commencement of the work of construction authorized hereby, the district may carry on such work by a duly

authorized committee of the district. 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, or the committee of the district 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 district under said chapter seventy-nine.

SECTION 7. The district 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 district votes to pay less than the whole cost, the district, in providing for the payment of the remaining portion of the cost of said system or systems, 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 the proportion of the cost which is to be borne by the district, 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 for apportionments thereof to the sewer commissioners, who shall preserve a record thereof. 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 sewerage under this act, if, in the judgment of the board of sewer commissioners herein provided for, after a hearing, due notice whereof shall have been given, such estate is so situated that it will 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 of sewer 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. For the purpose of paying the necessary expenses and liabilities incurred under this act, the district 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 hundred and seventy-

five thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Monroe Sewer District Loan, Act of 1963. 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 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 shall annually appoint a clerk and a treasurer and may appoint a superintendent of sewers who shall not be a member of the board, and shall define their duties. The treasurer shall not be a sewer commissioner, and shall give bond to the district in such amount as may be approved by said sewer commissioners and with a surety company authorized to transact business in the commonwealth as surety.

SECTION 10A. The board may, in its discretion, prescribe for the users of said sewer system 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 district.

SECTION 11. All contracts made by the board of sewer commissioners shall be made in the name of the district and shall be signed by the board, but no contract shall be made or obligation incurred by said board for any purpose in excess of the amount of money appropriated by the district therefor.

SECTION 12. 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 Monroe, if there be any, and if not, then in some newspaper published in the county of Franklin, and shall not take effect until such publications have been made.

SECTION 13. No act shall be done under authority of the preceding sections except in the making of surveys and other preliminary investigations, until the plans for said system of sewerage and sewage disposal have been approved by the state department of public health.

SECTION 14. Upon a petition in writing addressed to said board of sewer commissioners requesting that certain real estate, accurately described therein, located in said town and abutting on said district and not otherwise served by a suitable means of sewage disposal be included within the limits thereof, and signed by the owners of such real estate, or a majority thereof, said sewer 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 14A. The provision of chapters forty-one and forty-four of the General Laws relating to fire, water, light and improvement districts shall, so far as apt, apply to the district.

SECTION 15. This act shall take full effect upon its acceptance by a majority of the voters of the territory described in section one voting thereon at an annual or special meeting within five years of its passage.

Approved July 22, 1963.

Chap. 560. AN ACT PROVIDING FOR REPAIRS TO THE EXTERIOR WALLS OF THE MEDICAL AND SURGICAL BUILDING OF THE BOSTON STATE HOSPITAL.

Be it enacted, etc., as follows:

Item 8260–70 of section 2 of chapter 604 of the acts of 1959 is hereby amended by inserting after the word "building", in line 2, the words: — , including repairs to exterior walls. *Approved July 22, 1963.*

Chap. 561. AN ACT PROVIDING FOR THE INSPECTION OF CERTAIN REFRIGERATION AND AIR CONDITIONING SYSTEMS BY THE DIVISION OF INSPECTION IN THE DEPARTMENT OF PUBLIC SAFETY.

Be it enacted, etc., as follows:

Chapter 146 of the General Laws is hereby amended by inserting after section 45, under the caption REFRIGERATION AND AIR CONDITIONING SYSTEMS, the following section: —

Section 45A. No person shall operate or cause to be operated a refrigeration or air conditioning system, or any appurtenance thereof, excepting refrigeration or air conditioning systems in railway trains, motor vehicles, private residences, apartment houses of less than five apartments, and refrigeration and air conditioning systems located on property under the jurisdiction of the United States government, refrigeration and air conditioning systems used exclusively for agricultural, horticultural and floricultural purposes, and refrigeration and air conditioning systems having less than five tons capacity, unless such system has been inspected by the division and a certificate of inspection issued therefor, or unless such system is insured by and subject to periodical inspection by a company authorized to insure pressure vessels in the commonwealth, and a certificate of inspection has been issued therefor. All refrigeration and air conditioning systems requiring a certificate from the division shall be inspected at least once a year. Whoever owns or uses or causes to be used a refrigeration or air conditioning system requiring certification by the division shall, unless such system is insured as above described, report in writing to the chief the location of such system, and shall so report annually thereafter, but, if such system is so insured, shall report in writing to the chief whenever the insurance company ceases for any reason to make its inspection of the refrigeration

or air conditioning system. If a refrigeration or air conditioning system is, in the opinion of an inspector of the division, in a dangerous condition, he may issue an order prohibiting the operation of such system, whether or not it is subject to the inspection by an insurance company, until a certificate of inspection has been issued by an inspector of the division for such system. The fee for each inspection made by the division under this section shall be ten dollars. *Approved July 23, 1963.*

Chap. 562. AN ACT AUTHORIZING CERTAIN INDUSTRIAL, TECHNICAL, AGRICULTURAL AND VOCATIONAL SCHOOLS TO ESTABLISH COURSES BEYOND SECONDARY LEVEL AND AUTHORIZING SAID SCHOOLS TO GRANT CERTAIN DEGREES TO PERSONS COMPLETING SUCH COURSES OF INSTRUCTION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 74 of the General Laws is hereby amended by inserting after section 37 the following section: —

Section 37A. If a school committee or the board of trustees of any industrial, technical, agricultural or vocational school subject to this chapter determines that sufficient need exists in such school for a course or courses beyond secondary school level and designed to prepare students for greater opportunities for employment in industrial, agricultural and technical occupations, it may submit in writing its plans for such course or courses to the state department of education. Upon the written approval of said plans by said department, such school committee or board of trustees may establish and maintain such extended courses of instruction on a technical institute level, and public funds may be appropriated for said purpose; provided, that such courses of instruction conform to such standards as said department may establish, and are maintained by said school committee or said trustees under the general regulations of the department. Any such school may use the designation "technical institute" with respect to the maintenance of such courses at such school, and the school committee or trustees of such school may, subject to the approval of the division of vocational education and the board of collegiate authority, grant the degree of Associate in Applied Science to persons who complete such course or courses of instruction.

This section shall not be applicable to the board of regional community colleges, or any action of said board under section twenty-seven of chapter fifteen, or to any regional community college.

SECTION 2. Chapter 645 of the acts of 1948 is hereby amended by inserting after section 7 the following section: —

Section 7A. Any city, town, regional school district or county which is eligible for aid under the provisions of this chapter and establishes extended courses of instruction in a vocational school, as provided in section thirty-seven A of chapter seventy-four of the General Laws, and wishes to enlarge or construct a school for the purpose of maintaining such extended courses of instruction on a technical institute level shall be eligible for financial assistance in the construction or enlargement of such school in the manner and to the extent provided by this act. *Approved July 23, 1963.*

Chap. 563. AN ACT AUTHORIZING THE WATER RESOURCES COMMISSION TO CONSTRUCT RESERVOIRS AND OTHER WORKS FOR FLOOD CONTROL AND OTHER PURPOSES IN THE WATERSHED OF BROAD BROOK.

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 Broad brook in the county of Hampshire 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 Broad Brook Watershed Project.

SECTION 2. The commission, acting on behalf of the commonwealth, shall be the contracting agency and 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 town of Easthampton 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 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 ten.

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, 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.

SECTION 5. The commission may enter into contracts with the town of Easthampton, 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 works authorized by this act. The cost of such work shall be paid by the commission out of funds made available under section ten.

SECTION 6. Upon completion of each structure constructed under the provisions of this act, the town of Easthampton shall assume the

responsibility for the maintenance and operation of the works in a manner satisfactory to the commission.

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, 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 one 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 over-all 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 non-federal cost of this project, 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 one hundred and twenty thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Broad Brook Watershed Project, Act of 1963, 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 common-

wealth, 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-eight.

SECTION 11. The state treasurer shall notify the town of Easthampton 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 ten 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 Easthampton. *Approved July 23, 1963.*

Chap. 564. AN ACT TO PROVIDE FOR AN ADDITIONAL COURT OFFICER IN THE MUNICIPAL COURT OF THE DORCHESTER DISTRICT.

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 chapter 455 of the acts of 1962, 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 and in the municipal court of the Dorchester district four court officers may be appointed; in the third district court of eastern Middlesex 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 July 25, 1963.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, July 25, 1963.

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

DEAR MR. SECRETARY: — I, Francis Xavier Bellotti, 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 1963 entitled "An Act to Provide for an Additional Court Officer in the Municipal Court of the Dorchester District." and the enactment of which received my approval on July 25, 1963, should take effect herewith.

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 there is present great need for the services of an additional Court Officer, it would seem that a sufficient emergency exists that this act become effective at once.

Very truly yours,

FRANCIS X. BELLOTTI,
Lieutenant Governor, Acting Governor.

OFFICE OF THE SECRETARY, BOSTON, July 25, 1963.

I, Kevin H. White, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Lieutenant Governor, Acting Governor of the Commonwealth of Massachusetts at three o'clock and fifty 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 sixty-four of the acts of nineteen hundred and sixty-three.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 565. AN ACT AUTHORIZING THE WATER RESOURCES COMMISSION TO CONSTRUCT RESERVOIRS AND OTHER WORKS FOR FLOOD CONTROL AND OTHER PURPOSES IN THE WATERSHED OF THE CLAM 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 Clam river in the county of Berkshire 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 Clam 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 such 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 or in the watershed work plan; 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 nine 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. 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 7. 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 nine. 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 nine 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 8. 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 9. 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 thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Clam River Watershed Project, Act of 1963, 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-eight.

SECTION 10. The commission shall be charged with the operation and maintenance of the reservoirs constructed under this act. That portion of the costs for maintenance and operation which the commission determines is chargeable to flood protection shall be reimbursed to the commonwealth by the town of Sandisfield. Such costs shall be computed and determined annually by the commission as of June thirtieth for the preceding year.

Approved July 25, 1963.

Chap. 566. AN ACT REPEALING CERTAIN PROVISIONS OF LAW RELATIVE TO LEGAL SETTLEMENTS IN DETERMINING THE AMOUNT OF REIMBURSEMENT TO BE PAID BY THE COMMONWEALTH TO CITIES AND TOWNS FOR FURNISHING OLD AGE ASSISTANCE.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 1 of chapter 118A of the General Laws is hereby amended by striking out the fifth sentence, inserted by section 4 of chapter 781 of the acts of 1960.

SECTION 2. Said chapter 118A is hereby further amended by striking out section 8, as most recently amended by chapter 412 of the acts of 1962, and inserting in place thereof the following section: — *Section 8.* Any town rendering assistance under this chapter shall also be reimbursed by the commonwealth for seventy per cent of the remainder of such disbursements for assistance. After the deduction of the federal share of the costs of administration, the state shall reimburse the boards of public welfare for one half of the remainder of the costs of administration, except as otherwise provided in section five of chapter one hundred and eighteen B. All accounts against the commonwealth for allowance to towns on account of moneys paid for which they are entitled to reimbursement by the commonwealth hereunder shall be rendered to the department on forms prescribed by the department, and, if rendered as aforesaid, approved by the department and certified by the comptroller, but not otherwise, shall be paid by the commonwealth. The approval of accounts by the department under this chapter shall have the effect of a provisional pre-audit of such accounts, and reimbursements based thereon shall be subject to verification and adjustment by the department. Such adjustments shall be made by reducing or increasing any subsequent reimbursements under this chapter by the amount of such adjustment. Failure to comply with the rules and regulations of the department shall be cause for disapproval of any account. 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 incorporated 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. In the event that an applicant for assistance under this chapter is a patient in an incorporated home, boarding or nursing home or hospital at the time when application for assistance is made, the application shall be made in the town in which he last maintained a residence outside of an institution.

SECTION 3. This act shall take effect on January first, nineteen hundred and sixty-four, and shall apply only to old age assistance rendered on and after said date. *Approved July 25, 1963.*

Chap. 567. AN ACT PROVIDING FOR A SECOND ASSISTANT CLERK FOR THE DISTRICT COURT OF LOWELL.

Be it enacted, etc., as follows:

Section 10 of chapter 218 of the General Laws is hereby amended by striking out the third sentence, as most recently amended by chapter 286 of the acts of 1963, and inserting in place thereof the following sentence: — Second assistant clerks with salaries payable by the county may be appointed in the municipal court of the Roxbury district, the East Boston district court, the municipal court of the Charlestown district, the municipal court of the Dorchester district, the municipal court of the Brighton district, the municipal court of the West Roxbury district, the municipal court of the South Boston district, the central district court of Worcester, the district court of Newton, and, subject to the approval of the county commissioners, in the first district court of eastern Middlesex, the third district court of eastern Middlesex, the district court of Lowell, the first district court of Essex, the district court of southern Essex, the central district court of northern Essex, the district court of Springfield, the second district court of Bristol, the third district court of Bristol, the district court of East Norfolk, the district court of Somerville and the district court of Chelsea.

Approved July 25, 1963.

Chap. 568. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF BRISTOL TO HAVE PLANS AND SPECIFICATIONS PREPARED FOR AN ADDITION TO THE COURT HOUSE OF THE THIRD DISTRICT COURT OF BRISTOL.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Bristol are hereby authorized and directed to have plans and specifications prepared for an addition to the court house of the third district court of said county situated in the city of New Bedford.

SECTION 2. For said purposes, said commissioners may expend a sum not exceeding three thousand dollars. *Approved July 25, 1963.*

Chap. 569. AN ACT RELATIVE TO MOTIONS FOR DIRECTED VERDICTS IN CRIMINAL CASES.

Be it enacted, etc., as follows:

Section 11 of chapter 278 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following two paragraphs: —

The court on motion of a defendant or of its own motion shall direct a verdict or enter a finding of not guilty of any offense charged in an indictment after the evidence on either side is closed, if the evidence is insufficient to sustain a conviction of such offense. If a defendant's motion for a directed verdict at the close of the evidence offered by the commonwealth is denied, the defendant may offer evidence without having reserved the right to do so.

If a motion for a directed verdict is made at the close of all the evidence, the court may reserve decision on the motion, submit the case to

the jury and decide the motion either before the jury returns a verdict or after it returns a verdict of guilty or is discharged without having returned a verdict. If the motion is denied and the case is submitted to the jury, the motion may be renewed within five days after the jury is discharged and may include in the alternative a motion for a new trial. If a verdict of guilty is returned, the court may on such motion set aside the verdict and order a new trial or enter a finding of not guilty. If no verdict is returned the court may order a new trial or enter a finding of not guilty. *Approved July 25, 1963.*

Chap. 570. AN ACT DESIGNATING THE INTERCHANGE AT THE JUNCTION OF ROUTE 128 AND ROUTE 1 AS THE LT. WILLIAM J. CONDON INTERCHANGE.

Be it enacted, etc., as follows:

The interchange located at the junction of state highway routes 128 and 1 in the town of Lynnfield shall be known and designated as the Lt. William J. Condon interchange, and not more than two suitable markers bearing such designation shall be erected thereat by the department of public works. *Approved July 25, 1963.*

Chap. 571. AN ACT PROVIDING BENEFITS FOR WIDOWS OF CERTAIN JUDGES.

Be it enacted, etc., as follows:

SECTION 1. Section 65C of chapter 32 of the General Laws, inserted by section 1 of chapter 724 of the acts of 1960, is hereby amended by adding at the end the following two paragraphs: —

In determining whether a judge has served in any office or offices at least ten years continuously and would be, for the purposes of the second or third paragraphs of this section, entitled to a pension for life under section sixty-five A, the period, not exceeding one year, of his wartime service as defined in section twenty-one of chapter thirty-one, whether before or after his appointment as a judge, shall be added to and deemed continuous with the period of his service in any such office or offices.

For the purpose of this section the word "widow" shall include any widow of a judge who died in office prior to July first, nineteen hundred and sixty. Any pension payable to the widow of such judge shall not exceed four thousand dollars per year.

SECTION 2. This act shall take effect as of January first, nineteen hundred and sixty-three, and pensions payable to widows under the last paragraph of section sixty-five C of chapter thirty-two of the General Laws, as appearing in section one, shall commence as of said date.

Approved July 29, 1963.

Chap. 572. AN ACT PROVIDING FOR THE APPOINTMENT OF ADDITIONAL FOREST FIRE PATROLMEN.

Be it enacted, etc., as follows:

Chapter 48 of the General Laws is hereby amended by striking out section 28A, as most recently amended by chapter 496 of the acts of 1953, and inserting in place thereof the following section: — *Section 28A.* Upon written application of the county commissioners of any county which accepts this section by vote of said commissioners, the forester may appoint, subject to appropriation, such number of additional officers in the division of forests and parks as may be agreed upon by said forester and commissioners in writing. Said officers shall patrol the forests in the towns of such county during those seasons of the year when forest fires are likely to occur therein for the purpose of detecting and preventing such fires and, during other seasons of the year, shall engage in such forest fire prevention work as the forester may designate. One half of the money expended under the provisions of this section as agreed upon between said commissioners and forester in writing shall be repaid to the commonwealth by said county. *Approved July 29, 1963.*

Chap. 573. AN ACT RELATIVE TO THE LIABILITY FOR CHARGES FOR CARE OF INFANTS PREMATURELY BORN.

Be it enacted, etc., as follows:

SECTION 1. Chapter 111 of the General Laws is hereby amended by striking out section 67C, as most recently amended by chapter 54 of the acts of 1961, and inserting in place thereof the following section: — *Section 67C.* Expenses for the care and hospitalization of an infant weighing five pounds or less at birth shall be paid by the parents or guardian or any person bound by law to maintain such infant, if he or they are able to pay; otherwise by the board of health of the town wherein the mother of such infant resides, subject to notice and reimbursement as hereinafter provided. The board of health in the town in which the mother resides shall be responsible for hospitalization expenses incurred in caring for an infant under this section, within ceiling rates established by the department, but no expense shall be reimbursed which was incurred more than thirty days prior to the receipt by such board of health of a written notice or a telephone request, confirmed in writing, from the superintendent or other person in charge of such hospital. Any payments made hereunder by the town may be recovered in contract from the parent, guardian or other person bound by law to maintain such infant, if such person is able to pay.

The commonwealth shall reimburse the board of health of the town wherein the mother resides a sum equal to one half of the expenses incurred under this section.

SECTION 2. Said chapter 111 is hereby further amended by striking out section 67D, as appearing in chapter 332 of the acts of 1937, and inserting in place thereof the following section: — *Section 67D.* Sums paid by any town as provided in sections sixty-seven B and sixty-seven C shall not be deemed to have been paid as public relief, and no person shall be deemed to be in receipt of public relief because of his inability to pay such sums. *Approved July 29, 1963.*

Chap. 574. AN ACT AUTHORIZING CERTAIN CITIES AND TOWNS AND REGIONAL SCHOOL DISTRICTS TO JOIN WITH OTHER CITIES AND TOWNS AND REGIONAL SCHOOL DISTRICTS TO PROVIDE SPECIAL CLASSES FOR MENTALLY RETARDED CHILDREN.

Be it enacted, etc., as follows:

Chapter 71 of the General Laws is hereby amended by striking out section 46C, as most recently amended by section 5 of chapter 535 of the acts of 1956, and inserting in place thereof the following section: —

Section 46C. Any city, town or regional school district having fewer than ten mentally retarded children may, with the approval of the department, join with another city, town or regional school district or with other cities, towns or regional school districts to provide the necessary special classes, as provided in section forty-six.

Approved July 29, 1963.

Chap. 575. AN ACT PROVIDING THAT NEEDY PATIENTS AT OUT-PATIENT CLINICS OF STATE HOSPITALS BE FURNISHED NECESSARY MEDICINE AND DRUGS FREE OF CHARGE.

Be it enacted, etc., as follows:

Chapter 123 of the General Laws is hereby amended by inserting after section 76 the following section: —

Section 76A. The superintendent of each state hospital shall furnish medicine and drugs without payment therefor to any patient at the out-patient clinic of such hospital, who, in his opinion, is a needy person and actually requires such medicine and drugs. For the purposes of this section, the determination as to whether the patient is a needy person shall be made by the superintendent and his determination shall be final.

Approved July 29, 1963.

Chap. 576. AN ACT AUTHORIZING PUBLIC OFF-STREET PARKING FACILITIES IN THE CITY OF LAWRENCE.

Be it enacted, etc., as follows:

SECTION 1. The city of Lawrence, hereinafter called the city, acting by its city council, hereinafter called the council, shall forthwith proceed with the establishment of such public off-street parking facilities in the city as the council may deem necessary to insure in the public interest the free circulation of traffic in and through the city. The council shall have and exercise, in the name and on behalf of the city, all powers necessary and convenient to the accomplishment of the purposes of this act, except the power to operate any parking facility established or acquired under this act. Such powers shall include: —

(*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, in such locations in the city as the council shall have determined require public off-street parking facilities; provided, that the council 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;

(*b*) 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 council shall determine;

(*c*) The power to lease to any person any property acquired or used for the purposes of this act, to be used by the lessee for the parking of motor vehicles but for no other purpose, for such period, not exceeding forty years, and upon such terms as the council shall determine; provided, however, that every lease shall contain schedules of maximum rates to be charged by the lessee for the use by the public of the property thereby demised, and also regulations with respect to the use, operation and occupancy of such property; provided, also, that no lease shall be modified or cancelled; but nothing herein shall be construed to prevent the termination of any lease by the lessor, in accordance with its provisions, for the breach of any covenant or condition thereof; and provided, further, that any lease for a period exceeding three years shall be upon the express condition, and shall contain a covenant on the part of the lessee, that within such period, not exceeding three years, after its execution as the council shall fix the lessee shall construct, or cause to be constructed, upon the demised premises at the expense of the lessee and without cost to the city such structures and facilities for parking as the council shall determine, which shall at least double the number of motor vehicles the demised premises can accommodate, shall be constructed according to plans and specifications prepared under the supervision of the council, shall forthwith upon construction become the property of the city, and shall, while the lease is in force, be kept in good order and condition by the lessee; and any such lease for a period exceeding three years shall provide for the immediate reimbursement of the city for the cost of the plans and specifications and shall further provide for the payment of such annual rental as the council shall determine to be reasonable but in no event less than four per cent of the total cost to the city, as ascertained by the council, of the demised premises including any improvement thereof made prior to the execution of the lease;

(*d*) The power to sell at public auction, to the highest bidder, any property, real or personal, acquired or used for the purposes of this act, whether or not improved, which the council shall have determined to be no longer required for such purposes. Any amounts received from sales under this paragraph shall be credited to the Parking Facilities Fund established under section six.

Any provision of this act to the contrary notwithstanding, any lease entered into under this act for a period exceeding three years may be modified by written agreement so as to require the payment of an increased rental during the remainder of its term and to permit the structure constructed under it to be enlarged by the lessee without cost to the city by the construction of one or more additional stories in accordance with detailed plans and specifications made a part of such agreement; provided, that the ratio of the increase in rent is not less than the ratio of the increase in floor area. In such event, the term of the lease shall be extended so as to continue in effect from the date of such modification for the period provided in the original lease.

SECTION 2. Notwithstanding any contrary provision of general or special law, the city, the council, or any person claiming by, through or under either of them, may, without obtaining a license or permit of any kind, except licenses and permits required by the city charter, by applicable city ordinances or by the provisions of chapter eighty-five of the General Laws, do all things necessary or convenient to the accomplishment of the purposes of this act, including, without limiting the generality of the foregoing, cutting curbs, conducting or maintaining an open-air parking space, erecting or maintaining a garage, and keeping gasoline or other inflammable fluid in tanks in motor vehicles in a building or other structure; provided, however, that the council shall not construct, or cause or permit to be constructed, any structure wherein motor vehicles are to be parked unless the council shall, after a public hearing and consideration of the arguments of all proponents and opponents at such hearing, the requirements of public convenience, and the general character of the neighborhood in which the structure is to be constructed, have determined that the construction of such structure is for the public welfare. Notice of such hearing shall be given by publication once in each week for three successive weeks in a newspaper regularly published in the city and by registered mail to every owner of record of each parcel of land abutting on the parcel of land on which the structure is to be constructed. Nothing contained in this section shall be construed to empower the city or council to operate any parking facility established or acquired under this act.

SECTION 3. No contract for construction or work of any kind in connection with any parking facility, the estimated cost of which amounts to one thousand dollars or more, shall be awarded by the council under this act unless proposals for the same shall have been invited by advertisements in at least one daily newspaper published in the city, once a week for at least two consecutive weeks, the last publication to be at least seven days before the time specified for the opening of said proposals, and then only to the lowest responsible bidder as determined by the council. Such advertisements shall state the time and place where plans and specifications of proposed construction or work may be had and the time and place for opening the proposals in answer to said advertisements, and shall reserve to the council the right to reject all proposals. All such proposals shall be opened in public. No bill or contract shall be split or divided for the purpose of evading any provision of this section. All contracts made by the council hereunder where the amount involved is one thousand dollars or more shall be in writing. Any contract made as aforesaid may be required to be accompanied by a bond with sureties satisfactory to the council, or by a deposit of money, certified check or other security for the faithful performance thereof, and such bonds or other securities shall be deposited with the city auditor until the contract has been carried out in all respects; and no such contract shall be altered except by written agreement of the contractor, the sureties on his bond and the council. Any amounts received as a result of the failure of faithful performance required in any contract hereunder shall be credited to the Parking Facilities Fund established under section six.

SECTION 4. Before leasing any land under this act, the council shall invite proposals therefor, by advertisements in at least one daily newspaper published in the city, once a week for at least two consecutive

weeks, the last publication to be at least seven days before the time specified for the opening of said proposals. Such advertisements shall state the time and place where the form of lease and, if the term of the lease is to exceed three years, the plans and specifications, may be had and the time and place for opening the proposals in answer to said advertisements, and shall reserve to the council the right to reject all proposals. All such proposals shall be opened in public. No lease shall be made except to the highest responsible bidder as determined by the council. Every lease for a period not exceeding three years shall be accompanied by a bond with surety satisfactory to the council, or by a deposit of money, certified check or other security for the faithful performance thereof, and such bond or other security shall be deposited with the city collector until the lease has been carried out in all respects. Every lease for a period exceeding three years shall be accompanied by a bond with surety satisfactory to the council, or by a deposit of money, certified check or other security for the faithful performance of all covenants on the part of the lessee to construct, or cause to be constructed, any structures or facilities for parking; and such bond or other security shall be deposited with the city collector until all such covenants have been carried out in all respects. All amounts received in reimbursement for the cost of plans and specifications and all amounts received as a result of the failure of faithful performance of covenants to construct, or cause to be constructed, structures or facilities for parking shall be credited to the Parking Facilities Fund established under section six; and all other amounts received from leases under this act or as a result of other failure of faithful performance required in any such lease shall be credited as general funds of the city and may be appropriated for any municipal purposes. No person shall be assessed any tax upon any real estate or buildings of which he is the lessee under this act, any provision of general or special law to the contrary notwithstanding.

SECTION 5. Every proposal under section four shall be accompanied by cash or a certified check on, or a certificate of deposit issued by, a responsible bank or trust company, payable to the city in such amount as the council may fix, which shall be stated in the invitation for proposals. The council may, at its option, prescribe and receive a bid bond in a form satisfactory to it in lieu of cash, certified check or certificate of deposit. All such bid deposits, except those of the three highest responsible and eligible bidders, shall be returned within five days, Saturdays, Sundays and holidays excluded, after the opening of proposals therefor. All bid deposits shall be returned upon the execution and delivery of the lease, or, if no lease is made, then at the expiration of ninety days after the opening of the bids therefor. Should any bidder to whom an award is made fail to enter into a lease within such time as the council may fix, the amount so received from such bidder through his cash, certified check, bid bond or certificate of deposit shall become and be the property of the city as liquidated damages; provided, that, in case of death, disability or other unforeseen circumstances affecting the bidder, such cash, certified check, bid bond or certificate of deposit may be returned to him. Any amount so received shall be credited to the Parking Facilities Fund established under section six.

SECTION 6. There shall be set up on the books of the city a special account known as the Parking Facilities Fund. Into this account shall

be paid the amounts specified in this act. The council may expend from the fund without appropriation for the purposes of this act; provided, that if the amount in the fund at any time exceeds the total amount of indebtedness incurred under this act and then outstanding, together with interest thereon, so much of the excess as the council shall determine is no longer required for the purposes of this act, may be used for general municipal purposes.

SECTION 7. For the purposes of this act, the city may from time to time incur debt and issue bonds or notes to an amount not exceeding, in the aggregate, one million five hundred thousand dollars. Debt may be incurred under this act only upon authorization by a two thirds vote of the council. The city treasurer when so authorized may borrow money and issue and sell at public or private sale serial bonds or notes, registered or with interest coupons attached, as the treasurer may deem best. Such bonds or notes shall bear on their face the words, City of Lawrence Parking Facilities Loan, Act of 1963. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Debt incurred from time to time under this act shall not be included in determining the limit of indebtedness of the city as established by law, but shall, except as herein provided, be subject to the provisions, applicable to the city, of chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof. Said city may issue temporary notes of the city payable in not more than one year from their dates, in anticipation of the issue of serial bonds or notes authorized by this section, 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 section. All notes issued in anticipation of the issue of such serial bonds or notes shall be paid from the proceeds thereof.

SECTION 8. The public improvements authorized in this act are herein declared to be general in their benefits and no betterments shall be assessed therefor.

SECTION 9. Property acquired or used for the purposes of this act, whether or not leased, shall be deemed to be held by the city in its governmental capacity; and the city shall not be liable for any injury, loss or damage suffered by any person or property on or about any property so acquired or used.

SECTION 10. If any provision of this act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of this act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

SECTION 11. This act shall take effect upon its passage.

Approved July 29, 1963.

Chap. 577. AN ACT AUTHORIZING THE TOWN OF SUDBURY TO ESTABLISH A HIGHWAY COMMISSION EXERCISING THE POWERS OF CERTAIN OTHER BOARDS, DEPARTMENTS AND TOWN OFFICERS.

Be it enacted, etc., as follows:

SECTION 1. There shall be established in the town of Sudbury a highway commission, hereinafter called the commission, to consist of five members. The initial members thereof shall be elected, one to serve one year, two to serve for two years and two to serve for three years, from the date of the annual election at which they are elected, and thereafter when the term of any member expires, his successor shall be elected to serve for three years. In all cases the members shall serve until their successors are elected and qualified. The members of the commission shall, after each annual election, choose one of their members to act as chairman for the ensuing year. No person shall serve on the commission who holds another elective or appointive town office in the town.

SECTION 2. Upon the election and qualification of the members of the commission, the commission shall have all the powers and duties now or from time to time vested by general or special law in the following departments and officers in said town, to wit: — road commissioners, surveyors of highways, highway and street department, cemetery commission and the public works advisory board in said town and such department, commission, committee, and officers shall thereupon be abolished. Said commission shall have and exercise in said town all the powers and duties of boards of selectmen and road commissioners in towns over highway and town ways under the provisions of chapter eighty-two of the General Laws and it shall have full jurisdiction over street lighting and public dumps within said town. No contracts or liabilities then in force shall be affected by such abolition or assumption of jurisdiction over street lighting and public dumps, but the commission shall in all respects be the lawful successor of the department, commission and officers so abolished, and the board or department having charge of street lighting and public dumps.

SECTION 3. The commission shall appoint a superintendent of highways, who shall exercise and perform, under the supervision and direction of the commission, such of the powers, rights and duties transferred to it under section two as it may from time to time designate. He shall be responsible for the efficient exercise and performance of such powers, rights and duties and shall hold office for the term of three years. He shall be specially fitted by education, training and experience to perform the duties of said office, and he may or may not be a resident of said town. During his tenure he shall hold no elective or other appointive office in said town nor shall he be engaged in any other business or occupation. He shall, subject to the approval of the commission, appoint such assistants and employees as may from time to time be required. He shall keep full and complete records of the doings of his office and render to the commission as often as it may require a full report of all operations under his control during the period reported upon. He shall keep the commission fully advised as to the needs of said town within the scope of his duties, and shall furnish the commission on or before December first in each year, a carefully prepared and detailed estimate

in writing of the appropriations required during the succeeding year for the proper exercise and performance of all said powers and duties.

SECTION 4. Said town may transfer to the commission the powers and duties of any other officer, board or commission within said town having charge of public works, including the care of public shade trees and public parks by a two-thirds vote at any annual town meeting or special town meeting called for that purpose. The powers and duties so transferred to the commission shall not vest in it until the close of the next annual town meeting, and thereupon the office, board or commission so transferred shall be abolished.

SECTION 5. Said town may rescind all action taken by it pursuant to this act if it so votes by a majority vote of the legal voters present and voting thereon by ballot at any meeting held after five years following the meeting at which this act is accepted and at least ninety days before the next annual town election next to be held after such meeting, and thereupon said town shall, at said next annual meeting, nominate and elect such officers as are necessary to carry out the duties transferred to the commission under section two.

SECTION 6. This act shall take effect upon its acceptance by the town of Sudbury. *Approved July 29, 1963.*

Chap. 578. AN ACT LIMITING THE EXEMPTION OF LOTS SHOWN ON CERTAIN PLANS FROM THE EFFECT OF ZONING ORDINANCES OR BY-LAWS BECOMING EFFECTIVE AFTER THE SUBMISSION OF SUCH PLANS TO THE PLANNING BOARD.

Be it enacted, etc., as follows:

Section 7A of chapter 40A of the General Laws, as most recently amended by section 2 of chapter 435 of the acts of 1961, is hereby further amended by adding at the end the following paragraph: —

When a plan referred to in section eighty-one P of chapter forty-one has been submitted to a planning board and written notice of such submission has been given to the city or town clerk, the use of the land shown on such plan shall be governed by applicable provisions of the zoning ordinance or by-law in effect at the time of the submission of such plan while such plan is being processed under the subdivision control law including the time required to pursue or await the determination of an appeal referred to in said section, and for a period of three years from the date of endorsement by the planning board that approval under the subdivision control law is not required, or words of similar import, provided that a city or town may, in the manner prescribed in this chapter, increase the number of permitted uses of any land shown on such a plan.

Approved July 30, 1963.

Chap. 579. AN ACT RELATIVE TO APPOINTMENT OF INSPECTORS OF ANIMALS BY CITY AND TOWN MANAGERS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 129 of the General Laws is hereby amended by striking out section 15, as most recently amended by chapter 255 of the acts of 1962, and inserting in place thereof the following section: — *Section 15.* The city manager in cities having a plan D or plan E charter,

the mayor in all other cities, except Boston, the town manager in towns having a town manager form of government and the selectmen in all other towns shall annually, in March, nominate one or more inspectors of animals, and before April first shall send to the director the name, address and occupation of each nominee. Such nominee shall not be appointed until approved by the director. In cities at least one such inspector shall be a registered veterinarian, except in a city where this requirement cannot be complied with by reason of a charter provision relating to the qualifications of appointees to office therein.

In a town which has a board of health and accepts this paragraph, the nomination of such inspectors shall be made by the board of health and not by the selectmen or town manager.

SECTION 2. Section 128 of chapter 94 of the General Laws, as amended by section 2 of chapter 213 of the acts of 1946, is hereby further amended by striking out, in line 12, the words "mayor or selectmen" and inserting in place thereof the words: — mayor, city manager, selectmen or town manager. *Approved July 30, 1963.*

Chap. 580. AN ACT FURTHER DEFINING "SUBDIVISION" AS USED IN THE SUBDIVISION CONTROL LAW.

Be it enacted, etc., as follows:

The definition of "Subdivision" in section 81L of chapter 41 of the General Laws, as amended by chapter 282 of the acts of 1956, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: —

"Subdivision" shall mean the division of a tract of land into two or more lots and shall include resubdivision, and, when appropriate to the context, shall relate to the process of subdivision or the land or territory subdivided; provided, however, that the division of a tract of land into two or more lots shall not be deemed to constitute a subdivision within the meaning of the subdivision control law if, at the time when it is made, every lot within the tract so divided has frontage on (*a*) a public way or a way which the clerk of the city or town certifies is maintained and used as a public way, or (*b*) a way shown on a plan theretofore approved in accordance with the subdivision control law, or (*c*) a way in existence when the subdivision control law became effective in the city or town in which the land lies, having, in the opinion of the planning board, sufficient width, suitable grades and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon. *Approved July 30, 1963.*

Chap. 581. AN ACT REQUIRING THE FILING OF SECURITY FOR THE INSTALLATION OF UTILITIES AND CONSTRUCTION OF WAYS PRIOR TO THE ENDORSEMENT OF APPROVAL OF A DEFINITIVE PLAN UNDER THE SUBDIVISION CONTROL LAW.

Be it enacted, etc., as follows:

The fifth paragraph of section 81U of chapter 41 of the General Laws, as appearing in section 1 of chapter 377 of the acts of 1958, is

hereby amended by striking out lines 1 to 7, inclusive, and inserting in place thereof the following: —

Before endorsement of its approval of a plan, a planning board shall require that the construction of ways and the installation of municipal services be secured by one, or in part by one and in part by the other, of the methods described in the following clauses (1) and (2), which method may be selected and from time to time varied by the applicant:.

Approved July 30, 1963.

Chap. 582. AN ACT RELATIVE TO CERTAIN BETTERMENT ASSESSMENTS IN THE TOWN OF SHREWSBURY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provisions of law to the contrary, the assessments and interest thereon levied against the owners of that land in the town of Shrewsbury referred to in a certain instrument recorded April 12, 1962, in the Worcester registry of deeds, Worcester district, in book 4272, page 279, are hereby abated in full and the lien imposed by said instrument is hereby discharged; provided, however, that upon the connection of a particular sewer from any of the land mentioned in said instrument to the main sewer on Main Street in said town, assessments shall be made and charges paid as provided by section seven of chapter five hundred and two of the acts of nineteen hundred and fifty-four, as amended by section one of chapter two hundred and fifteen of the acts of nineteen hundred and fifty-eight.

The treasurer of the town of Shrewsbury shall furnish to the owners of the land mentioned in said instrument a discharge stating that the lien imposed thereby has been discharged subject to the provisions of this act.

SECTION 2. This act shall take effect upon its acceptance by the town of Shrewsbury. *Approved July 30, 1963.*

Chap. 583. AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO PAY PENSIONS TO MARGARET A. MOORE, CECELIA H. POTTER, KATHERINE NASH AND MARY R. REDDICK.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of promoting the public good and notwithstanding the provisions of any general or special law to the contrary, the city of Cambridge is hereby authorized to pay to Margaret A. Moore, Cecelia H. Potter, Katherine Nash and Mary R. Reddick, former employees in the school department of said city, a pension of twelve hundred dollars a year so long as they remain unmarried.

SECTION 2. This act shall take effect upon its acceptance by the city of Cambridge. *Approved July 30, 1963.*

Chap. 584. AN ACT PROVIDING THAT THE COMMONWEALTH ANNUALLY REIMBURSE THE TOWNS OF NEWBURY, WEST NEWBURY, GEORGETOWN AND GROVELAND FOR THE LOSS OF TAXES ON CERTAIN LANDS OWNED BY THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to permit the state tax commission to determine forthwith the fair cash value of certain lands owned by the commonwealth in the towns of Newbury, West Newbury, Georgetown and Groveland, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, (1) the state tax commission shall forthwith determine, as of January first in the current year, the fair cash value of all land owned by the commonwealth located in the towns of Newbury, West Newbury, Georgetown and Groveland under the care and control of the division of fisheries and game and used as a game preserve or wildlife sanctuary which were, at the time of their acquisition by the commonwealth, under the care and control of the federal government and exempt from local taxation, (2) not later than November first of the current year and not later than August first in the years nineteen hundred and sixty-four, nineteen hundred and sixty-five and nineteen hundred and sixty-six, the commissioner of corporations and taxation shall deliver to the state treasurer a statement as to the value of such lands owned by the commonwealth in each of said towns, and (3) not later than November twentieth in the current year and in the years nineteen hundred and sixty-four, nineteen hundred and sixty-five and nineteen hundred and sixty-six, the state treasurer shall reimburse each of said towns an amount in lieu of taxes upon the value of such land as reported to him by said commissioner, determined by multiplying each thousand dollars of valuation or fractional part thereof by the rate provided for under section fifty-eight of chapter sixty-three of the General Laws.

SECTION 2. Commencing with the year nineteen hundred and sixty-seven, said towns shall be reimbursed annually in the manner and upon the conditions provided by sections thirteen to seventeen, inclusive, of chapter fifty-eight of the General Laws.

SECTION 3. Chapter 58 of the General Laws is hereby amended by striking out section 15A, inserted by section 1A of chapter 701 of the acts of 1956, and inserting in place thereof the following section: — *Section 15A*. Notwithstanding any contrary provision of sections thirteen to seventeen, inclusive, land owned by the commonwealth for any of the purposes named in section thirteen which at the time of its acquisition by the commonwealth was exempt from local taxation, except land under the care and control of the division of fisheries and game and used as a game preserve or wildlife sanctuary and which was at the time of its acquisition by the commonwealth under the care and control of the federal government, shall not be included in any determination of valuation under sections thirteen, fourteen or fifteen or in any statement under section sixteen or in any reimbursement under section seventeen.

Approved July 31, 1963.

Chap. 585. AN ACT EXTENDING THE PERIOD DURING WHICH THE DEBT SERVICE RESERVE FOR VETERANS' HOUSING PROJECTS MAY BE CREATED.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide immediate financial assistance to housing authorities in order that they may avoid the necessity for charging excessive rents to tenant veterans and their families; 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 26NN of chapter 121 of the General Laws is hereby amended by striking out the sentence amended by chapter 641 of the acts of 1955, and inserting in place thereof the following sentence: — Each project developed under this section and section twenty-six 00 shall be administered for occupancy in accordance with section twenty-six FF, except clause (*c*), and except that for each completed project the authority, beginning in the first year immediately succeeding its issuance of any bonds, shall create a reserve for principal and interest equal to one twelfth of the largest principal and interest payments which will be due on such bonds in any one year thereafter and shall maintain such reserve and increase the same by a similar amount for each of the eleven succeeding years thereafter and maintain each such increase; provided, however, that whenever the amount of the reserve shall equal at least fifty per centum of the total amount so required to be provided the board may authorize extension of the time for creating such reserve to a period of twenty-four years from the issuance of any bonds and any such reserve shall be maintained and thereafter increased by equal amounts annually during the remaining portion of the twenty-four years; provided, however, that in the event a project is refinanced, there shall be appropriate adjustments made in the reserves required by the foregoing provisions to reflect any changes in amounts of principal and interest payable to the end that twelve years or twenty-four years, as the case may be, after the date of the issuance of the original bonds, or as soon thereafter as may be practicable, there will have been created and thereafter maintained a reserve equal to the largest amount of principal and interest due in any subsequent year on account of the outstanding bonds issued to finance the project; and except that each such project shall be occupied, except as hereinafter provided, by veterans and their families, and priority shall be given first to veterans of World War II of low income and to veterans of low income who have served in the active armed forces of the United States at any time between June twenty-fifth, nineteen hundred and fifty and January thirty-first, nineteen hundred and fifty-five, both dates inclusive; then to veterans of low income, such low income to be determined from time to time by the board; then to a person without regard to family status, who is a veteran or the widow or the widower of a veteran, and who is fifty years of age or over; then to elderly persons qualifying for housing under the provisions of section twenty-six UU; then to other persons of low income living in substandard housing; and a housing authority may remodel or reconstruct parts of projects erected under this section to make the same available for occupancy by elderly persons qualifying for housing

under the provisions of section twenty-six UU, and such remodeled or reconstructed apartments shall be available for occupancy by eligible elderly persons of low income only to the extent that no eligible veterans or widows or widowers of veterans apply for such units, then to other persons of low income living in substandard housing, provided that no eligible veterans, or widows or widowers of veterans or elderly persons of low income apply for such remodeled or reconstructed units.

SECTION 2. The third paragraph of subdivision (*a*) of said section 26NN of said chapter 121 is hereby amended by striking out the sixth sentence, added by section 3 of chapter 507 of the acts of 1954, and inserting in place thereof the following sentence: — In the event notes are issued to finance or refinance a completed project, such notes shall be payable not later than twenty-four months after such issuance, and (1) such notes shall be permanently retired at the maturity thereof in an amount at least equivalent to the amount of retirements of bonds which would have been required by an amortization schedule for bonds issued for the maximum period permitted hereunder and bearing interest at the rate of two and one half per cent per annum, adjusted to the nearest month where notes are issued for a period other than one year; and (2) a reserve for principal and interest shall be created and maintained beginning in the first year immediately succeeding the issuance of such notes, equal to one twelfth of the largest principal and interest payments which would become due in any one year thereafter, if such bonds had been issued, and such reserve shall be increased by a similar amount for each succeeding year, provided, however, that after June fourteenth, nineteen hundred and sixty-three, all such reserves whether theretofore or thereafter created, and the maintenance and increase thereof, shall be governed in all respects solely by the provisions of the first paragraph of this section as if such bonds had been issued.

Approved July 31, 1963.

Chap. 586. AN ACT INCREASING THE MINIMUM FAIR WAGE RATES FOR CERTAIN SERVICE PEOPLE.

Whereas, The deferred operation of this act would tend to defeat its purpose which is, in part, to provide immediately for increased minimum wages for certain employees, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 7 of chapter 151 of the General Laws, as most recently amended by section 2 of chapter 134 of the acts of 1962, is hereby further amended by striking out, in line 6, the word "seventy-five" and inserting in place thereof the word: — eighty.

SECTION 2. Said second paragraph of said section 7 of said chapter 151, as amended by section 1 of this act, is hereby further amended by striking out the word "eighty" and inserting in place thereof the word: — eighty-five.

SECTION 3. Existing minimum wage requirements relating to employees enumerated in section seven of chapter one hundred and fifty-one of the General Laws 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 4. Section two of this act shall take effect on September fourth, nineteen hundred and sixty-four. *Approved July 31, 1963.*

Chap. 587. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC HEALTH TO TREAT THE BED AND BANKS OF THE MERRIMACK RIVER WITHIN CERTAIN CITIES AND TOWNS FOR RELIEF OF THE MIDGE NUISANCE.

Be it enacted, etc., as follows:

The department of public health, with the advice of the state reclamation board, is hereby authorized and directed to treat the bed and banks of the Merrimack river within the cities and towns of Haverhill, Groveland, Merrimac, West Newbury, Amesbury, Salisbury and Newburyport, for the relief of the midge nuisance. For such purposes, said department may expend for expert services, equipment and other expenses, including chemicals, such sums as may be appropriated therefor.

Approved July 31, 1963.

Chap. 588. AN ACT AUTHORIZING ALBERT AND EDITH KONAN AND BRONIA MARY KONAN TO FILE PETITIONS AGAINST THE TOWN OF CLINTON FOR THE ASSESSMENT OF DAMAGES RESULTING FROM LAND TAKINGS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section sixteen of chapter seventy-nine of the General Laws, Albert and Edith Konan, husband and wife, may, within six months after the effective date of this act, file a petition against the town of Clinton for the assessment of damages under section fourteen of said chapter seventy-nine by reason of the taking by eminent domain of land owned by them on Grove street in said town.

SECTION 2. Notwithstanding the provisions of section sixteen of said chapter seventy-nine, Bronia Mary Konan may, within six months after the effective date of this act, file a petition against the town of Clinton for the assessment of damages under section fourteen of said chapter seventy-nine by reason of the taking by eminent domain of land owned by her on Grove street in said town. *Approved July 31, 1963.*

Chap. 589. AN ACT AUTHORIZING THE TOWN OF BECKET TO PAY A CERTAIN SUM OF MONEY TO FRED CONNER, SR., A FORMER EMPLOYEE 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 Fred Conner, Sr., a former employee of said town, the sum of three hundred dollars, as compensation for vacation leave not taken by him while employed by said town.

SECTION 2. The vote of the town of Becket taken under Article 16 of the warrant for the annual town meeting in the current year is hereby

validated and confirmed to the same extent as though this act had been in full force and effect on the date when said warrant for said meeting was posted. *Approved July 31, 1963.*

Chap. 590. AN ACT TO CORRECT THE SALARY GRADE AND BENEFITS OF AN EMPLOYEE IN THE DEPARTMENT OF CORPORATIONS AND TAXATION.

Be it enacted, etc., as follows:

SECTION 1. In order to promote the public good and to correct an existing inequity, George Luftman, an employee of the department of corporations and taxation, shall, notwithstanding any contrary provision of law, be deemed to have held the position of assistant chief of bureau in said department from October first, nineteen hundred and fifty-six to October twenty-second, nineteen hundred and sixty-one, inclusive, for any of the purposes contained in chapters thirty, thirty-one and thirty-two of the General Laws; provided, however, that he shall first pay into the retirement system the amount which he would have paid into said system had he received the salary of assistant chief of bureau from October first, nineteen hundred and fifty-six, to October twenty-second, nineteen hundred and sixty-one, inclusive; provided, further, that he shall waive any claim which he may have to the difference in compensation between the position of tax counsel and the position of assistant chief of bureau to which he would have been entitled for said period.

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

Approved August 2, 1963.

Chap. 591. AN ACT PROVIDING THAT DISAPPROVAL OF A SUBDIVISION PLAN SHALL NOT TERMINATE THE EXEMPTIONS OF CERTAIN LAND FROM THE APPLICABILITY OF ZONING ORDINANCES AND BY-LAWS.

Be it enacted, etc., as follows:

Section 7A of chapter 40A of the General Laws, as appearing in section 2 of chapter 435 of the acts of 1961, is hereby amended by adding at the end the following two sentences: — Disapproval of a plan shall not serve to terminate any rights which shall have accrued under the provisions of this section, provided an appeal from the decision disapproving said plan is made under applicable provisions of the subdivision control law. Such appeal shall stay, pending an order or decree of a court of final jurisdiction, the applicability to land shown on said plan of the provisions of any zoning ordinance or by-law which became effective after the date of submission of the plan first submitted.

Approved August 2, 1963.

Chap. 592. AN ACT GRANTING THE CONSENT OF THE COMMONWEALTH TO A PETITION BY JAMES A. O'NEILL.

Be it enacted, etc., as follows:

James A. O'Neill of Boston may, within six months after the effective date of this act, bring a petition against the commonwealth under the provisions of chapter two hundred and fifty-eight of the General Laws

for damages for injuries alleged to have been sustained by him on or about July twenty-second, nineteen hundred and sixty-one on property taken by the commonwealth from the city of Boston for the purpose of the government center, so called. If such injuries were sustained by reason of a defect or want of repair on such premises, and such injuries might have been prevented, or such defect or want of repair might have been remedied by reasonable care and diligence on the part of the commonwealth, the court shall, if the commonwealth had or, by the exercise of proper care and diligence, might have had reasonable notice of the defect or want of repair, and if the conduct of said O'Neill would not have barred his recovery in an action at law, find and determine his damages in an amount not to exceed four thousand dollars, and order entry of judgment therefor. *Approved August 3, 1963.*

Chap. 593. AN ACT FURTHER REGULATING THE TRANSFER OF PATIENTS FROM THE BRIDGEWATER STATE HOSPITAL TO A STATE HOSPITAL UNDER THE CONTROL OF THE DEPARTMENT OF MENTAL HEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to make its provisions relative to the transfer of patients from the Bridgewater state hospital to a state hospital under the control of the department of mental health effective 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 20 of chapter 123 of the General Laws, as amended by section 5 of chapter 637 of the acts of 1955, is hereby further amended by adding at the end the following paragraph: —

Upon the certification of the medical director of the Bridgewater state hospital that any patient who has been so transferred to said hospital is no longer an escape risk or dangerous to other patients or personnel and is a fit subject for transfer to a state hospital, the commissioner of correction may request the commissioner of mental health to execute such a transfer and shall transmit a copy of such certification with such request. Within thirty days the commissioner of mental health shall communicate his approval or disapproval of such transfer request to the commissioner of correction. If the request for transfer is approved the commissioner of mental health shall execute the transfer. If the transfer request is disapproved, the commissioner of correction may request a hearing before any court having jurisdiction over original commitments under sections fifty and fifty-one. The court shall hear and determine whether or not the patient is a fit subject for transfer. If the court determines that the patient is a fit subject for transfer, it shall order the patient transferred. If the commissioner of mental health fails to approve or disapprove such request for transfer within the thirty-day period provided, he shall be deemed to have approved such transfer. All transfers which have been approved or ordered by any of the aforesaid procedures shall be made forthwith and to a state hospital to be designated by the commissioner of mental health.

Approved August 5, 1963.

Chap. 594. AN ACT PROVIDING THAT PERSONS DISPLACED FROM REAL PROPERTY TAKEN BY THE DEPARTMENT OF PUBLIC WORKS SHALL BE GRANTED RELOCATION PAYMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the relocation of persons dispossessed by the taking of real property by the department of public works, 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 81 of the General Laws is hereby amended by inserting after section 7 I the following section: —

Section 7J. Any person lawfully occupying property which is taken by eminent domain by the department of public works under the provisions of chapter seventy-nine shall be paid by the commonwealth through said department his reasonable and necessary moving expenses, as approved by said department, caused by his displacement from such property, but in no event shall such payment exceed two hundred dollars in the case of an individual or family, or three thousand dollars in the case of a business concern, including the operation of a farm or a non-profit organization.

SECTION 2. The provisions of section seven J of chapter eighty-one of the General Laws, inserted by section one of this act, shall be applicable to all property taken by eminent domain by the department of public works on and after October twenty-third, nineteen hundred and sixty-two. *Approved August 5, 1963.*

Chap. 595. AN ACT FURTHER PROVIDING FOR THE CONSTRUCTION OF DRAINAGE AND FLOOD CONTROL FACILITIES IN STONEHAM, WAKEFIELD, MELROSE, MALDEN, EVERETT, REVERE AND SAUGUS.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of carrying out the drainage and flood control works authorized by chapter five hundred and seventy-four of the acts of nineteen hundred and fifty-five, as amended by chapter three hundred and thirty-two of the acts of nineteen hundred and fifty-six, and chapter six hundred and fifty-three of the acts of nineteen hundred and fifty-seven, and further authorized by chapter five hundred and nineteen of the acts of nineteen hundred and sixty-one, and for the purpose of constructing a flood control detention basin at a suitable location on the tidal marsh in the town of Saugus and city of Revere to improve drainage and relieve flood conditions on the Town Line and Linden brooks and the Pines River, the metropolitan district commission may expend in addition to the amounts authorized by said chapter five hundred and seventy-four, as amended, and by said chapter five hundred and nineteen, a sum not exceeding ten million dollars.

SECTION 2. Said commission, for the purpose of this act, may on behalf of the commonwealth, take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, water courses, rights of way or easements, and shall have all

the rights, powers and duties and be subject to the limitations of section thirty-two of chapter ninety-two of the General Laws; provided, however, that cities and towns in the area or areas within which construction may occur shall grant to the commission the right to enter upon any public land and to construct such facilities as may be necessary without recourse to damages therefor. The commission, however, shall, as provided in said section thirty-two, heed all reasonable requests of officials of said cities and towns to restore such public property to its present condition in so far as is practical.

SECTION 3. 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. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Drainage and Flood Control Loan, Act of 1963, and shall be on the serial payment plan for such maximum term of years, not exceeding twenty years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution of the commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year, shall be as nearly equal as in the opinion of the state treasurer it is practical to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and eighty-five.

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

Approved August 5, 1963.

Chap. 596. AN ACT FURTHER REGULATING THE TRANSFER OF PATIENTS AT THE BRIDGEWATER STATE HOSPITAL.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to make its provisions for the transfer of patients at the Bridgewater state hospital effective 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 22A of chapter 123 of the General Laws, as amended by chapter 635 of the acts of 1958, is hereby further amended by adding at the end the following two paragraphs: —

Whenever the medical director of the Bridgewater state hospital certifies that a person committed by the court for observation or who is committed as mentally ill requires medical treatment which cannot safely or properly be given in said hospital, the commissioner shall temporarily place such person in any hospital of the department for such medical care and treatment as may be required.

Upon the certification of the medical director of the Bridgewater state hospital that any patient who has been transferred from another state hospital or who has been otherwise committed to the Bridgewater state hospital and is no longer under sentence, is not an escape risk or dangerous to other patients or personnel and is thereby a fit subject for transfer to a state hospital, the commissioner of correction may request the commissioner of mental health to execute such a transfer and shall transmit a copy of such certification with such request. Within thirty days the commissioner of mental health shall communicate his approval or disapproval of such transfer request to the commissioner of correction. If the request for transfer is approved the commissioner of mental health shall execute the transfer. If the transfer request is disapproved, the commissioner of correction may request a hearing before any court having jurisdiction over original commitments under sections fifty and fifty-one. The court shall hear and determine whether or not the patient is a fit subject for transfer. If the court determines that the patient is a fit subject for transfer, it shall order the patient transferred. If the commissioner of mental health fails to approve or disapprove such request for transfer within the thirty-day period provided, he shall be deemed to have approved such transfer. All transfers which have been approved or ordered by any of the aforesaid procedures shall be made forthwith and to a state hospital to be designated by the commissioner of mental health. *Approved August 5, 1963.*

Chap. 597. AN ACT RELATIVE TO EXPENDITURES FOR THE CARE, MAINTENANCE AND REPAIR OF COUNTY HOSPITALS IN CERTAIN COUNTIES.

Be it enacted, etc., as follows:

SECTION 1. The trustees of the Bristol county hospital and the county commissioners of the other counties hereinafter specified are hereby authorized to expend for the year nineteen hundred and sixty-three the sums set forth in this act for the care, maintenance and repair of the county 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 convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated herein for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general law to the contrary; except that an attendant who becomes a licensed practical nurse may be paid an increased salary rate on account of such promotion, subject to approval by the county personnel board.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of said trustees and said county commissioners with the approval of the director of accounts.

No moneys appropriated under this act shall be expended by county officers or employees for monthly telephone service furnished to such officers or employees at places other than regular county offices.

BRISTOL COUNTY.

Item		
1.	For personal services	$282,564.22
2.	For contractual services	22,676.00
3.	For supplies and materials	82,300.00
4.	For current charges and obligations	35,256.90
5.	For equipment	12,883.96
8.	For debt and interest	11,000.00
10.	For unpaid bills of previous years	804.78
11.	For reserve fund	2,500.00
12.	For group insurance	3,950.00
	For total expenditures	$453,935.86

ESSEX COUNTY.

Item		
1.	For personal services	$671,448.36
2.	For contractual services	20,000.00
3.	For supplies and materials	135,400.00
4.	For current charges and obligations	117,928.20
5.	For equipment	1,001.65
8.	For debt and interest	28,324.00
10.	For unpaid bills of previous years	306.59
11.	For reserve fund	10,000.00
12.	For group insurance	18,000.00
13.	For industrial accident insurance	2,131.81
	For total expenditures	$1,004,540.61

HAMPSHIRE COUNTY.

Item		
1.	For personal services	$248,090.93
2.	For contractual services	5,800.00
3.	For supplies and materials	50,000.00
4.	For current charges and obligations	26,196.00
5.	For equipment	3,915.00
8.	For debt and interest	10,000.00
11.	For reserve fund	5,000.00
12.	For group insurance	4,500.00
	For total expenditures	$353,501.93

MIDDLESEX COUNTY.

Item		
1.	For personal services	$1,241,604.38
2.	For contractual services	90,000.00
3.	For supplies and materials	286,000.00
4.	For current charges and obligations	100,000.00
5.	For equipment	19,725.00
6.	For structures and improvements	71,100.00
8.	For debt and interest	24,000.00
10.	For unpaid bills of previous years	704.37
11.	For reserve fund	10,000.00
12.	For group insurance	24,800.00
	For total expenditures	$1,867,933.75

NORFOLK COUNTY.

Item		
1.	For personal services	$683,418.87
2.	For contractual services	36,000.00
3.	For supplies and materials	230,000.00
4.	For current charges and obligations	45,000.00
5.	For equipment	27,675.00
8.	For debt and interest	12,000.00
10.	For unpaid bills of previous years	1,700.00
11.	For reserve fund	10,000.00
12.	For group insurance	12,000.00
	For total expenditures	$1,057,793.87

PLYMOUTH COUNTY.

Item		
1.	For personal services	$537,408.45
2.	For contractual services	40,396.00
3.	For supplies and materials	151,075.00
4.	For current charges and obligations	51,926.00
5.	For equipment	18,225.35
7.	For land and nonstructural	266.00
8.	For debt and interest	10,000.00
11.	For reserve fund	10,000.00
12.	For group insurance	10,091.34
	For total expenditures	$829,388.14

WORCESTER COUNTY.

Item		
1.	For personal services	$693,676.98
2.	For contractual services	50,000.00
3.	For supplies and materials	176,966.00
4.	For current charges and obligations	71,484.50
5.	For equipment	12,471.50
8.	For debt and interest	16,650.00
10.	For unpaid bills of previous years	378.82
11.	For reserve fund	10,000.00
12.	For group insurance	14,900.00
	For total expenditures	$1,046,527.80

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

Approved August 5, 1963.

Chap. 598. AN ACT RELATIVE TO THE BASIS FOR ASSESSMENT FOR THE MOSQUITO CONTROL PROJECT FOR BERKSHIRE COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 456 of the acts of 1945 is hereby amended by striking out section 1, as most recently amended by chapter 303 of the acts of 1959, and inserting in place thereof the following section: — *Section 1.* The area included in the cities and towns comprising the county of Berkshire is hereby constituted a mosquito control project under section five A of chapter two hundred and fifty-two of the General Laws, to the same extent as if so constituted by the state reclamation board acting under said section five A, and the improvements herein authorized shall be undertaken under the identifying name of the Berkshire County Mosquito Control Project. Beginning with the fiscal year commencing on July first, nineteen hundred and sixty-three, to meet the expenses incurred under this act there shall annually be expended from the state treasury, subject to appropriation, sums equal, in the aggregate, to forty cents on each one thousand dollars of the taxable valuations of all such cities and towns, computed as of January first, nineteen hundred and sixty, and the state treasurer shall issue his warrant requiring the assessors of such cities and towns to assess a tax to the amount of the sums so expended in proportion to their said valuations, 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; provided, that any such city or town may in any year anticipate in whole or in part its assessment, and appropriate, raise and deposit the amount thereof with the state treasurer, and any sum so deposited shall be credited against such assessment. There may also be expended for the purposes of this act voluntary contributions for such purposes deposited in the state treasury.

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

Approved August 5, 1963.

Chap. 599. AN ACT AUTHORIZING THE TOWN OF DENNIS TO CONSTRUCT, OPERATE AND MAINTAIN A MUNICIPAL GOLF COURSE IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of Dennis is hereby authorized to construct, equip, operate and maintain a municipal golf course in said town. Said town may install and construct on the land so used such equipment and buildings for shelters, the sale of refreshments and other purposes conducive to its beneficial use as a public golf course as may be necessary, and may charge fees for admission to and use of said course.

SECTION 2. For the purpose of paying the necessary expenses and liabilities incurred for the construction and original equipment 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, three hundred and fifty thousand dollars, and may issue bonds and notes therefor, which shall bear on their face the words Town of Dennis, Golf Course Loan, Act of 1963. 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 3. This act shall take effect upon its passage.

Approved August 5, 1963.

Chap. 600. AN ACT AUTHORIZING THE APPOINTMENT OF JOSEPH JUBINVILLE, A MEMBER OF THE BOARD OF ALDERMEN OF THE CITY OF HOLYOKE, AS A MEMBER OF THE FIRE DEPARTMENT OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of section eight of chapter thirty-nine of the General Laws or any provision of the charter of the city of Holyoke, Joseph Jubinville, of said city, may be appointed to the fire department of said city as a fire fighter; provided, that such appointment is made in accordance with the civil service laws and rules and, that he resigns as a member of the board of aldermen of said city.

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

Approved August 5, 1963.

Chap. 601. AN ACT TO PROVIDE ADDITIONAL SCHOLARSHIPS AT LOWELL TECHNOLOGICAL INSTITUTE OF MASSACHUSETTS.

Be it enacted, etc., as follows:

The third sentence of section 17 of chapter 75A of the General Laws, as appearing in section 3 of chapter 407 of the acts of 1953, is hereby amended by striking out, in line 2, the word "ten" and inserting in place thereof the word: — twenty. *Approved August 5, 1963.*

DPW

Chap. 602. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO CONSTRUCT, AS PART OF INTERSTATE HIGHWAY ROUTE 495, AN ACCESS ROAD IN THE CITY OF HAVERHILL.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to construct, as part of interstate highway route 495, an access road in the Ward Hill area or the River street area or the Broadway area of the city of Haverhill. *Approved August 5, 1963.*

Chap. 603. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BRISTOL COUNTY TO BORROW MONEY TO CONSTRUCT A NEW POULTRY PLANT AT THE BRISTOL COUNTY AGRICULTURAL SCHOOL.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Bristol county are hereby authorized to raise and expend a sum of money not exceeding one hundred thousand dollars for the purpose of constructing and originally

equipping, including therein the cost of plans and specifications and architect's fees, a new poultry plant at the Bristol county agricultural school.

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, one hundred thousand dollars and may issue bonds or notes therefor which shall bear on their face the words, Bristol County Agricultural School Poultry Plant Loan, Act of 1963. 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 August 5, 1963.*

Chap. 604. AN ACT ESTABLISHING A BOARD OF REGISTRATION OF RADIO AND TELEVISION TECHNICIANS, AND REQUIRING RADIO AND TELEVISION TECHNICIANS TO BE LICENSED.

Be it enacted, etc., as follows:

SECTION 1. Chapter 13 of the General Laws is hereby amended by inserting after section 60, as amended by chapter 288 of the acts of 1960, under the caption BOARD OF RADIO AND TELEVISION TECHNICIANS, the following three sections: —

Section 61. There shall be a board of registration of radio and television technicians, in this section and in sections sixty-two and sixty-three called the board, consisting of seven persons, residents of the commonwealth, five of whom shall have been actively engaged in the business of repair, maintenance and servicing of radio and television receivers as a full time occupation in the commonwealth for the five years next preceding their appointments, and, except in cases of members originally appointed to the board, shall be licensed radio and television technicians. The members of said board shall be appointed by the governor, with the advice and consent of the council. Upon the expiration of the term of a member thereof, his successor shall be appointed in like manner for a term of three years.

Section 62. The board shall meet in February in each year at such time or place as it shall determine, and shall organize by electing from its own members a chairman and a secretary, who shall hold their respective offices for one year. The secretary shall, before entering upon his duties, give to the state treasurer a bond conditioned upon the faithful discharge of his duties in such amount and with such surety as the board may determine. The board shall hold regular meetings in February, May, August and November and such additional meetings as it may determine, at such times and places as may be agreed upon by its members.

A quorum shall consist of four members. The board shall appoint an administrator, who shall be a licensed radio and television technician and who shall continue to be so licensed as long as he shall hold the said office. He shall not be a member of the board, shall not be subject to chapter thirty-one, shall perform under the direct supervision of the board such duties as the board shall from time to time designate, and shall receive such salary as may be fixed in accordance with the provisions of chapter thirty.

Section 63. Each member of the board shall receive twenty-five dollars for each day or portion thereof spent in the performance of his official duties; provided, that the total sum paid to any member thereof shall not exceed six hundred dollars in any one year; and, in addition, all necessary traveling and incidental expenses actually incurred by him in connection with said duties. Such compensation and expenses shall not be in excess of the annual receipts for examination and licensing paid to the commonwealth by the board.

SECTION 2. Chapter 112 of the General Laws is hereby amended by inserting after section 87OOO, inserted by section 2 of chapter 625 of the acts of 1958, under the caption REGISTRATION OF RADIO AND TELEVISION TECHNICIANS, the following seven sections: —

Section 87PPP. For the purposes of sections eighty-seven PPP to eighty-seven VVV, inclusive, the following words and phrases, unless the context otherwise requires, shall have the following meanings: —

"Board", the board of registration of radio and television technicians established under section sixty-one of chapter thirteen.

"Radio and television technician", any person who for another person and for a fee or other valuable consideration, or with the intention or in expectation or upon the promise of receiving or collecting a fee or other valuable consideration, engages in the business of maintaining or repairing radio or television receivers.

"Master technician license", license issued to any person at least twenty-one years of age who has had at least one year of experience in the repair and maintenance of radio and television receivers.

"Technician license", license issued to any person at least eighteen years of age, who is employed by a service dealer or acts under the supervision of a licensed master technician in the repair and maintenance of radio and television receivers.

Section 87QQQ. The provisions of sections eighty-seven PPP to eighty-seven VVV, inclusive, shall not apply to the following: — Any person repairing or maintaining his own radio or television receiver; the commonwealth of Massachusetts or any agency, department or political subdivision thereof; the United States government or any agency or department thereof; public utility corporations and their

corporate affiliates; any public or private school offering as part of a vocational education program, courses and training in the installation, maintenance, repair, replacement, testing, inspection and modification of receiving equipment and the instructors thereof, provided, however, that the exclusion contained herein shall be applicable only to the service of receiving equipment rendered in and as a part of a regularly constituted vocational program and only when such service is performed within the confines of said school; or any manufacturer of receiving equipment or the component parts thereof, when the service, testing or inspection thereof is performed as a necessary function of the manufacturer.

Section 87RRR. Except as otherwise provided, no person shall engage in the business of or act as a radio and television technician directly or indirectly, unless he is licensed.

Nothing contained in this section shall be construed so as to authorize a licensed radio and television technician to perform any work or services which may only be performed by persons licensed under chapter one hundred and forty-one.

The board shall make no rules or regulations which will be in conflict with the provisions of chapter one hundred and forty-one or with any rule or regulation adopted thereunder.

Section 87SSS. No license to engage in business as a radio and television technician shall be issued to any applicant unless he has complied with all the pertinent provisions of sections eighty-seven PPP to eighty-seven VVV, inclusive, and has satisfactorily passed an examination prepared by the board to determine his competence. The board shall conduct such examinations at such times and places as it may deem necessary and shall conduct at least two examinations in each calendar year. In determining competence, the board shall require proof that the applicant has the knowledge, practical experience and skill necessary for the proper maintenance and repair of television and radio receivers and shall require a practical demonstration of the applicant's skill. The board shall grant a credit of five per cent to the examination standing of each applicant who is a veteran. Every license issued by the board shall expire one year after it is issued and may be renewed within one year after expiration, without examination, upon payment of renewal fee.

Section 87TTT. Applications for licenses, signed and sworn to by the applicant, shall be made on forms furnished by the board and shall be accompanied by the prescribed fee for examination and for issuance of a license; the fee for the license shall be returned in the event the license is not issued. Each applicant shall furnish evidence of good moral character. No license shall be issued unless evidence of good moral character, as required by this section, is found.

No license shall be issued unless the application has been on file with the board at least ten days. A master technician license shall not be issued to any person under twenty-one years of age, nor technician license to any person under eighteen years of age. Each applicant for a license shall furnish evidence that he is a citizen of the United States or shall present to the board a copy of his declaration of intention to become a citizen of the United States, certified by the clerk of the court in which it was filed, or a certificate from the Immigration and Naturalization Service of the United States, showing that, in accordance with

law, he has declared his intention to become such citizen, and no license shall be issued to an applicant who fails to comply with these provisions. Unless an applicant who is an alien and who is licensed as a radio and television technician presents to the board within five years following the filing of the copy of certificate hereinbefore referred to, his completed naturalization papers showing that he is a citizen of the United States, his license shall be revoked.

Section 87UUU. The following fees shall be payable in advance to the board:

(*a*) For original examination, fifteen dollars.

(*b*) For any subsequent examination, ten dollars.

(*c*) For issuance of original master technician license, fifteen dollars; for renewal thereof, fifteen dollars.

(*d*) For issuance of original technician license, ten dollars; for renewal thereof, five dollars.

Section 87VVV. Whoever, without being licensed as required by section eighty-seven RRR, engages in the business of maintaining or repairing of radio or television receivers, shall be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars, or by imprisonment for not less than thirty days nor more than three months, or both.

SECTION 3. In making the original appointments to the board of registration of radio and television technicians established by section sixty-one of chapter thirteen of the General Laws, inserted by section one of this act, the governor, with the advice and consent of the council shall appoint three members for terms of three years, two for terms of two years and two for terms of one year, respectively, as he may designate.

SECTION 4. Notwithstanding the provisions of section eighty-seven PPP to eighty-seven VVV, inclusive, of chapter one hundred and twelve of the General Laws, inserted by section two of this act, any person who files an application for a license as a technician or a master technician with the board of registration of radio and television technicians at any time prior to June thirtieth, nineteen hundred and sixty-four, on a form furnished by said board, containing a written statement that he is engaged in the business of repairing and maintaining radio and television receivers in the commonwealth on the date of said application and furnishes evidence that he is and is found to be of good moral character, and pays the appropriate license fee as provided in section eighty-seven UUU, shall, without examination or compliance with any other provision of sections eighty-seven PPP to eighty-seven VVV, inclusive, be granted and issued such license by the board. Any such license shall expire one year from the date of issuance.

Approved August 5, 1963.

Chap. 605. AN ACT AUTHORIZING THE DEPARTMENT OF MENTAL HEALTH TO LEASE A BUILDING AT THE CUSHING HOSPITAL FOR THE PURPOSE OF ESTABLISHING A SCHOOL FOR CHILDREN AFFLICTED WITH CEREBRAL PALSY.

Be it enacted, etc., as follows:

The commissioner of mental health may lease any available building at the Cushing hospital, subject to the approval of the commissioner

of administration and subject to the limitations of the agreement made with the federal government at the time the commonwealth acquired said property, to a private person or a private association for the purpose of establishing a school for children afflicted with cerebral palsy. Said lease shall require the person or private association to make any necessary repairs to the building so leased. *Approved August 5, 1963.*

Chap. 606. AN ACT PROVIDING THAT CERTAIN SERVICE IN THE NATIONAL GUARD BY MEMBERS OF THE STATE RETIREMENT SYSTEM BE CONSIDERED AS EMPLOYMENT BY THE COMMONWEALTH FOR PURPOSES OF RETIREMENT UNDER THE VETERANS RETIREMENT LAW, SO CALLED.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, any person who is now a member of the state retirement system and who was employed by the Massachusetts National Guard as a caretaker or air technician prior to July first, nineteen hundred and thirty-nine, shall be considered to have been employed by the commonwealth prior to said date, and shall be subject to the provisions of sections fifty-six to fifty-nine, inclusive, of chapter thirty-two of the General Laws, and may, if otherwise eligible, be retired under said sections.

Approved August 5, 1963.

Chap. 607. AN ACT PROVIDING LIFE TENURE FOR JOHN SASUR, INCUMBENT OF THE OFFICE OF SUPERINTENDENT OF THE WATER DEPARTMENT OF THE THREE RIVERS FIRE DISTRICT OF THE TOWN OF PALMER.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of John Sasur, incumbent of the office of superintendent of the water department of the Three Rivers Fire District of the town of Palmer, 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 in the current year by the voters of the Three Rivers Fire District of the town of Palmer at a district meeting.

SECTION 3. Any action taken by the Three Rivers Fire District of the town of Palmer pursuant to the authority granted by section one of this act, at its annual district meeting held in the current year shall be as valid and effective as though this act had been in full force and effect at the time of the posting of the warrant for said meeting.

Approved August 5, 1963.

Chap. 608. AN ACT AUTHORIZING CITIES AND TOWNS TO APPROPRIATE MONEY FOR THE CONSTRUCTION OF CERTAIN STRUCTURES ALONG THEIR SHORES.

Be it enacted, etc., as follows:

Chapter 91 of the General Laws is hereby amended by inserting after section 29 the following section: —

Section 29A. Any city or town which accepts the provisions of this section may appropriate money for the construction of structures for the protection of private property along shores within its boundaries. Money so appropriated shall be paid to the state treasurer and expended by the department for such purposes within the limits of such city or town; provided, however, that such city or town assumes liability for all damages to property by reason of any taking of land, or of any right, interest or easement therein, within the city or town by the department for such purpose. *Approved August 5, 1963.*

Chap. 609. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO EXTEND THE WALL ALONG LYNN BEACH IN THE CITY OF LYNN.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized and directed to extend the wall along Lynn beach in the city of Lynn. For said purpose said commission may expend such sums as may be appropriated therefor. *Approved August 5, 1963.*

Chap. 610. AN ACT PROVIDING THAT PASSING A PHYSICAL EXAMINATION SUBSEQUENT TO ENTRY INTO MUNICIPAL OR STATE SERVICE WHICH FAILS TO REVEAL EVIDENCE OF HYPERTENSION OR HEART DISEASE SHALL CREATE A CERTAIN PRESUMPTION RELATIVE TO THE CAUSE OF DISABILITY OR DEATH.

Be it enacted, etc., as follows:

Section 94 of chapter 32 of the General Laws, as most recently amended by chapter 580 of the acts of 1956, is hereby further amended by inserting after the word "service", in line 21, the words: — , or subsequently successfully passed a physical examination, — so as to read as follows: —

Section 94. Notwithstanding the provisions of any general or special law to the contrary affecting the non-contributory or contributory system, any condition of impairment of health caused by hypertension or heart disease resulting in total or partial disability or death to a uniformed member of a paid fire department or permanent member of a police department, or of the police force of the metropolitan district commission, or of the state police in the department of public safety, or of the capitol police, or of the public works building police, or to any employee of the registry of motor vehicles in the department of public works who entered the service of the registry as an investigator or examiner and performed police duty, or to any employee in the department of correction whose regular or incidental duties require the care,

supervision or custody of prisoners, criminally insane persons or defective delinquents, or to any permanent crash crewman, crash boatman, fire controlman or assistant fire controlman employed at the General Edward Lawrence Logan International Airport, shall, if he successfully passed a physical examination on entry into such service, or subsequently successfully passed a physical examination, which examination failed to reveal any evidence of such condition, be presumed to have been suffered in line of duty, unless the contrary be shown by competent evidence. *Approved August 5, 1963.*

Chap. 611. AN ACT AUTHORIZING THE DEPARTMENT OF EDUCATION TO CONTRACT WITH THE BOSTON SOCIETY OF NATURAL HISTORY FOR FREE ADMISSION TO THE MUSEUM OF SCIENCE FOR CERTAIN SCHOOL GROUPS.

Be it enacted, etc., as follows:

The department of education, in the name and behalf of the commonwealth, is hereby authorized to contract with the Boston Society of Natural History for the purpose of furnishing free admission to the museum and planetarium of the Museum of Science for all organized school groups and science teachers of all schools located in the commonwealth, other than schools located in the metropolitan parks district. For said purposes, the department may expend such sums as may be appropriated therefor and such sums so expended shall be included in the assessment made under the provisions of section five of chapter one hundred and thirty-two A of the General Laws.

Approved August 5, 1963.

Chap. 612. AN ACT AUTHORIZING THE TOWN OF FRAMINGHAM TO CONVEY A CERTAIN PARCEL OF LAND IN SAID TOWN TO EDGAR F. AND ROSEMARY F. EBELING.

Be it enacted, etc., as follows:

Notwithstanding the provisions of chapter six hundred and thirty of the acts of nineteen hundred and sixty to the contrary, the town of Framingham may convey to Edgar F. Ebeling and Rosemary F. Ebeling, in exchange for certain land of said Edgar F. Ebeling and Rosemary F. Ebeling a certain parcel of land located in said town off the southeasterly side of Flagg Drive as shown on the plan hereinafter mentioned, bounded and described as follows: — Beginning at a point at the most southerly corner of the premises which said point is the easterly corner of premises of Edgar F. Ebeling and Rosemary F. Ebeling; thence running, N. 19° 19′ 58″ E. forty-three and 54/100 (43.54) feet along land of the Town of Framingham shown on plan hereinafter mentioned as land of Comm. of Mass. to a point; thence turning and running, N. 70° 40′ 02″ W. one hundred forty and 53/100 (140.53) feet along said last mentioned land to land of said Ebelings; thence turning and running, S. 03° 33′ 10″ E. forty-seven and 26/100 (47.26) feet along said last mentioned land to a point at other land of said Ebelings; thence turning and running, S. 70° 40′ 02″ E. one hundred twenty-two and

17/100 (122.17) feet along said last mentioned land to the point of beginning.

The above described parcel contains 5,719 square feet, more or less, and is shown as a parcel "to be deeded to Ebeling" on a plan entitled "Plan of Land in Framingham, Mass., Scale 1" = 40', March 20, 1962, Plan by MacCarthy Engineering Service, Inc., Natick, Mass."

Approved August 5, 1963.

Chap. 613. AN ACT ENLARGING THE SCOPE OF THE LAW AGAINST UNLAWFUL DISCRIMINATION.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 151B of the General Laws is hereby amended by striking out subsection 9, as appearing in section 1 of chapter 426 of the acts of 1957, and inserting in place thereof the following subsection: — 9. The term "housing or housing accommodations" includes any building, structure or portion thereof which is used or occupied or is intended, arranged or designed to be used or occupied, as the home, residence or sleeping place of one or more human beings.

SECTION 2. Section 5 of said chapter 151B is hereby amended by striking out the second paragraph, as most recently amended by chapter 570 of the acts of 1961, and inserting in place thereof the following paragraph: —

After the filing of any complaint, the chairman of the commission shall designate one of the commissioners to make, with the assistance of the commission's staff, prompt investigation in connection therewith; and if such commissioner shall determine after such investigation that probable cause exists for crediting the allegations of the complaint, he shall immediately endeavor to eliminate the unlawful practice complained of or the violation of said clause (*e*) of said section twenty-six FF or said sections ninety-two A and ninety-eight by conference, conciliation and persuasion. The members of the commission and its staff shall not disclose what has occurred in the course of such endeavors, provided that the commission may publish the facts in the case of any complaint which has been dismissed, and the terms of conciliation when the complaint has been so disposed of. In case of failure so to eliminate such practice or violation, or in advance thereof if in his judgment circumstances so warrant, he may cause to be issued and served in the name of the commission, a written notice, together with a copy of such complaint, as the same may have been amended, requiring the person, employer, labor organization or employment agency named in such complaint, hereinafter referred to as respondent, to answer the charges of such complaint at a hearing before the commission, at a time and place to be specified in such notice. The place of any such hearing shall be the office of the commission or such other place as may be designated by it. After a determination of probable cause hereunder such commissioner may also file a petition in equity in the superior court in any county in which the unlawful practice which is the subject of the complaint occurs, or in a county in which a respondent resides or transacts business, or in Suffolk county, seeking appropriate injunctive relief against such respondent, including orders or decrees restraining and enjoining him from selling, renting or otherwise making unavailable to the complainant any

housing accommodations or public accommodations with respect to which the complaint is made, pending the final determination of proceedings under this chapter; provided, however, that no such injunctive relief, order or decree shall be granted except after hearing, notice of which shall be given to the respondent at least three days prior thereto by the commissioner by registered mail directed to the respondents' last and usual place of abode, together with a copy of such petition. An affidavit of such notice shall forthwith be filed in the clerk's office. The court shall have power to grant such temporary relief or restraining orders as it deems just and proper. The case in support of the complaint shall be presented before the commission by one of its attorneys or agents, and the commissioner who shall have previously made the investigation and caused the notice to be issued shall not participate in the hearing except as a witness, nor shall he participate in the deliberations of the commission in such case; and the aforesaid endeavors at conciliation shall not be received in evidence. The respondent may file a written verified answer to the complaint and appear at such hearing in person or otherwise, with or without counsel, and submit testimony. In the discretion of the commission, the complainant may be allowed to intervene and present testimony in person or by counsel. The commission or the complainant shall have the power reasonably and fairly to amend any complaint, and the respondent shall have like power to amend his answer. The commission shall not be bound by the strict rules of evidence prevailing in courts of law or equity. The testimony taken at the hearing shall be under oath and be transcribed at the request of any party. If, upon all the evidence at the hearing the commission shall find that a respondent has engaged in any unlawful practice as defined in section four or violation of said clause (*e*) of said section twenty-six FF or said sections ninety-two A and ninety-eight, the commission shall state its findings of fact and shall issue and cause to be served on such respondent an order requiring such respondent to cease and desist from such unlawful practice or violation of said clause (*e*) of said section twenty-six FF or said sections ninety-two A and ninety-eight and to take such affirmative action, including, but not limited to, hiring, reinstatement or upgrading of employees, with or without back pay, or restoration to membership in any respondent labor organization, as, in the judgment of the commission, will effectuate the purposes of this chapter or of said clause (*e*) of said section twenty-six FF or said sections ninety-two A and ninety-eight, and including a requirement for report of the manner of compliance. Such cease and desist orders and orders for affirmative relief may be issued to operate prospectively. If, upon all the evidence, the commission shall find that a respondent has not engaged in any such unlawful practice or violation of said clause (*e*) of said section twenty-six FF or said sections ninety-two A and ninety-eight, the commission shall state its findings of fact and shall issue and cause to be served on the complainant an order dismissing the said complaint as to such respondent. A copy of its order shall be delivered in all cases to the attorney general and such other public officers as the commission deems proper. The commission shall establish rules of practice to govern, expedite and effectuate the foregoing procedure and its own actions thereunder. Any complaint filed pursuant to this section must be so filed within six months after the alleged act of discrimination. The institution of proceedings under this section, or an

order thereunder, shall not be a bar to proceedings under said sections ninety-two A and ninety-eight, nor shall the institution of proceedings under said sections ninety-two A and ninety-eight, or a judgment thereunder, be a bar to proceedings under this section.

SECTION 3. Section 7 of said chapter 151B, as appearing in section 4 of chapter 368 of the acts of 1946, is hereby amended by inserting after the word "agency", in lines 1 and 7, in each instance, the words: —, real estate agency, rental office, — so as to read as follows: — *Section 7.* Every employer, employment agency, real estate agency, rental office and labor union subject to this act, shall post in a conspicuous place or places on his premises a notice to be prepared or approved by the commission, which shall set forth excerpts of this chapter and such other relevant information which the commission deems necessary to explain the act. Any employer, employment agency, real estate agency, rental office or labor union refusing to comply with the provisions of this section shall be punished by a fine of not less than ten dollars nor more than one hundred dollars.

SECTION 4. The last sentence of section 9 of said chapter 151B, as appearing in section 9 of chapter 697 of the acts of 1950, is hereby amended by inserting after the word "action", in line 2, the words: — in any court or agency of state government of the commonwealth, — so as to read as follows: — If such individual institutes any action in any court or agency of state government of the commonwealth based on such grievance without resorting to the procedure provided in this chapter, he may not subsequently resort to the procedure herein.

SECTION 5. Section 98 of chapter 272 of the General Laws, as most recently amended by section 3 of chapter 479 of the acts of 1950, is hereby further amended by inserting after the word "color", in lines 2 and 4, in each instance, the words: —, national origin.

Approved August 5, 1963.

Chap. 614. AN ACT PROVIDING THAT THE PHYSICIAN DESIGNATED BY THE COMMISSIONER OF PUBLIC HEALTH TO SERVE ON MEDICAL BOARDS TO DETERMINE THE CAUSE OF DEATH OF CERTAIN PUBLIC EMPLOYEES SHALL SERVE AS CHAIRMAN THEREOF.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 89 of chapter 32 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 666 of the acts of 1956, and inserting in place thereof the following sentence: — If a member of the police or fire force, or a forest warden, of a city or town is killed, or dies from injuries received, or dies as a natural and proximate result of undergoing a hazard peculiar to his employment, while in the performance of his duty, and it shall be proved to the satisfaction of the appropriate public authority as hereinafter defined that such death was the natural and proximate result of an accident occurring, or of undergoing a hazard peculiar to his employment, while he was acting in the performance and within the scope of his duty, and a majority of the members of a board consisting of two physicians designated by the public authority hereinafter defined, and one physician to be designated

by the commissioner of public health, who shall serve as chairman of the board, shall certify to the appropriate public authority that the death was the natural and proximate result of the said injury or hazard, there shall, except as hereinafter provided, be paid out of the treasury of such body politic and corporate, to the following dependents of such deceased person the following annuities: To the widow, so long as she remains unmarried, an annuity of fifteen hundred dollars a year, increased by not exceeding three hundred and twelve dollars for each child of such deceased person during such time as such child is under the age of eighteen or over said age and physically or mentally incapacitated from earning; and, if there is any such child and no widow or the widow later dies, such an annuity as would have been payable to the widow had there been one or had she lived, to or for the benefit of such child, or of such children in equal shares, during the time aforesaid; and, if there is any such child and the widow remarries, in lieu of the aforesaid annuity to her, an annuity not exceeding five hundred and twenty dollars to or for the benefit of each such child during the time aforesaid; and, if there is no widow and no such child, an annuity not exceeding one thousand dollars to or for the benefit of the father or mother of the deceased, or to or for the benefit of an unmarried or widowed sister of the deceased with whom he was living at the time of his death, if such father, mother or sister was dependent upon him for support at the time of his death, during such time as such beneficiary is unable to support himself or herself and does not marry.

SECTION 2. The first paragraph of section 89A of said chapter 32 is hereby amended by striking out the first sentence, as most recently amended by section 2 of said chapter 666, and inserting in place thereof the following sentence: — If an employee of the commonwealth, or of any political subdivision thereof is killed, or dies from injuries received, or dies as a natural and proximate result of undergoing a hazard peculiar to his employment, while in the performance of his duty, and it shall be proved to the satisfaction of the appropriate public authority as hereinafter defined that such death was the natural and proximate result of an accident occurring, or of undergoing a hazard peculiar to his employment, while he was acting in the performance and within the scope of his duty, and a majority of the members of a board consisting of two physicians designated by the public authority hereinafter defined, and one physician to be designated by the commissioner of public health, who shall serve as chairman of the board, shall certify to the appropriate public authority that the death was the natural and proximate result of the said injury or hazard, there shall, except as hereinafter provided, be paid out of the treasury of such body politic and corporate, to the following dependents of such deceased person the following annuities: — To the widow, so long as she remains unmarried, an annuity of fifteen hundred dollars a year, increased by not exceeding three hundred and twelve dollars for each child of such deceased person during such time as such child is under the age of eighteen or over said age and physically or mentally incapacitated from earning; and, if there is any such child and no widow or the widow later dies, such an annuity as would have been payable to the widow had there been one or had she lived, to or for the benefit of such child, or of such children in equal shares, during the time aforesaid; and, if there is any such child and the widow remarries, in lieu of the aforesaid annuity to her, an annuity

not exceeding five hundred and twenty dollars to or for the benefit of each such child during the time aforesaid; and, if there is no widow and no such child, an annuity not exceeding one thousand dollars to or for the benefit of the father or mother of the deceased, or to or for the benefit of an unmarried or widowed sister of the deceased with whom he was living at the time of his death, if such father, mother or sister was dependent upon him for support at the time of his death, during such time as such beneficiary is unable to support himself or herself and does not marry.

SECTION 3. The first paragraph of section 89B of said chapter 32, as appearing in chapter 733 of the acts of 1956, is hereby amended by striking out, in lines 13 to 15, the words "shall certify to the treasurer of the body politic and corporate by which the compensation of such deceased person was payable" and inserting in place thereof the words: —, who shall serve as chairman of the board, shall certify to the appropriate public authority. *Approved August 5, 1963.*

Chap. 615. AN ACT FURTHER DEFINING THE AUTHORITY OF THE DEPARTMENT OF PUBLIC UTILITIES RELATIVE TO CERTAIN CONTRACTS OF GAS AND ELECTRIC COMPANIES AND OTHER RELATED MATTERS.

Be it enacted, etc., as follows:

SECTION 1. Section 94 of chapter 164 of the General Laws is hereby amended by striking out the third paragraph, as amended by chapter 471 of the acts of 1948, and inserting in place thereof the following paragraph: —

Unless the department otherwise orders, all contracts for the sale of gas or electricity by gas or electric companies, except contracts for sale by a company whose sole business in this commonwealth is the supply of electricity in bulk, shall be filed with the department and shall not become effective until thirty days after filing. The department may investigate the propriety of any such contract, both before and after such contract has become effective, and may, after notice and a public hearing, make such order relative to the rates, prices, charges and practices covered by such contract as the public interest requires. Any order made under the provisions of this section or of section ninety-three, may be enforced as provided in section seventy-nine. This section shall not apply to contracts for the sale of electricity to an electric company made in accordance with the provisions of section ninety-four A except as therein provided.

SECTION 2. Chapter 92 of the General Laws is hereby amended by striking out section 67, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 67.* The commission may enter into an agreement with any electric light, power or gas company within the metropolitan parks district for a period not exceeding ten years, for the lighting of any part of the boulevards or reservations under the control of the commission, upon such terms as said commission deems most advantageous to the commonwealth. Upon the expiration of any such agreement, if no new contract is entered into between the commission and the electric light, power or gas company, the commission may continue to make payments in accordance with the

terms of such expired contract or a schedule of rates filed under the provisions of section ninety-four of chapter one hundred and sixty-four or as ordered by the department of public utilities under the provisions of section ninety-three of said chapter one hundred and sixty-four, until a new contract has been made between the commission and the electric light, power or gas company.

SECTION 3. Said chapter 92 is hereby further amended by striking out section 68, as so appearing, and inserting in place thereof the following section: — *Section 68.* The commission and any electric light, power or gas company which supplies service to the commission, whether by contract or in accordance with rates established under the provisions of sections ninety-three and ninety-four of chapter one hundred and sixty-four, shall upon complaint of the commission or upon application of the company to the department of public utilities, have the right to have any question of the quality or price of gas or electricity sold and delivered or of the service rendered determined by said department, and the provisions of sections ninety-three and ninety-four of chapter one hundred and sixty-four shall, as far as applicable, apply to the determination of such questions.

SECTION 4. Chapter 164 of the General Laws is hereby amended by striking out section 93, as so appearing, and inserting in place thereof the following section: — *Section 93.* On written complaint of the attorney general, of the mayor of a city or the selectmen of a town where a gas or electric company is operated, or of twenty customers thereof, either as to the quality or price of the gas or electricity sold and delivered, the department shall notify said company by leaving at its office a copy of such complaint, and shall thereupon, after notice, give a public hearing to such complainant and said company, and after such hearing may order any reduction or change in the price or prices of gas or electricity or an improvement in the quality thereof, and a report of such proceedings and the result thereof shall be included in the report required by section seventy-seven. Such an order may likewise be made by the department, after notice and hearing as aforesaid, upon its own motion. The price or prices fixed by any such order shall not thereafter be changed by said company except as provided in section ninety-four.

SECTION 5. Said chapter 164 is hereby further amended by striking out section 125A, as so appearing, and inserting in place thereof the following section: — *Section 125A.* A gas or electric company which has been furnishing gas or electricity to the commonwealth or any political subdivision thereof, under a contract that has expired may, until a new contract for supplying gas or electricity to the commonwealth or such political subdivision has lawfully been made, continue to furnish the same to the commonwealth or such political subdivision, notwithstanding any provision of general or special law, city or town charter, or of any ordinance or by-law regulating the making of such contracts. The price, which the commonwealth or such political subdivision shall be liable in contract to pay for gas or electricity so furnished, shall be in accordance with the terms of such expired contract or a schedule of rates filed under section ninety-four or as ordered by the department under the provisions of section ninety-three. *Approved August 5, 1963.*

Chap. 616. AN ACT RELATIVE TO THE INSPECTION OF ELEVATORS IN CERTAIN CITIES AND TOWNS, THE LICENSING OF ELEVATOR OPERATORS AND THE FEES FOR SUCH LICENSES.

Be it enacted, etc., as follows:

SECTION 1. Section 62 of chapter 143 of the General Laws, as most recently amended by chapter 519 of the acts of 1957, is hereby further amended by striking out the sixth sentence.

SECTION 2. Said chapter 143 is hereby further amended by inserting after section 62 the following section: —

Section 62A. In cities and towns not having a building department or an inspector of buildings, the owner or person in control of a building in which an elevator is operated, shall pay the following fees for inspection and for safety tests and inspection by an inspector assigned by the commissioner: —

(1) For the inspection of a new installation, repair, or replacement of power passenger and freight elevators, hydraulic and electric passenger and freight elevators, hand elevators, dumb-waiters, building elevators, automobile parking devices, special industrial power operated service elevators and temporary workmen's elevators, the fee shall be two dollars for each thousand dollars, or part thereof of the cost of such installation, repair or replacement.

(2) For each safety test and inspection of elevators and devices as described in paragraph (1), except dumb-waiters, the fee shall be ten dollars; the fee for each safety test and inspection of a dumb-waiter shall be three dollars.

(3) For the inspection of a new installation of a private residence elevator or an inclined lift, the fee shall be ten dollars.

SECTION 3. Said chapter 143 is hereby further amended by striking out section 64, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 64.* All elevators shall be thoroughly inspected and a practical test made of the safety devices required therefor at intervals of not more than one year, and at such other times as may be deemed necessary by the inspector. The inspection and practical test shall be made by a licensed elevator construction man, maintenance or repairman in the presence of an inspector having jurisdiction. The owner or person in control of a building in which the elevator is located shall arrange for such inspection and practical test within six months from the time of notice from the inspector having jurisdiction thereof. Except in the city of Boston, the inspector having jurisdiction shall, within ten days after the inspection and practical test, report the results thereof to the commissioner of public safety upon forms to be furnished by him.

SECTION 4. Said chapter 143 is hereby further amended by inserting after section 71F the following section: —

Section 71G. No person shall work as an elevator operator unless he has received a license therefor from the commissioner of public safety. Licenses shall be issued for one year and shall be valid throughout the commonwealth. The fee for said license shall be one dollar, and for each renewal thereof, fifty cents. *Approved August 5, 1963.*

DPW

Chap. 617. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO CONSTRUCT A REVETMENT ON THE WESTERLY BANK OF THE CONNECTICUT RIVER IN THE TOWN OF EASTHAMPTON.

Be it enacted, etc., as follows:

SECTION 1. The department of public works is hereby authorized and directed to construct a revetment on the westerly bank of the Connecticut river in the town of Easthampton in the following described area: —

Beginning at a point at the top of the existing west bank of the Connecticut River, said point being 40 feet northerly of the Hampshire-Hampden County Line, as measured along the top of the existing west bank of the river; thence running northerly along the top of the existing west river bank for a distance of 125 feet to a point; thence running easterly on a line perpendicular to the existing west river bank for a distance of approximately 60 feet to a contour line on the existing west river bank at an elevation 70 feet above mean sea level; then southerly along said contour line to a point 40 feet northerly of the Hampshire-Hampden County Line; thence westerly parallel to the said county line approximately 88 feet to the point of beginning. Said area is located just northerly of the existing riprapped section of the west river bank traversed by the Hampshire-Hampden County Line.

SECTION 2. For the purpose of this act the town of Easthampton shall enter into an agreement with the department of public works, in accordance with the provisions of section twenty-nine of chapter ninety-one of the General Laws, the terms of which shall provide that said town shall assume liability for damages in connection with such construction work and shall pay one half the cost of said project, and that the remainder of the cost shall be borne by the commonwealth.

Approved August 5, 1963.

Chap. 618. AN ACT PROVIDING LIFE TENURE FOR ALLEN P. CLARK, INCUMBENT OF THE OFFICE OF ROAD SUPERINTENDENT OF THE TOWN OF TOLLAND.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Allen P. Clark, incumbent of the office of road superintendent of the town of Tolland shall, upon the effective date of this act, be unlimited, but he may be removed therefrom for cause after a 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 Tolland at its next annual town meeting or at any special election held prior thereto for the purpose of filling a vacancy in any office in 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-three entitled, 'An Act providing life tenure for Allen P. Clark, incumbent of the office of road superintendent of the town of Tolland', 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 August 5, 1963.*

Chap. 619. AN ACT AUTHORIZING, UNDER CERTAIN CONDITIONS, THE TRANSFER TO POSITIONS IN THE SERVICE OF THE COMMONWEALTH OF EMPLOYEES OF CERTAIN COUNTY OR MUNICIPAL INSTITUTIONS PROVIDING CARE AND TREATMENT FOR TUBERCULOUS PATIENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith, under certain conditions, the transfer to positions in the service of the commonwealth of employees of certain county or municipal institutions providing care and treatment for tuberculous patients, 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 608 of the acts of 1961 is hereby amended by inserting after section 13, the following section: —

Section 13A. If a county or municipal institution has been providing in-patient care and treatment for tuberculous patients or if a county or municipal institution licensed for the care of chronic disease patients has also been providing care and treatment for tuberculous patients, and if such care and treatment has been discontinued under the provisions of this act and the institution has not been conveyed to the commonwealth, and if the officers and employees serving therein cannot be placed in employment in the respective county or municipal system, then said officers or employees who have been serving in positions that are not classified under the provisions of chapter thirty-one of the General Laws, may be assigned by the director of personnel and standardization, with the approval of the appointing authority, to vacant permanent positions not so classified, with like or substantially the same duties, in any department, board or commission of the commonwealth. If said director is unable to assign such an employee to a vacant permanent position, the name of such employee shall be placed on a re-employment list which shall be maintained by said director and any such employee shall be assigned as herein provided to any permanent position not classified under the provisions of said chapter thirty-one which becomes vacant.

If an employee of such an institution is classified under the provisions of chapter thirty-one of the General Laws, such employee may be transferred to the service of the commonwealth in accordance with the civil service laws and rules.

The provisions of this section shall not apply to any person employed at such an institution whose employment commenced after March first, nineteen hundred and sixty-one. *Approved August 6, 1963.*

Chap. 620. AN ACT INCREASING THE AMOUNT OF BONDS OR NOTES WHICH MAY BE ISSUED BY THE METROPOLITAN TRANSIT AUTHORITY FOR THE PURPOSE OF ACQUIRING RAPID TRANSIT CARS.

Be it enacted, etc., as follows:

SECTION 1. The fourth paragraph of section 22 of chapter 544 of the acts of 1947, as amended by section 1 of chapter 369 of the acts of 1961,

is hereby further amended by striking out, in line 7, the word "nine" and inserting in place thereof the word: — twelve, — so as to read as follows: — For the purpose of obtaining funds to acquire rapid transit cars or of restoring to its treasury funds expended for such acquisition, the authority, from time to time, subject to the approval of the department of public utilities, may issue bonds or notes to the district under and in accordance with the provisions of the first two paragraphs of this section and to a total principal amount of not exceeding twelve million dollars. The trustees of the district, at the request of the trustees of the authority, shall purchase such bonds or notes of the authority and procure the funds necessary for such purchases all under and in accordance with the provisions of the first two paragraphs of this section. The bonds or notes authorized by this paragraph are not to be included in the limitation on the amount of bonds or notes which may be issued under the first paragraph of this section.

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

Approved August 7, 1963.

Chap. 621. AN ACT AUTHORIZING THE CITY OF NEWTON TO APPROPRIATE MONEY FOR, AND TO PAY, CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Newton is hereby authorized to appropriate money for the payment of, and after such appropriation the treasurer of said city is hereby authorized to pay, the following unpaid bills: — Edward J. Durling, Belmont, fifty dollars; Beverly Hospital, Beverly, eight hundred and fifty-six dollars and seventy-five cents; Saint Coletta School, Hanover, three hundred and twenty dollars; Sears Manor Nursing Home, Newton, seven hundred and forty-six dollars and sixty-five cents, and Cushing Hospital, Framingham, two hundred and thirty-six dollars and thirty-five cents, for services and materials rendered to said city in the year nineteen hundred and sixty-two, which bills are legally unenforceable against said city by reason of their being incurred in excess of available appropriations.

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

Approved August 8, 1963.

Chap. 622. AN ACT EXTENDING THE HISTORIC BEACON HILL DISTRICT AND TO CLARIFY THE POWERS AND DUTIES OF THE BEACON HILL ARCHITECTURAL COMMISSION IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter 616 of the acts of 1955 is hereby amended by inserting after section 1A, inserted by section 1 of chapter 315 of the acts of 1958, the following two sections: —

Section 1B. The Historic Beacon Hill District, created by section one and enlarged and extended by section one A, is hereby further enlarged and extended to include an area contiguous thereto bounded as follows: — southerly by Myrtle street, including, however, the estates numbered twenty-six to eighty-eight, inclusive, and ninety-eight to one hundred and thirty-six, inclusive, on Myrtle street; westerly by Myrtle street;

southerly by Revere street; westerly by the alley located to the rear of the estates numbered one hundred and thirty to one hundred and forty Charles street; northerly by the northerly boundary line of the estate numbered one hundred and forty Charles street, and by said boundary line extended diagonally in an easterly direction across Charles street to Putnam avenue; northerly by Putnam avenue; westerly by West Cedar street; northerly by Phillips street; easterly by the rear property lines of the estates numbered seventy-nine to sixty-one West Cedar street; northerly and westerly by the northerly property lines of the estates located at the northerly ends of Bellingham place, Sentry Hill place and Goodwin place, and the northerly sideline of the estate numbered thirty-seven Grove street, easterly by Grove street; northerly by Revere street; easterly by Irving street; but including the estates located on Rollins place.

Section 1C. The Historic Beacon Hill District, created by section one and enlarged and extended by sections one A and one B, is hereby further enlarged and extended to include an area contiguous thereto bounded as follows: — northerly by a line parallel to and forty feet distant southerly from the southerly sideline of Cambridge street; easterly by Bowdoin street; southerly by Derne and Myrtle streets; westerly by Irving street; generally southerly by the northerly, easterly and westerly boundaries of the area defined in section one B; southerly by Revere street; westerly and northerly by Embankment road; and northerly by Charles street circle; and including the estates located at 131 and 141 Cambridge street and 2–16 Lynde street.

Nothing contained in this act shall apply to the construction, repair, alteration, demolition or reconstruction of any building by Suffolk University on Hancock, Derne or Temple streets.

SECTION 2. Nothing in this act shall be construed to prevent or affect the construction, reconstruction, alteration or demolition of any structure within the areas defined by section one of this act under a permit issued prior to the effective date of this act by the building commissioner of the city of Boston whether or not an exterior architectural feature is involved.

SECTION 3. Said chapter 616 of the acts of 1955 is hereby further amended by inserting after section 7 the following section: —

Section 7A. Signs. — No permit to erect a sign, marquee, awning, or other exterior architectural feature protruding from any structure in the Historic Beacon Hill District shall be issued by the public improvement commission of the city of Boston, or by any other agency now or hereafter authorized to issue such permits, unless the application for such permit shall be accompanied by a certificate of appropriateness issued under section seven.

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

Approved August 8, 1963.

Chap. 623. AN ACT VALIDATING A CERTAIN VOTE OF THE TOWN OF ROCKLAND TO BORROW MONEY FOR A SEWERAGE SYSTEM.

Be it enacted, etc., as follows:

SECTION 1. The proceedings taken by the town of Rockland under article fifty-one of the warrant for the annual town meeting held March

eleventh, nineteen hundred and sixty-three, relative to an appropriation of two million two hundred thousand dollars for constructing a sewerage system, five thousand dollars to be raised by the town and two million one hundred and ninety-five thousand dollars to be borrowed at one time or from time to time, and bonds or notes of the town issued therefor, and to assessments to be made upon the owners of estates situated within the territory embraced by said system, are in all respects validated and confirmed, notwithstanding the failure of the town to comply with the provisions of section 6 of article XI of the town by-laws requiring said proposal to be reported upon by the finance committee of said town.

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

Approved August 8, 1963.

Chap. 624. AN ACT PROVIDING FOR STATE BALLOT BOXES AND COUNTING APPARATUS IN NEW PRECINCTS AND SUB-PRECINCTS IN CITIES AND TOWNS.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to make effective forthwith the provision of law whereby the state pays the cost of ballot boxes for precincts and divisions of precincts and thereby enable the office of the state secretary to determine and adjust his budgetary requirements for the next municipal primaries and election, in the current year, therefore it is hereby declared to be an emergency act necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 54 of the General Laws is hereby amended by striking out section 26, as most recently amended by chapter 240 of the acts of 1943, and inserting in place thereof the following section: — *Section 26.* The state secretary shall, at the expense of the commonwealth, provide every city and town for use at every precinct or division of a precinct therein under the provisions of section seven A with a state ballot box and counting apparatus approved by the board of voting machine examiners as provided in section thirty-two.

SECTION 2. The third sentence of section 95 of said chapter 54, as appearing in section 7 of chapter 374 of the acts of 1963, is hereby amended by striking out, in line 10, the words "as required by section twenty-six" and inserting in place thereof the word: — therefor.

Approved August 8, 1963.

Chap. 625. AN ACT AUTHORIZING THE STATE TREASURER TO INVEST CERTAIN FUNDS OF THE GROUP INSURANCE COMMISSION TRUST FUND IN NOTES AND OTHER SECURITIES AND TO DEPOSIT SAID FUNDS IN CERTAIN BANKING INSTITUTIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to authorize forthwith the treasurer of the commonwealth to invest certain funds of the group insurance commission trust fund in notes and other securities which are authorized for the invest-

ment of savings banks' funds, 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 9A of chapter 32A of the General Laws, inserted by section 2 of chapter 572 of the acts of 1961, is hereby amended by striking out, in line 6, the words "state employees' ", and by striking out the seventh sentence and inserting in place thereof the following two sentences: — Subject in each instance to the approval of the investment committee established under the provisions of this section, the state treasurer shall invest and reinvest such funds to the extent not required for current disbursements as authorized by section nine in bonds, notes or other securities which are legal for the investment of funds of savings banks under the laws of the commonwealth. The treasurer may deposit any portion of the monies to be invested, in savings banks, co-operative banks or in savings deposits in trust companies, lawfully doing business in the commonwealth for one year or more, subject, however, to the limitations set forth in section twenty-one of chapter one hundred and sixty-eight in relation to savings banks, section sixteen of chapter one hundred and seventy in relation to co-operative banks and section fifty-one of chapter one hundred and seventy-two in relation to trust companies, and may invest such funds in shares of federal savings and loan associations lawfully doing business in the commonwealth for one year or more, but the amount so invested in any one federal savings and loan association shall not at any time exceed the sum of ten thousand dollars. *Approved August 8, 1963.*

Chap. 626. AN ACT AUTHORIZING THE DEPARTMENT OF MENTAL HEALTH TO CONSTRUCT, OPERATE AND MAINTAIN A BUILDING IN THE CITY OF SPRINGFIELD TO BE KNOWN AS A COMPREHENSIVE MENTAL HEALTH CENTER.

Be it enacted, etc., as follows:

SECTION 1. The department of mental health is hereby authorized and directed to construct, operate and maintain in the city of Springfield a building, to be known as the Comprehensive Mental Health Center, to provide for the care and treatment of persons who are mentally ill, mentally retarded, or emotionally disturbed.

SECTION 2. Said department 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 and construction of said center or any part of the project. *Approved August 8, 1963.*

Chap. 627. AN ACT FURTHER REGULATING THE PROCEDURE RELATIVE TO RECOUNTS OF VOTES.

Be it enacted, etc., as follows:

SECTION 1. The third paragraph of section 135 of chapter 54 of the General Laws, as appearing in chapter 315 of the acts of 1945, is hereby further amended by striking out the last sentence.

SECTION 2. The fourth paragraph of said section 135 of said chapter 54, as appearing in chapter 417 of the acts of 1943, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The registrars shall, before proceeding to recount the ballots, give not less than three days' written notice to each candidate for the office for which a recount was petitioned under authority of this section, or to such person as shall be designated by the petitioners for a recount of ballots cast upon questions submitted to the voters, of the time and place of making the recount, and each such candidate or person representing petitioners as aforesaid shall be allowed to be present and to witness such recount at each table where a recount of the ballots affecting such candidate is being held, accompanied by counsel, if he so desires. *Approved August 8, 1963.*

Chap. 628. AN ACT AUTHORIZING THE TOWN OF WATERTOWN 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 Watertown a board of public works, hereinafter called the board, consisting of the three members of the board of selectmen. The board shall forthwith, after each annual town election, elect from its members a chairman and a clerk for the ensuing year. The board shall have all of the powers and duties now or from time to time vested in or exercised by any superintendent, commission or commissioner, board or head of the following: the highway department, the water department, the park department, the engineering department, the tree and moth department, the cemetery department, the inspector of buildings, the inspector of poles and wires, the sealer of weights and measures, the plumbing inspector and the gas inspector. 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 law to the contrary notwithstanding.

SECTION 2. There shall also be established in said town a department to be known as the department of maintenance and repair of public buildings, under the supervision of said board, but neither said department nor said board shall be responsible for or have any control over the school buildings of said town.

SECTION 3. The board shall appoint and fix the compensation of a superintendent of public works, whose qualifications, term, power and duties shall be determined and prescribed by said board and who shall be responsible to said board. Said superintendent of public works shall not be subject to the civil service laws and rules.

SECTION 4. The board shall provide for such clerical assistance and other personnel as may be necessary from time to time.

SECTION 5. Any employee of any of the departments or offices set forth in section one of this act shall, immediately upon acceptance of this act in the manner hereinafter provided, be transferred to the said board of public works without loss of pay and without loss of rights under the civil service laws and rules, and shall not undergo any change of rating, seniority, retirement or pension rights, or any other privileges under any

provision of law whatsoever. Said employees so transferred may be employed under the direction of the superintendent of public works in any capacity identical with or reasonably similar to his capacity at the time of his transfer.

SECTION 6. All heads of departments and offices so transferred to said board who are subject to the civil service laws and rules shall remain in a similar capacity in the corresponding division under the board of public works, subject however, to such changes as are necessary, without loss of any civil service rights, until their office is vacated by retirement or any other cause, which office shall thereupon cease to exist.

SECTION 7. This act shall be submitted to the voters of said town at the annual town meeting to be held in the year nineteen hundred and sixty-four 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-three, entitled 'An Act authorizing the town of Watertown 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 in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved August 8, 1963.

Chap. 629. AN ACT AUTHORIZING THE DEPARTMENT OF NATURAL RESOURCES TO CONVEY CERTAIN LAND IN THE TOWN OF WEST SPRINGFIELD TO SAID TOWN.

Be it enacted, etc., as follows:

The commissioner of natural resources, in the name and on behalf of the commonwealth, is hereby authorized, subject to the approval of the governor and council, to convey for a nominal consideration to the town of West Springfield, by a deed approved as to form by the attorney general, all the right, title and interest of the commonwealth in and to two parcels of land in said town, bounded and described as follows: —

Parcel 1. Beginning at a point at the Agawam River, said point being the southwesterly corner of land formerly owned by Arthur Sibley, running thence north 84° 56′ 41″ east to the Boston & Albany R. R. right of way about forty (40) feet. Thence southerly, easterly and northerly by said right of way about thirty hundred seventy (3070) feet to a point. Thence southwesterly about two hundred (200) feet to the Agawam River. Thence southwesterly, southerly, westerly and northwesterly crossing the N. Y. N. H. & H. R. R. right of way about seventy-one hundred twenty (7120) feet to a point at the place of beginning. Containing seventy-one and sixty hundredths (71.60) acres more or less and comprising that part of the same premises situated south of the Boston & Albany R. R. that were conveyed to John C. Robinson by deed from Margaret E. Ganley dated February 13, 1922, recorded in Book 1274, Page 119, in the Hampden County Registry of Deeds.

Being the same premises described in Tract No. 4 in deed of John C. Robinson to The Commonwealth of Massachusetts, dated December 17, 1934, recorded with the Hampden County Registry of Deeds in Book 1556, Page 466.

Parcel 2. A parcel of land containing 6 Acres, more or less, bounded northwesterly by land of the Commonwealth of Massachusetts, formerly of John C. Robinson, and land of the Boston and Albany Railroad; southeasterly by land of The Commonwealth of Massachusetts, formerly John C. Robinson; southwesterly by the center line of Agawam River. Said land is indicated as Parcel 1 on plan No. V. 59.10–15 entitled "Right of Way and Track Map, Hartford and Connecticut Western R. R. Co., operated by Central New England Railway Co., Scale 1" = 100 Ft., Dated — June 30, 1916." The northwesterly line of said land is situated 65 feet from and parallel with a monumented center line which, according to said plan, has a direction of N 33° 16′ 07″ E; southeasterly line is situated 55 feet from and parallel with said monumented center line.

Being a portion of the same premises described in deed of the Trustees of the property of the Hartford and Connecticut Western Railroad, et al to The Commonwealth of Massachusetts, dated August 2, 1939, recorded with the Hampden County Registry of Deeds in Book 1678, Page 463.

Said land shall be conveyed subject to the express restriction and condition that said land shall be held and used by said town for park, recreation or conservation purposes. *Approved August 8, 1963.*

Chap. 630. AN ACT ESTABLISHING FEES FOR FILING CERTAIN DOCUMENTS WITH THE DEPARTMENT OF PUBLIC UTILITIES.

Be it enacted, etc., as follows:

Chapter 25 of the General Laws is hereby amended by inserting after section 10A the following section: —

Section 10B. In addition to any and all other fees and charges authorized by other provisions of law, the department shall charge and collect the following fees:

1. For filing a tariff, schedule or amendment thereto, or a contract filed under section seven of chapter one hundred and fifty-nine B, and for filing an application for a permit for special service, under section eleven A of chapter one hundred and fifty-nine A, ten cents for each page with a minimum of three dollars.

2. For filing each annual report or any contract required by law to be filed with the department, and for filing an appeal to the commission from a ruling or decision of the director of the commercial motor vehicle division, under section twelve F of this chapter, five dollars.

3. For filing each application for a certificate of public convenience and necessity, for permission to construct a railway across public highways, for the abandonment of a route or any part thereof, for discontinuance of a railroad passenger or freight station, for changes in protection of crossings over public ways, for permission to loan funds under section seventeen A of chapter one hundred and sixty-four, for authority for change of location under section thirty of chapter one hundred and sixty-four, for approval of consolidation or merger, for assignment or transfer of certificates or permits or for the approval of the acquisition of securities of a carrier, for the issuance of a license for charter service, for exemption from a zoning ordinance, for authority to construct transmission facilities and to take lands therefor under section seventy-two or seventy-five C of chapter one hundred and sixty-four or section twenty-eight of chapter one hundred and sixty-six, for authority to

enter private lands under section seventy-two A or seventy-five D of chapter one hundred and sixty-four, for approval of the par value of stock of a public utility company, or for a change in the par value thereof or for a reduction in capital stock thereof, or any other application for approval of the commission, ten dollars.

4. For filing each application by any public utility for approval of the issue of stocks, bonds, notes or other evidences of indebtedness according to the amount thereof, as follows:

$100	–	$1,000	$5
1,000	–	2,500	10
2,500	–	5,000	20
5,000	–	10,000	30
10,000	–	40,000	40
40,000	–	50,000	50
50,000	–	75,000	75
75,000	–	150,000	100
150,000	–	300,000	200
300,000	–	400,000	300
400,000	–	500,000	400
500,000	–	1,000,000	500
For each additional		$10,000	1

The department shall designate one of its employees to receive all fees collected under this section who shall give bond to the state treasurer in the sum of ten thousand dollars. *Approved August 8, 1963.*

Chap. 631. AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF CERTAIN COUNTIES, THEIR DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, FOR INTEREST AND DEBT REQUIREMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A COUNTY TAX FOR SAID COUNTIES.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of certain counties, their departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt requirements, and to meet certain requirements of law, the following sums for the several purposes and subject to the conditions specified in section two are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof for the year nineteen hundred and sixty-three:

BARNSTABLE COUNTY.

Item		
1.	For interest on county debt	$26,934 50
2.	For reduction of county debt	110,830 48
3.	For county commissioners, salaries and expenses	19,070 49
4.	For transportation and expenses of county and acting commissioners	900 00
5.	For clerk of courts, salaries and expenses	25,593 46
6.	For county treasurer, salaries and expenses	28,589 98
7.	For sheriff, salary and expenses	11,355 50
8.	For registry of deeds, salaries and expenses	140,618 09

Item		
8a.	For registry of probate, salaries and expenses	$4,820 00
9.	For law library, salaries and expenses	5,050 00
10.	For highways, including state highways, bridges and land damages	204,450 00
12.	For criminal costs in superior court	39,439 57
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	28,650 00
14.	For district courts, salaries and expenses	145,918 76
15.	For medical examiners and commitments of insane	4,830 00
16.	For jail and house of correction, maintenance and operation	219,974 75
17.	For training school	2,496 00
18.	For court houses and registry buildings, maintenance and operation	42,996 50
18a.	For sewage system, maintenance and operation	17,699 00
20.	For agricultural school or county aid to agriculture, maintenance and operation	46,745 54
22.	For hospital or sanatorium	672,772 10
23.	For health service	73,235 37
24.	For non-contributory pensions	18,492 54
25.	For contributory retirement system and supervisory expenses	36,551 96
26.	For miscellaneous and contingent expenses	17,588 97
27.	For unpaid bills of previous years	2,374 13
28.	For reserve fund	35,000 00
29.	For advertising recreational advantages of the county	75,000 00
30.	For forest fire patrol	5,000 00
31.	For police radio system	49,938 45
32a.	For maintenance, forest fire apparatus	400 00
33.	For police training school and bureau of criminal investigation	37,489 95
38.	For airplane	3,365 00
39.	For group insurance	20,335 24
40.	For advertising and promoting county fairs	500 00
41.	For firefighters' training school	8,900 00
	Total amount of appropriations	$2,183,906 33
	Less estimated amount available for reduction of county tax	851,336 66
	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	$1,332,569 67

BERKSHIRE COUNTY.

Item		
1.	For interest on county debt	$2,129 00
3.	For county commissioners, salaries and expenses	19,210 50
4.	For transportation and expenses of county and acting commissioners	1,000 00

Item		
5.	For clerk of courts, salaries and expenses	$26,484 92
6.	For county treasurer, salaries and expenses	16,228 25
7.	For sheriff, salary and expenses	8,760 00
8.	For registries of deeds, salaries and expenses	108,650 33
8a.	For registry of probate, salaries and expenses	5,900 00
9.	For law library, salaries and expenses	8,853 42
10.	For highways, including state highways, bridges and land damages	254,286 50
11.	For examination of dams	1,587 00
12.	For criminal costs in superior court	51,347 04
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	49,725 00
14.	For district courts, salaries and expenses	214,860 39
15.	For medical examiners and commitments of insane	11,000 00
16.	For jail and house of correction, maintenance and operation	163,389 27
17.	For training school	3,500 00
18.	For court houses and registry buildings, maintenance and operation	39,095 10
20.	For agricultural school or county aid to agriculture, maintenance and operation	45,883 08
21.	For state reservation, maintenance and operation (Mount Greylock)	50,417 00
21a.	For state reservation, maintenance and operation (Mount Everett)	7,280 00
23.	For county tuberculosis clinic	16,394 25
24.	For non-contributory pensions	6,693 30
25.	For contributory retirement system and supervisory expenses	29,003 85
26.	For miscellaneous and contingent expenses	9,525 00
27.	For unpaid bills of previous years	1,305 29
28.	For reserve fund	10,000 00
29.	For advertising recreational advantages of the county	30,000 00
30.	For forest fire patrol	5,200 00
31.	For radio system for fire protection	2,000 00
32.	For forest development	2,200 00
34.	For soil conservation district	425 00
35.	For industrial development commission	70,500 00
36.	For Dutch elm disease	7,500 00
39.	For group insurance	10,800 00
	Total amount of appropriations	$1,291,133 49
	Less estimated amount available for reduction of county tax	299,650 03
	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	$991,483 46

BRISTOL COUNTY.

Item		
1.	For interest on county debt	$26,052 50
2.	For reduction of county debt	75,000 00
3.	For county commissioners, salaries and expenses	14,570 00
4.	For transportation and expenses of county and acting commissioners	1,200 00
5.	For clerk of courts, salaries and expenses	107,111 25
6.	For county treasurer, salaries and expenses	52,643 00
7.	For sheriff, salary and expenses	11,141 00
8.	For registries of deeds, salaries and expenses	258,186 92
8a.	For registry of probate, salaries and expenses	16,070 00
9.	For law libraries, salaries and expenses	30,516 08
10.	For highways, including state highways, bridges and land damages	330,455 45
11.	For examination of dams	1,750 00
12.	For criminal costs in superior court	118,688 69
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	158,831 50
14.	For district courts, salaries and expenses	438,378 41
15.	For medical examiners and commitments of insane	35,760 00
16.	For jail and house of correction, maintenance and operation	270,682 08
17.	For training school	10,000 00
18.	For court houses and registry buildings, maintenance and operation	296,699 34
20.	For agricultural school or county aid to agriculture, maintenance and operation	406,199 41
24.	For non-contributory pensions	45,000 00
25.	For contributory retirement system and supervisory expenses	95,485 83
26.	For miscellaneous and contingent expenses	24,262 31
27.	For unpaid bills of previous years	8,302 90
28.	For reserve fund	30,000 00
33.	For police training school	300 00
39.	For group insurance	23,500 00
	Total amount of appropriations	$2,886,786 67
	Less estimated amount available for reduction of county tax	715,283 99
	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	$2,171,502 68

DUKES COUNTY.

Item		
1.	For interest on county debt	$7,500 00
2.	For reduction of county debt	21,000 00
3.	For county commissioners, salaries and expenses	6,000 33
4.	For transportation and expenses of county and acting commissioners	250 00

Item		
5.	For clerk of courts, salaries and expenses	$5,259 43
6.	For county treasurer, salaries and expenses	4,651 50
7.	For sheriff, salary and expenses	4,135 00
8.	For registry of deeds, salaries and expenses	14,019 83
8a.	For registry of probate, salaries and expenses	1,525 00
9.	For law library, salaries and expenses	800 00
10.	For highways, including state highways, bridges and land damages	34,800 00
12.	For criminal costs in superior court	6,634 36
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	20,201 49
15.	For medical examiners and commitments of insane	800 00
16.	For jail and house of correction, maintenance and operation	8,350 00
18.	For court houses and registry buildings, maintenance and operation	6,472 00
20.	For agricultural school or county aid to agriculture, maintenance and operation	15,963 50
21.	For state reservation, maintenance and operation (Gay Head)	1,000 00
21a.	For state reservation, maintenance and operation (Indian Burial Ground)	650 00
23a.	For mental health program	1,000 00
24.	For non-contributory pensions	4,005 00
25.	For contributory retirement system and supervisory expenses	6,583 75
26.	For miscellaneous and contingent expenses	9,478 15
27.	For unpaid bills of previous years	61 57
28.	For reserve fund	5,000 00
29.	For advertising recreational advantages of the county	19,243 33
34.	For soil conservation district	250 00
38.	For county airport, maintenance and operation	49,315 55
39.	For group insurance	4,000 00
42.	For rodent control	7,150 00
43.	For woodtick control	1,250 00
	Total amount of appropriations	$268,812 79
	Less estimated amount available for reduction of county tax	62,675 74
	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	$206,137 05

ESSEX COUNTY.

Item		
1.	For interest on county debt	$25,727 50
2.	For reduction of county debt	114,900 00

Item		
3.	For county commissioners, salaries and expenses..	$41,820 34
4.	For transportation and expenses of county and acting commissioners.....	1,000 00
5.	For clerk of courts, salaries and expenses.....	138,350 56
6.	For county treasurer, salaries and expenses.....	50,564 72
7.	For sheriff, salary and expenses.....	11,196 00
8.	For registries of deeds, salaries and expenses.....	436,460 75
8a.	For registry of probate, salaries and expenses....	21,955 00
9.	For law libraries, salaries and expenses.....	27,961 67
10.	For highways, including state highways, bridges and land damages.....	490,949 41
12.	For criminal costs in superior court.....	168,819 41
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees.....	298,600 00
14.	For district courts, salaries and expenses.....	671,692 11
15.	For medical examiners and commitments of insane	38,675 00
16.	For jails and houses of correction, maintenance and operation.....	388,142 30
16a.	For industrial farm.....	161,402 86
17.	For training school.....	237,366 86
18.	For court houses and registry buildings, maintenance and operation; provided, however, that any vacancy in a position classified as steam fireman shall not be filled.....	289,875 54
20.	For agricultural school or county aid to agriculture, maintenance and operation.....	658,828 53
24.	For non-contributory pensions.....	79,924 90
25.	For contributory retirement system and supervisory expenses.....	215,570 34
26.	For miscellaneous and contingent expenses.....	55,457 91
27.	For unpaid bills of previous years.....	23,757 28
28.	For reserve fund.....	40,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county.....	15,000 00
30.	For forest fire patrol.....	5,200 00
31.	For radio system for fire protection.....	676 50
32.	For forest development.....	1,800 00
39.	For group insurance.....	68,560 44
	Total amount of appropriations.....	$4,780,235 93
	Less estimated amount available for reduction of county tax.....	1,177,460 95
	And the county commissioners of Essex County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of.....	$3,602,774 98

FRANKLIN COUNTY.

Item		
1.	For interest on county debt.....	$2,250 00
3.	For county commissioners, salaries and expenses..	10,210 00

Item		
4.	For transportation and expenses of county and acting commissioners	$800 00
5.	For clerk of courts, salaries and expenses	22,692 52
6.	For county treasurer, salaries and expenses	14,076 59
7.	For sheriff, salary and expenses	7,170 00
8.	For registry of deeds, salaries and expenses	52,418 12
8a.	For registry of probate, salaries and expenses	3,515 00
9.	For law library, salaries and expenses	7,212 56
10.	For highways, including state highways, bridges and land damages	201,250 00
11.	For examination of dams	600 00
12.	For criminal costs in superior court	21,404 95
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	33,045 00
14.	For district courts, salaries and expenses	59,568 68
15.	For medical examiners and commitments of insane	5,625 00
16.	For jail and house of correction, maintenance and operation	111,575 75
17.	For training school	1,000 00
18.	For court houses and registry buildings, maintenance and operation	28,280 33
20.	For agricultural school or county aid to agriculture, maintenance and operation	46,545 95
21.	For state reservation, maintenance and operation (Mount Sugarloaf)	3,295 42
23a.	For mental health clinic	11,161 00
25.	For contributory retirement system and supervisory expenses	16,767 74
26.	For miscellaneous and contingent expenses	3,853 22
27.	For unpaid bills of previous years	140 52
28.	For reserve fund	15,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county	6,500 00
31.	For radio system for fire protection	1,400 00
35.	For the County Planning Board	5,508 00
39.	For group insurance	5,171 10
	Total amount of appropriations	$698,037 45
	Less estimated amount available for reduction of county tax	136,451 76
	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	$561,585 69

HAMPDEN COUNTY.

Item		
1.	For interest on county debt	$10,000 00
3.	For county commissioners, salaries and expenses	28,286 00
4.	For transportation and expenses of county and acting commissioners	600 00

Item		
5.	For clerk of courts, salaries and expenses	$88,722 67
6.	For county treasurer, salaries and expenses	29,309 55
7.	For sheriff, salary and expenses	11,296 00
8.	For registry of deeds, salaries and expenses	232,228 13
8a.	For registry of probate, salaries and expenses	33,644 00
9.	For law library, salaries and expenses	23,969 55
10.	For highways, including state highways, bridges and land damages	309,625 00
11.	For examination of dams	4,200 00
12.	For criminal costs in superior court	114,343 54
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	198,941 00
14.	For district courts, salaries and expenses	570,990 23
15.	For medical examiners and commitments of insane	41,000 00
16.	For jail and house of correction, maintenance and operation	395,420 77
17.	For training school	128,206 21
18.	For court houses and registry buildings, maintenance and operation	161,947 86
20.	For agricultural school or county aid to agriculture, maintenance and operation	123,987 81
21.	For state reservation, maintenance and operation (Mount Tom)	37,810 31
24.	For non-contributory pensions	29,445 15
25.	For contributory retirement system and supervisory expenses	79,305 70
26.	For miscellaneous and contingent expenses	13,766 86
27.	For unpaid bills of previous years	1,338 90
28.	For reserve fund	25,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county	3,500 00
31.	For radio system fire protection	500 00
34.	For soil conservation district	200 00
39.	For group insurance	25,777 52
	Total amount of appropriations	$2,723,362 76
	Less estimated amount available for reduction of county tax	647,982 72
	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	$2,075,380 04

HAMPSHIRE COUNTY.

Item		
1.	For interest on county debt	$3,500 00
3.	For county commissioners, salaries and expenses	18,061 00
4.	For transportation and expenses of county and acting commissioners	800 00
5.	For clerk of courts, salaries and expenses	26,504 00

Item		
6.	For county treasurer, salaries and expenses	$22,875 72
7.	For sheriff, salary and expenses	8,832 50
8.	For registry of deeds, salaries and expenses	50,722 91
8a.	For registry of probate, salaries and expenses	4,267 50
9.	For law library, salaries and expenses	7,811 00
10.	For highways, including state highways, bridges and land damages	194,840 00
11.	For examination of dams	2,600 00
12.	For criminal costs in superior court	33,317 96
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	43,868 00
14.	For district courts, salaries and expenses	110,796 57
15.	For medical examiners and commitments of insane	11,240 00
16.	For jail and house of correction, maintenance and operation	113,779 82
17.	For training school	100 00
18.	For court houses and registry buildings, maintenance and operation	34,443 75
20.	For agricultural school or county aid to agriculture, maintenance and operation	54,156 63
21.	For state reservation, maintenance and operation (Mount Tom)	6,161 51
21a.	For state reservation, maintenance and operation (Deer Hill)	350 00
24.	For non-contributory pensions	10,890 05
25.	For contributory retirement system and supervisory expenses	35,251 32
26.	For miscellaneous and contingent expenses	2,919 14
27.	For unpaid bills of previous years	4,658 01
28.	For reserve fund	10,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county	5,700 00
31.	For radio system for fire protection	1,000 00
32.	For forest development in co-operation with the state	2,000 00
34.	For soil conservation district	1,120 00
39.	For group insurance	8,000 00
	Total amount of appropriations	$830,567 39
	Less estimated amount available for reduction of county tax	185,504 14
	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	$645,063 25

MIDDLESEX COUNTY.

Item		
1.	For interest on county debt	$16,729 07
2.	For reduction of county debt	90,014 80

Item		
3.	For county commissioners, salaries and expenses.	$72,905 17
4.	For transportation and expenses of county and acting commissioners	750 00
5.	For clerk of courts, salaries and expenses	365,588 68
6.	For county treasurer, salaries and expenses	72,674 16
7.	For sheriff, salary and expenses	11,519 00
8.	For registries of deeds, salaries and expenses	962,226 62
8a.	For registry of probate, salaries and expenses	34,805 75
9.	For law libraries, salaries and expenses	46,230 30
10.	For highways, including state highways, bridges and land damages	962,776 96
11.	For examination of dams	2,500 00
12.	For criminal costs in superior court	558,077 73
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	696,137 50
14.	For district courts, salaries and expenses	1,792,362 52
15.	For medical examiners and commitments of insane	85,540 75
16.	For jail and house of correction, maintenance and operation	1,938,923 05
17.	For training school	322,367 06
18.	For court houses and registry buildings, maintenance and operation	554,977 31
20.	For agricultural school or county aid to agriculture, maintenance and operation	119,375 36
21.	For state reservation, maintenance and operation (Walden Pond)	85,769 64
24.	For non-contributory pensions	140,190 84
25.	For contributory retirement system and supervisory expenses, including not more than six positions	275,290 69
26.	For miscellaneous and contingent expenses	59,437 30
27.	For unpaid bills of previous years	26,863 07
28.	For reserve fund	50,000 00
30.	For forest fire patrol	3,200 00
34.	For soil conservation district	500 00
39.	For group insurance	98,500 00
	Total amount of appropriations	$9,446,233 33
	Less estimated amount available for reduction of county tax	2,412,248 27
	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	$7,033,985 06

NORFOLK COUNTY.

Item		
1.	For interest on county debt	$27,370 00
2.	For reduction of county debt	140,000 00
3.	For county commissioners, salaries and expenses	26,028 00

Item		
4.	For transportation and expenses of county and acting commissioners	$645 00
5.	For clerk of courts, salaries and expenses	75,366 71
6.	For county treasurer, salaries and expenses	40,051 40
7.	For sheriff, salary and expenses	10,573 50
8.	For registry of deeds, salaries and expenses	373,230 49
8a.	For registry of probate, salaries and expenses	24,079 55
9.	For law library, salaries and expenses	7,233 50
10.	For highways, including state highways, bridges and land damages	550,298 61
12.	For criminal costs in superior court	167,957 75
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	167,650 00
14.	For district courts, salaries and expenses	637,321 45
15.	For medical examiners and commitments of insane	49,500 00
16.	For jail and house of correction, maintenance and operation	293,274 00
17.	For training school	58,000 00
18.	For court houses and registry buildings, maintenance and operation	234,552 20
20.	For agricultural school or county aid to agriculture, maintenance and operation	449,464 86
24.	For non-contributory pensions	40,000 00
25.	For contributory retirement system and supervisory expenses	97,461 50
26.	For miscellaneous and contingent expenses	10,740 72
27.	For unpaid bills of previous years	11,717 77
28.	For reserve fund	35,000 00
30.	For forest fire patrol	2,500 00
39.	For group insurance	32,000 00
	Total amount of appropriations	$3,562,017 01
	Less estimated amount available for reduction of county tax	1,145,751 72
	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	$2,416,265 29

PLYMOUTH COUNTY.

Item		
1.	For interest on county debt	$12,141 78
2.	For reduction of county debt	170,831 40
3.	For county commissioners, salaries and expenses	28,514 60
4.	For transportation and expenses of county and acting commissioners	1,070 00
5.	For clerk of courts, salaries and expenses	69,075 38
6.	For county treasurer, salaries and expenses	25,266 00
7.	For sheriff, salary and expenses	13,589 04
8.	For registry of deeds, salaries and expenses	221,165 90
8a.	For registry of probate, salaries and expenses	11,173 00

Item		
9.	For law library, salaries and expenses	$8,227 04
10.	For highways, including state highways, bridges and land damages	316,550 00
11.	For examination of dams	1,000 00
12.	For criminal costs in superior court	140,111 25
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	141,592 75
14.	For district courts, salaries and expenses	328,647 37
15.	For medical examiners and commitments of insane	20,450 00
16.	For jail and house of correction, maintenance and operation	360,410 34
17.	For training school	15,010 00
18.	For court houses and registry buildings, maintenance and operation	103,143 02
20.	For agricultural school or county aid to agriculture, maintenance and operation	82,771 67
24.	For non-contributory pensions	15,626 21
25.	For contributory retirement system and supervisory expenses	68,509 60
26.	For miscellaneous and contingent expenses	3,200 00
27.	For unpaid bills of previous years	4,242 23
28.	For reserve fund	30,000 00
30.	For forest fire patrol	7,265 00
31.	For police radio system	200 00
33.	For police training school and bureau of criminal investigation	27,537 17
39.	For group insurance	17,535 00
	Total amount of appropriations	$2,244,855 75
	Less estimated amount available for reduction of county tax	506,854 76
	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	$1,738,000 99

WORCESTER COUNTY.

Item		
1.	For interest on county debt	$45,420 00
2.	For reduction of county debt	180,000 00
3.	For county commissioners, salaries and expenses	38,412 70
4.	For transportation and expenses of county and acting commissioners	1,986 00
5.	For clerk of courts, salaries and expenses	187,141 82
6.	For county treasurer, salaries and expenses	48,739 05
7.	For sheriff, salary and expenses	16,411 00
8.	For registries of deeds, salaries and expenses	327,763 19
8a.	For registry of probate, salaries and expenses	13,375 00
9.	For law libraries, salaries and expenses	37,629 00
10.	For highways, including state highways, bridges and land damages	800,767 84

Item		
11.	For examination of dams	$1,000 00
12.	For criminal costs in superior court	288,362 02
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	271,998 85
14.	For district courts, salaries and expenses	757,926 52
15.	For medical examiners and commitments of insane	71,950 00
16.	For jail and house of correction, maintenance and operation	555,226 02
18.	For court houses and registry buildings, maintenance and operation	281,211 06
18a.	For bindery department	14,310 66
20.	For agricultural school or county aid to agriculture, maintenance and operation	120,811 42
21.	For state reservation, maintenance and operation (Mount Wachusett)	32,454 00
21a.	For state reservation, maintenance and operation (Purgatory Chasm)	16,570 00
24.	For non-contributory pensions	48,772 00
25.	For contributory retirement system and supervisory expenses	130,573 80
26.	For miscellaneous and contingent expenses	23,928 74
27.	For unpaid bills of previous years	2,949 69
28.	For reserve fund	40,000 00
30.	For forest fire patrol	2,500 00
31.	For radio system for fire protection	900 00
36.	For Dutch elm disease	10,000 00
39.	For group insurance	45,500 00
	Total amount of appropriations	$4,414,590 38
	Less estimated amount available for reduction of county tax	761,984 58
	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	$3,652,605 80

SECTION 2. Sums appropriated in section one are based upon detailed schedules approved by the joint committee on counties, copies of which are deposited with the director of accounts.

Said director shall file with the county commissioners and the county treasurer of each county a certification of the amounts above appropriated as set forth in the approved schedules for such county. Except as provided by this act or except as otherwise provided by law, no liability may be incurred and no expenditure shall be made in excess of the amount available in an existing appropriation for a function, a main group, a class or a sub-class.

Transfers within an appropriation from a main group to another main group may be made upon written request of the authorized official of the organization unit with the written approval of said county commissioners, and copies of said request and approval shall be filed with the county treasurer; provided, however, that no transfer shall be made

from the main groups "personal services" or "equipment" to another main group nor shall any transfer be made from any other main group into the main groups "personal services" or "equipment".

Transfers within an appropriation between classes and between subclasses within a main group may be made by the authorized official of the organization unit whenever in his opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated in section one for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated in section one shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general law to the contrary; 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.

Notwithstanding the provisions of the preceding paragraph, not more than two employees of a county may be reimbursed for meals and other expenses incurred in attendance at a meeting or conference called by or for any group or class on a statewide basis.

No moneys appropriated under this act shall be expended by county officers or employees for monthly 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-three, 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 August 12, 1963.

CITY OF BOSTON
TO M.D.C.

Chap. 632. AN ACT AUTHORIZING THE CITY OF BOSTON TO CONVEY A CERTAIN PORTION OF FRANKLIN PARK IN SAID CITY TO THE METROPOLITAN DISTRICT COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. The city of Boston acting by and through its parks and recreation commission is hereby authorized to convey to the metropolitan district commission a certain portion of Franklin park in said city known as Long Crouch woods, consisting of approximately twenty-one acres, bounded by Seaver street, Old Trail road, Playstead road and Walnut avenue. Upon such conveyance, said commission is hereby authorized and directed to construct and thereafter operate and maintain thereon facilities for the exhibition of zoological specimens, in addition to the existing bear dens.

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

Approved August 12, 1963.

Chap. 633. AN ACT AUTHORIZING THE METROPOLITAN TRANSIT AUTHORITY TO EXTEND ITS RAPID TRANSIT FACILITIES IN THE CITIES OF BOSTON, SOMERVILLE, MEDFORD, EVERETT AND MALDEN, AND AUTHORIZING THE REMOVAL OF CERTAIN OF ITS ELEVATED STRUCTURES BETWEEN THE CITY OF BOSTON AND THE CITY OF EVERETT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 649 of the acts of 1949 is hereby amended by inserting after section 3D, inserted by section 1 of chapter 450 of the acts of 1957, the following section: —

Section 3E. The authority may construct and equip an addition to the existing Washington street tunnel in the cities of Boston, Somerville,

Medford, Everett, and Malden, consisting of a rapid transit line partly in a subway or tunnel, partly on the surface, and partly elevated, extending in a northwesterly direction from the Washington street tunnel near Haymarket Square between the North Station building and the North Station Industrial building across the Charles river and the Boston & Maine Railroad yards in the Charlestown area of Boston, thence continuing along the western division of the Boston & Maine Railroad to a point in the vicinity of the municipal boundary between the cities of Malden and Melrose, or continuing along the eastern division and the Saugus branch of the Boston & Maine Railroad and the Grand Junction branch of the Boston & Albany Railroad to West Everett, thence across the Malden river to the western division of the Boston & Maine Railroad southerly of Medford street, thence along said division to a point in the vicinity of the municipal boundary between the cities of Malden and Melrose, including thereon such stations, parking areas, car inspection shops, car storage yards, and other appurtenant facilities as may be determined by the authority to be necessary.

The authority may acquire, either by purchase, or by eminent domain under chapter seventy-nine of the General Laws, such portion of the railroad properties and other properties in the cities where the rapid transit line is to be built as the authority may determine to be necessary for said rapid transit line and its appurtenances. After the acquisition of such railroad properties neither such railroad nor the authority shall be responsible for the maintenance or repair of the bridges over that portion of the properties of such railroads acquired by the authority, but said bridges shall thereafter be maintained and repaired by the state department of public works, except that any of said bridges presently under the jurisdiction of the metropolitan district commission shall thereafter be maintained and repaired by said commission.

After the use by the authority of the addition constructed under this section begins, the authority shall proceed without delay to remove, above its foundations, its elevated structures located between Haymarket Square in Boston and the Everett terminal in Everett, including the structure located on the Charlestown bridge, so-called, presently used by the main line elevated trains, but excluding any structural members incorporated in the draw-bridge structure of said bridge which specially support or serve said main line elevated trains and to put the surface of the public ways disturbed by such removal into as good condition as the adjacent surface of said ways, to restore to good condition sidewalks affected by such removals and to repair any damage done by such removals to any building to which said elevated structures are affixed.

The cost to the authority of removing such elevated structures and of restoring public ways, sidewalks and buildings as aforesaid less the amount received by the authority from the sale of the structures as salvage or otherwise, shall be included in the cost of the work authorized by this section.

The authority is hereby authorized to enter into agreements with the Boston & Maine Railroad and the Boston & Albany Railroad providing for such joint use of their tracks and rights-of-way in the cities of Boston, Somerville, Everett, Medford, and Malden, as is deemed necessary for joint use of the facilities by the railroads and the authority.

The authority may incur a net expenditure for the purposes of this section of a sum not exceeding sixteen million dollars. No construction work shall be done under this section until a preliminary plan therefor, together with estimates of cost indicating that the project can be completed at a net cost to the authority of a sum not exceeding sixteen million dollars shall have been approved by the department of public utilities. Such estimate of net cost shall be made by crediting against the entire cost funds to be obtained by the authority from any federal agency or other public or private agency by way of grant or contribution to the cost. Any plan so approved under this section may be altered at any time, after a public hearing, by a new plan approved in like manner.

SECTION 2. Section 4 of said chapter 649 is hereby amended by adding at the end the following paragraph: —

For the purposes of this act the authority may apply for, receive and accept from any federal agency, or other public or private agency, grants or contributions for or in aid of any project under this act.

SECTION 3. Section 22 of chapter 544 of the acts of 1947 is hereby amended by inserting after the fourth paragraph, inserted by section 1 of chapter 365 of the acts of 1957, the following paragraph: —

For the purpose of obtaining funds to acquire additional rapid transit cars for operation over the rapid transit line authorized to be constructed by section three E of chapter six hundred and forty-nine of the acts of nineteen hundred and forty-nine for the purpose of obtaining funds to make alterations and additions to existing rapid transit cars to be operated over said rapid transit line or of restoring to its treasury funds expended for such purposes, the authority, from time to time, subject to the approval of the department of public utilities, may issue bonds or notes to the district under and in accordance with the provisions of the first two paragraphs of this section and to a total principal amount not exceeding five million dollars. The trustees of the district, at the request of the trustees of the authority, shall purchase such bonds or notes of the authority and procure the funds necessary for such purchases all under and in accordance with the provisions of the first two paragraphs of this section. The bonds or notes authorized by this paragraph are not to be included in the limitation on the amount of bonds or notes which may be issued under the first paragraph of this section.

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

Approved August 12, 1963.

Chap. 634. AN ACT AUTHORIZING THE METROPOLITAN TRANSIT AUTHORITY TO PREPARE PRELIMINARY ENGINEERING PLANS AND ESTIMATES OF COST RELATIVE TO THE EXTENSION OF ITS RAPID TRANSIT FACILITIES IN THE CITY OF REVERE.

Be it enacted, etc., as follows:

SECTION 1. The Metropolitan Transit Authority, hereinafter referred to as the authority, is hereby authorized to make preliminary engineering plans and estimates of cost, including economic feasibility studies, for an extension of its rapid transit facilities in the city of Revere, connecting with the present rapid transit line in the vicinity of Wonderland Station, and extending across Revere street and thence

westerly to a parking area, station and terminal facilities adjacent to Broadway, Route 107, and such other facilities as are determined by the authority to be necessary.

For the purpose of making surveys and borings in connection with said preliminary engineering plans and estimates of cost, the authority may enter upon and use public and private ways and lands. Any person injured in his property by such entry or use of his land by the authority may recover his damages under chapter seventy-nine of the General Laws.

SECTION 2. For the purpose of providing funds for, or of restoring to the treasury of the authority funds expended for the purposes of this act, the authority may from time to time issue, and the Boston metropolitan district, hereinafter referred to as the district, shall purchase bonds of the authority to a total principal amount not exceeding seventy-five thousand dollars under and in accordance with section six of chapter six hundred and forty-nine of the acts of nineteen hundred and forty-nine, as amended. All of the provisions of said section six and of section seven of said chapter six hundred and forty-nine, as amended, shall apply to the issue, refunding and payment of the bonds which the authority and the district are authorized to issue by this act in the same manner and to the same extent as though the issue of such bonds was specifically authorized by said section six. The provisions of section six A of said chapter six hundred and forty-nine shall not apply to the work authorized by this act.

SECTION 3. The trustees of the authority shall file with the clerk of the house of representatives, on or before the fourth Wednesday of January, nineteen hundred and sixty-four, a report with reference to said preliminary engineering plans and estimates of cost and their recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect.

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

Approved August 12, 1963.

Chap. 635. AN ACT AUTHORIZING THE METROPOLITAN TRANSIT AUTHORITY TO PREPARE PRELIMINARY ENGINEERING PLANS AND ESTIMATES OF COST RELATIVE TO THE EXTENSION OF ITS RAPID TRANSIT FACILITIES IN THE CITY OF BOSTON AND THE TOWNS OF DEDHAM AND WESTWOOD.

Be it enacted, etc., as follows:

SECTION 1. The Metropolitan Transit Authority, hereinafter referred to as the authority, is hereby authorized to prepare preliminary engineering plans and estimates of cost, including economic feasibility studies and negotiations with railroads, for extension of its rapid transit facilities in the city of Boston and the towns of Dedham and Westwood, from the Washington street tunnel along the right-of-way of the Boston & Albany Railroad and the New York, New Haven & Hartford Railroad to the Back Bay station of the New York, New Haven & Hartford Railroad in said city and thence along the right-of-way of the Boston & Providence Railroad of the New York, New Haven & Hartford Railroad to a point southerly of state highway route 128, making use of existing railroad facilities in so far as practicable. In connection with said preliminary engineering plans and estimates of cost, the authority

may enter upon and use public and private ways and lands. Any person injured in his property by such entry or use of his land by the authority may recover his damages under chapter seventy-nine of the General Laws.

SECTION 2. For the purpose of providing funds for, or of restoring to the treasury of the authority funds expended for the purposes of this act, the authority may from time to time issue, and the Boston metropolitan district, hereinafter referred to as the district, shall purchase, bonds of the authority to a total principal amount not exceeding two hundred thousand dollars under and in accordance with section six of chapter six hundred and forty-nine of the acts of nineteen hundred and forty-nine, as amended. All of the provisions of said section six and of section seven of said chapter six hundred and forty-nine, as amended, shall apply to the issue, refunding and payment of the bonds which the authority and the district are authorized to issue by this act in the same manner and to the same extent as though the issue of such bonds was specifically authorized by said section six. The provisions of section six A of said chapter six hundred and forty-nine shall not apply to the work authorized by this act.

SECTION 3. The trustees of the authority shall file with the clerk of the house of representatives, on or before the fourth Wednesday of January, nineteen hundred and sixty-four, a report with reference to said preliminary engineering plans and estimates of cost and their recommendations, if any, together with drafts of legislation necessary to carry their recommendations into effect.

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

Approved August 12, 1963.

Chap. 636. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO CONSTRUCT CERTAIN ACCESS ROADS OR HIGHWAYS IN THE CITY OF LAWRENCE.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to construct the following access roads or highways for the greater Lawrence area which are recommended on page forty-two of a plan entitled "A Master Plan of Highways for the Lowell-Lawrence-Haverhill Metropolitan Areas", dated May 1, 1956, by Edwards, Kelcey and Beck, Consulting Engineers: — Marston Street reconstruction between Route 110 interchange and Garden Street, and Prospect Street widening between Garden and Haverhill streets. *Approved August 12, 1963.*

Chap. 637. AN ACT FURTHER 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. Section 1 of chapter 90C of the General Laws, as appearing in section 2 of chapter 789 of the acts of 1962, is hereby amended by striking out the definition of "Citation" and inserting in place thereof the following definition: —

"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 given, mailed or delivered to the offender as provided in this chapter, 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.

SECTION 2. Said chapter 90C is hereby further amended by striking out section 2, as so appearing, and inserting in place thereof the following section: — *Section 2.* Whenever any police officer shall observe the commission of an automobile law violation or violations, such police officer shall record the violation or violations upon a citation or citations, filling out the citation and each copy thereof as soon as possible and as completely as possible. Said police officer shall inform the offender of the violation and shall give the original of the citation to the offender at the scene of the violation whenever possible. In the event that such original cannot be given to the offender at the scene of the violation, it shall forthwith be delivered or mailed to him at his mail address or at his residential address as appears on his license or registration. A police officer not assigned to traffic enforcement duty may be issued an official pre-numbered form supplied to him for that purpose by his police chief, and he shall record the occurrence of automobile law violations on said form.

At or before the completion of his tour of duty, each police officer to whom a citation book has been issued and who observed an automobile law violation shall complete, sign and deliver to his police chief, or to a person authorized by said police chief, all remaining copies of each such citation except the police officer's copy which shall be retained by him. If the offender has been placed under arrest, such arrest shall be noted on the citation and in the last column of the audit sheet.

Within three days thereafter, the police chief or an officer of a rank not lower than sergeant, or in the case of the state police of a rank not lower than corporal and who is in charge of a state police barracks, shall endorse said citation and shall make a written recommendation thereon of the disposition of said citation, which recommendation shall be one of the following, except that such recommendation shall not be required when the offender has been placed under arrest:

1. Sending a written warning to the offender.
2. Reference to the registrar for action.
3. Directing application for a complaint to the appropriate district court or to a justice of the peace authorized to issue complaints under chapter two hundred and eighteen.

4. Voiding the citation. Each voided citation shall be endorsed with a full explanation for this action by the police officer voiding the same, and said endorsement shall be signed by said police officer.

One copy of the citation containing said written recommendation shall be delivered to the registrar forthwith and one copy shall be kept by the police chief for the records of his department or agency.

Approved August 12, 1963.

Chap. 638. AN ACT FURTHER ADJUSTING THE SALARIES OF CERTAIN EMPLOYEES IN THE DIVISION OF EMPLOYMENT SECURITY.

Be it enacted, etc., as follows:

Chapter 609 of the acts of 1962 is hereby amended by striking out, in lines 8 and 9, the words "January first, nineteen hundred and sixty-two" and inserting in place thereof the following: — the dates each first began to perform the duties of an employee usually classified in Job Group XX. The director of personnel and standardization shall determine such starting dates. *Approved August 12, 1963.*

Chap. 639. AN ACT FURTHER DEFINING THE HOLIDAY PROVISIONS FOR EMPLOYEES OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Section 24A of chapter 30 of the General Laws is hereby amended by striking out, in line 12, as appearing in chapter 498 of the acts of 1948, the words "who works five or more days a week" and inserting in place thereof the words: — whose usual work week is five or more days.

Approved August 12, 1963.

Chap. 640. AN ACT INCREASING THE SALARIES OF THE COUNTY COMMISSIONERS.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 34 of the General Laws is hereby amended by striking out the schedule, as most recently amended by section 3 of chapter 743 of the acts of 1951, and inserting in place thereof the following schedule: —

Essex county	$6,050
Worcester	6,050
Middlesex	6,600
Hampden	4,950
Norfolk	4,950
Bristol	4,950
Plymouth	4,400
Barnstable	4,400
Berkshire	4,400
Franklin	3,300
Hampshire	3,300
Dukes County	1,650

SECTION 2. This act shall take effect as of January first, nineteen hundred and sixty-three. *Approved August 12, 1963.*

Chap. 641. AN ACT DIRECTING THE COUNTY COMMISSIONERS OF NORFOLK COUNTY TO CONSTRUCT AN ADDITIONAL BUILDING AT THE NORFOLK COUNTY AGRICULTURAL SCHOOL AND AUTHORIZING THE BORROWING OF MONEY FOR SAID PURPOSE.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of providing adequate educational facilities for use by the Norfolk county agricultural school, the county commissioners of Norfolk county, in co-operation with the board of trustees of the Norfolk county agricultural school, are hereby authorized and directed to construct an additional building at said school to include classrooms, laboratories, an auditorium and a gymnasium, and originally equip and furnish said building.

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, four hundred and ninety thousand dollars and may issue bonds or notes therefor which shall bear on their face the words, Norfolk County Agricultural School Loan, Act of 1963. 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 August 12, 1963.

Chap. 642. AN ACT FURTHER REGULATING THE ADMINISTRATION OF THE STATE COLLEGES OF THE COMMONWEALTH.

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 state colleges of the commonwealth and the Massachusetts College of Art beginning with the fiscal year nineteen hundred and sixty-four, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The third sentence of section 4 of chapter 15 of the General Laws, as most recently amended by section 18 of chapter 403

of the acts of 1960, is hereby further amended by striking out, in line 4, the words ", a division of state colleges".

SECTION 2. Said section 4 of said chapter 15 is hereby further amended by striking out the last sentence, as most recently amended by section 4 of chapter 407 of the acts of 1953, and inserting in place thereof the following sentence: — Nothing in this chapter shall be construed as affecting the powers and duties of the trustees of the University of Massachusetts as set forth in chapter seventy-five or the powers of the trustees of the Lowell Technological Institute of Massachusetts as set forth in chapter seventy-five A or the powers of the trustees of state colleges as set forth in chapter seventy-three.

SECTION 3. Said chapter 15 is hereby further amended by inserting after section 20 the following section: —

Section 20A. There shall be a board of trustees of the state colleges, consisting of the commissioner of education, the members of the board of education, and the president of a state college elected annually by the presidents of the state colleges listed in section one of chapter seventy-three, including the Massachusetts college of art.

SECTION 4. Chapter 70 of the General Laws is hereby amended by striking out section 11, as amended by section 4 of chapter 403 of the acts of 1960, and inserting in place thereof the following section: — *Section 11.* The income of the Todd Fund shall be paid to the board of trustees of the state colleges, and applied by said trustees to specific objects, in connection with the state colleges, not provided by appropriation.

SECTION 5. Chapter 73 of the General Laws is hereby amended by striking out section 1, as most recently amended by chapter 553 of the acts of 1962, and inserting in place thereof the following section: — *Section 1.* The division of state colleges shall continue within the department of education but not under its control and shall be governed solely by the board of trustees established under section twenty A of chapter fifteen, which board shall have general management of the state colleges at Boston, Bridgewater, Fitchburg, Framingham, Lowell, North Adams, Salem, Westfield and Worcester, and the Massachusetts college of art at Boston, wherever said colleges may be hereafter located, and of boarding houses connected therewith, and may direct the expenditure of money appropriated for their maintenance. 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 said colleges be subject to, or superseded in any such authority by, any other state board, bureau, department or commission, except as herein provided.

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 any such college, 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 regula-

tions and shall file copies thereof with the governor, the executive office for administration and finance, and the joint committee on ways and means.

The trustees may, except as to the authority to adopt rules and regulations and as to duties imposed or powers granted under sections one A, one B, one C and one D, delegate their authority or any portion thereof to the director of the division of state colleges or to officers of state colleges whenever in their judgment such delegation may be necessary or desirable.

SECTION 6. Section 1A of said chapter 73, as most recently amended by section 7 of chapter 403 of the acts of 1960, is hereby further amended by striking out, in line 2, the words "board of education" and inserting in place thereof the words: — board of trustees.

SECTION 7. Section 1B of said chapter 73, added by chapter 434 of the acts of 1961, is hereby amended by striking out, in line 1, the words "board of education" and inserting in place thereof the words: — board of trustees.

SECTION 8. Said chapter 73 is hereby further amended by inserting after section 1B the following two sections: —

Section 1C. The trustees shall determine the time and place of their meetings and the manner of giving notice thereof.

Section 1D. The division of state colleges may have a common seal, which may be altered by the trustees.

SECTION 9. Section 3 of said chapter 73, as most recently amended by section 10 of said chapter 403, is hereby further amended by striking out, in line 4 and in line 6, the word "department" and inserting in place thereof, in each instance, the words: — board of trustees.

SECTION 10. Section 4A of said chapter 73, as most recently amended by section 12 of said chapter 403, is hereby further amended by striking out, in line 6, the words "commissioner of education" and inserting in place thereof the words: — director of the division of state colleges, — and by striking out, in line 10, the word "department" and inserting in place thereof the words: — board of trustees.

SECTION 11. Section 4B of said chapter 73, as most recently amended by section 13 of said chapter 403, is hereby further amended by striking out, in line 1, the words "board of education" and inserting in place thereof the words: — board of trustees.

SECTION 12. Said chapter 73 is hereby further amended by striking out sections 5 and 6 and inserting in place thereof the following two sections: — *Section 5.* The trustees may annually expend, in semi-annual payments, not more than four thousand dollars in aiding students in state colleges. *Section 6.* Upon payment of tuition fees the trustees may receive students not residents of the commonwealth in state colleges.

SECTION 12A. Section five A of said chapter seventy-three, inserted by chapter four hundred and twenty-nine of the acts of nineteen hundred and sixty-three, is hereby repealed.

SECTION 13. Section 7 of said chapter 73, as appearing in section 16 of said chapter 403, is hereby amended by striking out, in line 2, in line 7 and in line 10, respectively, the word "department" and inserting in place thereof, in each instance, the word: — trustees.

SECTION 14. Section 8 of said chapter 73, as most recently amended

by section 17 of said chapter 403, is hereby further amended by striking out, in line 2, the word "department" and inserting in place thereof the word: — trustees.

SECTION 15. Said chapter 73 is hereby further amended by adding at the end the following nine sections: —

Section 10. All accounts of the state colleges under the direction of the trustees including the accounts of all property or funds received, held or disbursed under any provision of section fourteen, shall be audited annually by the state auditor. The words "state college", as used in this section and in sections eleven to eighteen, inclusive, shall include the Massachusetts College of Art.

Section 11. The trustees shall prepare and submit a detailed budget in such form and manner as the governor and general court may direct.

Section 12. 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 each state college; and such appropriations shall be made available to each state college 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 division designated by the trustees.

Section 13. 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 state colleges.

Section 14. 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 a state college, 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 state colleges 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 state colleges. 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 state colleges. 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 state colleges.

Section 15. Notwithstanding any other provision of law to the contrary, the trustees or officers of a state college 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 college 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 such college; provided, that the college shall have the right to review all bids received on college requisitions and to make binding recommendation on the award of the contract based on the judgment of the college as to which of the bids best meet the college's specifications on which the bids were received.

Section 16. As used in this section the following words shall have the following meanings, unless the context otherwise requires:

"Professional staff", all officers of the division of state colleges, 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.

"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 director of the division of state colleges, who shall be the administrative and executive secretary of the board of trustees, and the president and such other officers and members of the professional staff of each state college as they may determine necessary and shall fix their classification, title and salary within the general salary schedule and shall define their duties without limitation of any other provision of law.

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 officer of the college 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 colleges, 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.

The president of each state college or an officer of the college designated by him shall file annually with the governor, the budget commissioner and the joint committee on ways and means a list of all positions at such college, 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 colleges.

The non-professional personnel of the colleges 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 trustees 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 colleges 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.

Section 17. The trustees shall have complete authority in determining the travel policy of a state college. They shall determine which of the personnel of such college may travel within and without the commonwealth at state expense and where such personnel may travel.

Section 18. The trustees shall make rules and regulations for the control, movement and parking of vehicles on the campus or other land of a state college 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 such college who in the enforcement of said rules and regulations and throughout the property of such college 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 division of state colleges who shall deposit the same in the scholarship trust fund of such college for scholarship purposes.

SECTION 16. The classification, title and salary of each member of the professional staff of a state college or the Massachusetts College of Art in existence immediately 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 in the salary schedule to which the individual shall by reason of length of service be entitled within the grade held by him on July first, nineteen hundred and sixty-three.

SECTION 17. 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 18. This act shall take effect as of July first, nineteen hundred and sixty-three. *Approved August 12, 1963.*

Chap. 643. AN ACT PROVIDING THAT THE CITY COUNCIL OF THE CITY OF SPRINGFIELD SHALL BE COMPOSED OF EIGHT MEMBERS ELECTED BY WARDS AND FIVE MEMBERS ELECTED AT LARGE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section fifty of chapter forty-three of the General Laws, the city council of the city of Springfield shall be composed of eight members, who shall be elected from each ward by and from the qualified voters of that ward, and five members, who shall be elected by and from the qualified voters of said city.

At the first regular municipal election held after the acceptance of this act and at each biennial election thereafter, all the councillors whether elected at large or by wards shall be elected to serve for two years from the first day of January following their election and until their successors are qualified.

SECTION 2. This act shall be submitted to the voters of the city of Springfield at the regular municipal election to be held in the current year in the form of the following question which shall be placed upon the official ballot to be used at said election: — "Shall an act passed by the General Court in the year nineteen hundred and sixty-three, entitled 'An Act providing that the city council of the city of Springfield shall be composed of eight members elected by wards and five members elected at large', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise. *Approved August 12, 1963.*

Chap. 644. AN ACT RELATIVE TO THE DURATION OF CERTAIN PROVISIONAL APPOINTMENTS AND TEMPORARY TRANSFERS IN THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the approval of certain provisional appointments and temporary transfers under the civil service laws, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 743 of the acts of 1962 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Notwithstanding the provisions of the fourth paragraph of section fifteen of chapter thirty-one of the General Laws,

a provisional appointment whether by appointment or promotion, to fill a temporary position other than a position in the service of the commonwealth may be authorized by the director of civil service for not more than six months unless sufficient reason is forwarded to him by the appointing authority to justify an extension of such provisional appointment, whereupon such authorization may be extended for not more than eighteen months or pending the establishment of an eligible list, whichever first occurs, provided, the director of civil service shall forthwith make arrangements to conduct an examination and to establish an eligible list for such a position prior to the expiration of eighteen months from the date of such second authorization, and authorization to fill a temporary position in the service of the commonwealth on a provisional basis, whether by appointment or promotion, may be granted by the director of civil service for the period for which approval has been granted by the director of personnel and standardization, and no extension of such authorization shall be granted by the director of civil service unless sufficient reason is forwarded to him by the appointing authority to justify such extension, and in no event shall the total provisional employment in such position be for a period in excess of two years or after the establishment of an eligible list, whichever first occurs, provided, the director of civil service shall forthwith make arrangements to conduct an examination and to establish an eligible list for such a position prior to the expiration of two years from the date of the original authorization for the provisional employment.

SECTION 2. Section 6 of said chapter 743 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — 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, an extension of a temporary transfer to a position other than one in the service of the commonwealth may be authorized by the director of civil service if sufficient reason is forwarded to him by the appointing authority to justify such extension, provided that such extension shall be granted only until the establishment of an eligible list or until the expiration of eighteen months, whichever first occurs, and a temporary transfer to a position in the service of the commonwealth may be initially authorized by the director of civil service for the period for which approval has been given by the director of personnel and standardization and no extension shall be authorized by the director of civil service unless sufficient reason is forwarded to him by the appointing authority to justify such extension, provided that such extension shall be granted only until the establishment of an eligible list or until the expiration of twenty-four months from the date of the original authorization for temporary transfer, whichever first occurs. *Approved August 13, 1963.*

Chap. 645. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO RESTORE AND PROTECT THE BEACH AT NORTH SCITUATE IN THE TOWN OF SCITUATE.

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 restore and

protect the beach of North Scituate in the town of Scituate, and in connection therewith may enter into such agreements with the federal government, said town, and the county of Plymouth as may be necessary for the completion of such work. Any such agreements shall provide that the federal government shall pay fifty per cent, the town of Scituate and the county of Plymouth twenty-five per cent, and the commonwealth twenty-five per cent of the cost of restoring and protecting said beach. Said town shall provide the land for such work, and may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase, or otherwise, such lands, water rights, rights-of-way or other easements, public or private, as may be required for the work to be done under this act.

SECTION 2. No such work shall be commenced until the town of Scituate has assumed liability in the manner provided by section twenty-nine of chapter ninety-one of the General Laws for all damages that may be incurred hereunder, nor until there has been paid into the state treasury the sum of sixty-five thousand dollars which shall represent the share of said town and said county for the work to be done under this act.

SECTION 3. To meet the expenditures necessary to carry out the purposes of this act said department may expend such sums, not exceeding two hundred and sixty thousand dollars, as may be appropriated therefor. The funds, to be paid by the federal government and the town of Scituate and the county of Plymouth, shall be paid into the General Fund of the commonwealth. *Approved August 14, 1963.*

Chap. 646. AN ACT EXCLUDING BANKS FROM CERTAIN PROVISIONS OF THE LAW GOVERNING THE MAKING OF LOANS OF THREE THOUSAND DOLLARS OR LESS.

Be it enacted, etc., as follows:

Section 114A of chapter 140 of the General Laws, as amended by section 3 of chapter 795 of the acts of 1962, is hereby further amended by adding at the end the following two sentences: — This section shall not be construed as preventing a rate of charge for interest, expenses and other considerations on one or more portions of a loan in excess of the permitted maximum rate of charge applicable to said portion or portions, provided, that the composite rate of charge, including any extension, default or deferment charges, on the whole loan produces an amount equal to or less than that which would be produced were said maximum rate of charge applied to said loan. The applicable provisions of section one hundred and thirty-four of chapter one hundred and seventy-five shall apply to loans made hereunder.

Approved August 14, 1963.

Chap. 647. 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 General Fund subject to the provisions of law regulating the disbursement of public funds and the conditions pertaining to appropriations in chapter five hundred of the acts of the current year for the fiscal year ending June thirtieth, nineteen hundred and sixty-four, 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		
0263–06	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 nineteen hundred and sixty-two; provided that, notwithstanding any provisions of law to the contrary, the commission may authorize travel within and without the commonwealth	**$564,000**

Auditor of the Commonwealth.

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 fifty-one thousand two hundred and thirty dollars from the Highway Fund	**$5,000**

Department of the Attorney General.

0801–02	For the office of the attorney general, including not more than forty-two permanent positions	**$59,579**

SECTION 2A. The auditor of the commonwealth is hereby authorized and directed to audit the accounts of the special commission to investigate crime and corruption, established by chapter one hundred and forty-six of the resolves of nineteen hundred and sixty-two, and to make a report thereon to the general court.

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

Approved August 14, 1963.

Chap. 648. 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.

Military Division.

Item

8064–56 For the purchase of certain property in the city of North Adams as authorized by chapter five hundred and eight of the acts of the current year, including the cost of the demolition of a certain building and the paving of the property for a parking area **$20,000**

Executive Office for Administration and Finance.

Bureau of State Buildings.

8263–19 Item 8263–19 of section two of chapter six hundred and forty-nine of the acts of nineteen hundred and sixty-two is hereby amended by adding at the end the words: — and the Daniel Webster statue.

Mount Greylock Reservation Commission.

8064–01 For the reconstruction of the monument and other improvements to the Mount Greylock war memorial **$306,000**

Soldiers' Home in Massachusetts.

8064–57 For the construction of a tunnel from the main building to the Keville House **$50,000**

8064–58 For the installation of an elevator and for certain improvements, Quigley Memorial hospital **120,000**

Massachusetts Aeronautics Commission.

8064–02 For the reimbursement to cities and towns for the state's share of airport construction as provided in sections thirty-nine F and fifty-one K of chapter ninety of the General Laws, to be available for matching federal funds for the fiscal year nineteen hundred and sixty-four and succeeding years, to be in addition to the amount appropriated in item 8262–03 of section two of chapter five hundred and forty-four of the acts of nineteen hundred and sixty-one; provided, that this item shall not be subject to section thirty A of chapter seven of the General Laws . **$250,000**

Department of Natural Resources.

8064–03 For the development and improvement of recreational facilities on land owned or controlled by the department, as authorized by section three of chapter one hundred and thirty-two A of the General Laws; provided, that the comptroller shall include in the assessment made under section five of chapter one hundred and thirty-two A the sum of sixty-seven thousand five hundred dollars yearly for the years nineteen hundred and sixty-four to nineteen hundred and eighty-three, inclusive, and shall credit said amount to the General Fund **$1,000,000**

8064–04 For the purchase of coastal patrol boats for the division of law enforcement, including the cost of equipment **70,000**

8064–05 For the reconstruction, renovation or replacement of fire towers **64,000**

8064–06 For the purchase of forest fire equipment **151,000**

Department of Education.

Item

8064–07 For the purchase of scientific, technological and other educational reference material for the libraries at the state colleges and the Massachusetts college of art, to be allocated by the commissioner of education with the approval of the board of education, and to be in addition to any amounts made available from item 8164–23 of section two of chapter five hundred and twenty-two of the acts of the current year . . . **$200,000**

State College at Framingham.

8064–08 For the preparation of plans for a classroom-library-language laboratory building **$75,000**

State College at North Adams.

8064–09 For the preparation of plans for a women's dormitory, including kitchen and dining facilities **$75,000**

8064–10 For the construction of a boiler plant and utility distribution system, to be in addition to the amount appropriated in item 8063–07 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two **800,000**

State College at Salem.

8064–11 For the construction of a new boiler plant, including the cost of furnishings and equipment **$475,000**

8064–12 For the preparation of plans for a student union building, including a cafeteria **75,000**

8064–13 For the preparation of plans for a men's dormitory . . . **75,000**

8261–27 Item 8261–27 of section two of chapter seven hundred and seventy-four of the acts of nineteen hundred and sixty is hereby amended by inserting after the word "building", in line two, the words: — including the installation of a closed circuit television system with necessary cabling and equipment in other college buildings and the Saltonstall school in the city of Salem, and.

State College at Westfield.

8064–14 Item 8260–17 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 "building", in line one, the words: — including the installation of a closed circuit television system with necessary cabling and equipment in other college buildings, and.

8064–15 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 a student union-library building . **$125,000**

State College at Worcester.

8262–07 Item 8262–07 of section two of chapter five hundred and forty-four of the acts of nineteen hundred and sixty-one is hereby amended by inserting after the word "auditorium", in line one, the words: — including the installation of a closed circuit television system with necessary cabling and equipment in other college buildings, and.

State College at Boston.

8064–16 For the preparation of plans for a physical education building **$80,000**

8064–17 For certain renovations and improvements to the administration building, including the cost of furnishings and equipment **100,000**

Item

8064-18 For the construction of a science classroom building including a cafeteria and the cost of furnishings and equipment and the renovation of the power plant and utility distribution systems, to be in addition to the amount appropriated in item 8261-28 of section two of chapter seven hundred and seventy-four of the acts of nineteen hundred and sixty $127,000

Bradford Durfee College of Technology.

8063-55 Item 8063-55 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two is hereby amended by striking out the wording and inserting in place thereof the following: —

For repairs to the roof of the administration building and for certain improvements to the library, classrooms and laboratories, including the cost of furnishings and equipment.

Lowell Technological Institute of Massachusetts.

8064-19 For the construction of a physical education building, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8063-47 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two . . $2,120,000

8064-20 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 for physical education fields and for improvements thereto; provided, that no payment shall be made for the purchase of said property until an independent appraisal of the value of the property has been made by a qualified, disinterested appraiser; to be in addition to the amount appropriated in item 8262-08 of section two of chapter five hundred and forty-four of the acts of nineteen hundred and sixty-one 65,000

Southeastern Massachusetts Technological Institute.

8064-21 For the construction of certain classroom and administrative facilities for the institute, including a boiler plant, sewerage disposal and other utility facilities, and including the cost of furnishings and equipment; to be expended with any federal funds available for the purpose, and to be in addition to the amount appropriated in item 8261-03 of section two of chapter seven hundred and seventy-four of the acts of nineteen hundred and sixty $6,000,000

University of Massachusetts.

8064-22 For the construction of a new administration building, including a graduate training center in business administration, and including the cost of furnishings and equipment; to be expended in connection with any federal funds available for the purpose, and to be in addition to the amount appropriated in item 8063-15 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two $3,000,000

8064-23 For the construction of an addition to Machmer hall to provide lecture halls and faculty offices, including the cost of furnishings and equipment and including the cost of demolition of certain existing structures; to be expended in connection with any federal funds available for the purpose, and to be in addition to the amount appropriated in item 8063-13 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two 1,040,000

8064-24 For the construction of poultry plant laboratory buildings to provide facilities for poultry instruction courses, including the cost of furnishings and equipment; to be expended in connection with any federal funds available for the purpose, and to be in addition to the amount appropriated in item 8063-17 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two . . 300,000

8064-25 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

Item

the amount appropriated in item 8063–12 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two $750,000

8064–26 For the preparation of plans for agricultural laboratories and farm service buildings for the college of agriculture 65,000

8064–27 For the preparation of plans for a central storage building . 60,000

8064–28 For the preparation of plans for a classroom-laboratory and office building for the college of arts and sciences 100,000

8064–29 For the preparation of plans for research facilities, classrooms and laboratories for the graduate school 250,000

8064–30 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 8063–19 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two 300,000

8064–31 For the preparation of plans for additional facilities to include a theater and auditorium in the classroom and laboratory building previously authorized to be designed for the college of arts and sciences, to be in addition to the amount appropriated in item 8063–16 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two 150,000

Massachusetts Board of Regional Community Colleges.

8064–32 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, and to be in addition to the amount appropriated in item 8063–20 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two . $150,000

8064–33 For establishing a regional community college in north central Worcester county, 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 a location, the initial cost and agreement, if any, with a local community, and including necessary supplies and equipment to begin operation; to be expended with federal or other funds available for the purpose 350,000

8064–34 For a study to select a location or locations for the Massachusetts Bay community college 25,000

8064–35 For the acquisition of certain land, or land with buildings thereon, with the approval of the board, 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 preliminary plans for the Massachusetts Bay community college . . . 300,000

8064–55 For the preparation of preliminary plans for the relocation of the Cape Cod Community College 40,000

Division of Youth Service.

Industrial School for Girls.

8064–36 For the construction of a new security treatment unit, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8063–22 of chapter seven hundred and five of the acts of nineteen hundred and sixty-two $2,450,000

Residential Treatment Unit, Oakdale.

Item

8064–37 For the preparation of plans for a new treatment unit, including administrative offices, heating and other utility services, and employee living quarters **$43,000**

Department of Mental Health.

8064–38 For the construction of a mental health center in the city of Lowell, including the cost of furnishings and equipment, as authorized by chapter four hundred and seventy-seven of the acts of nineteen hundred and sixty-two; to be in addition to the amount appropriated in item 8063–71 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two **$1,680,000**

8064–39 For the construction of a mental health center in the city of Fall River, including the cost of furnishings and equipment . . . **1,750,000**

8064–40 For the preparation of plans for a mental health center in the city of Springfield **75,000**

8064–59 For the preparation of plans for a mental health center on East Newton street, Boston **200,000**

Danvers State Hospital.

8064–41 For the construction of patient dormitories, a training center, gymnasium, cafeteria, auditorium, and an employees' building, as phase II in the development of the school for mentally retarded children, including the cost of furnishings and equipment; to be in addition to the amount appropriated in item 8063–28 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two . **$4,400,000**

Westborough State Hospital.

8064–42 For the construction of a female geriatrics building, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8063–33 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two . . **$2,800,000**

Worcester State Hospital.

8064–60 For the renovation of certain areas to provide facilities, including the cost of furnishings and equipment, for the retarded as provided in chapter five hundred and thirty-four of the acts of the current year **$150,000**

Belchertown State School.

8064–43 For the construction of a boys' dormitory, including the cost of furnishings and equipment and the demolition of certain existing buildings, to be in addition to the amount appropriated in item 8063–35 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two **$1,100,000**

Walter E. Fernald State School.

8261–16 Item 8261–16 of section two of chapter seven hundred and seventy-four of the acts of nineteen hundred and sixty is hereby amended by inserting after the word "equipment", in line two, the words: — demolition of an existing building and necessary alterations to utility services,.

8064–44 For the construction of dormitory cottages and service facilities at the Templeton colony, including the cost of furnishings and equipment, and demolition of certain existing buildings; to be in addition to the amount appropriated in item 8063–36 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two . **$2,900,000**

Department of Correction.

Correctional Institution at Concord.

Item

8064–45 For the construction of stage I of the replacement of the main group, including the cost of furnishings and equipment, and the demolition of certain existing buildings, including the preparation of plans for stage II of the replacement program; to be in addition to the amount appropriated in item 8063–61 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two . . **$2,500,000**

Department of Public Health.

Institute of Laboratories.

8063–39 Item 8063–39 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two is hereby amended by adding at the end thereof the following: — , and for the preparation of plans for a new laboratory building, including a boiler plant said building to be in addition to and not in replacement of the Lawrence Experimental Station.

Tewksbury Hospital.

8064–46 For the construction of an elevated water storage tank and certain other improvements to the water distribution system. . . **$125,000**

Western Massachusetts Hospital.

8064–47 For the construction of an addition to the nurses' home to provide classrooms for the practical nurses' training program, including the cost of furnishings and equipment **$320,000**

Massachusetts Hospital School.

8064–48 For the construction of an addition to the hospital, including certain renovations to the laundry and the kitchen and including the cost of furnishings and equipment and the installation of a generator, to be in addition to the amount appropriated in item 8063–62 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two **$2,200,000**

8463–60 Item 8463–60 of section two of chapter six hundred and forty-nine of the acts of nineteen hundred and sixty-two is hereby amended by adding at the end thereof the following: — , including the replacement of awnings on a certain building.

Department of Public Works.

Division of Waterways.

8064–49 For projects for the improvement of rivers, harbors, tidewaters, foreshores and shores along a public beach, as authorized by section eleven of chapter ninety-one of the General Laws, and for construction, reconstruction or repair of drains, to be used in conjunction with any federal funds made available for the purpose; provided, that all expenditures, except the cost of surveys and the preparation of preliminary plans, for work undertaken hereunder, including the cost of engineering during construction, shall be upon condition that at least fifty per cent of the cost is covered by contributions from municipalities or other organizations or individuals except that, in the case of dredging channels for harbor improvements, at least twenty-five per cent of the cost shall be so covered **$3,000,000**

Item

8064–50 For the construction of shore protection installations as authorized by chapter six hundred and eighteen of the acts of nineteen hundred and fifty-eight and for certain other improvements to prevent shore erosion on Plum Island $50,000

8260–74 Item 8260–74 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine is hereby amended by striking out the wording and inserting in place thereof the following: —

For the commonwealth's share of the cost of the work authorized by chapter six hundred and seven of the acts of nineteen hundred and fifty-seven, to be in addition to funds made available for the said work by the city of Fall River; provided, however, that expenditures from this item shall not exceed the total expenditures made for the work by the city of Fall River; and provided, further, that payments by the commonwealth under this item may be made to the federal government and the city of Fall River, or either of them, pursuant to agreements for carrying out the project authorized by said chapter six hundred and seven which the department of public works may enter into with the federal government and the city of Fall River, or either of them.

Executive Office for Administration and Finance.

Bureau of Building Construction.

8064–51 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 bureau of building construction to the various departments and agencies with the approval of the commissioner of administration $100,000

8064–52 For the preparation of preliminary plans and descriptive specifications, as authorized by section thirty H of chapter seven of the General Laws 400,000

8064–53 To cover unexpected contingencies in the cost of projects authorized by this act, to be allocated by the commissioner of administration 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 commissioner of administration, the comptroller, with the approval of said commissioner, may transfer the unencumbered balance to this item 234,000

SECTION 3. To provide for a special construction and improvement program for properties under the control of the department of public works and the metropolitan district commission, the sums set forth in the following items in this section are hereby appropriated from the Highway Fund and the Metropolitan District Commission Funds, subject to the provisions of law regulating the disbursement of public funds and the approval thereof, appropriations expire June thirtieth, nineteen hundred and sixty-five.

HIGHWAY FUND.

Department of Public Works.

2900–40 For the purchase, construction and repair of shelters for departmental equipment and material including land necessary therefor, the cost of which under this appropriation shall not exceed twenty-five thousand dollars for each project $200,000

METROPOLITAN DISTRICT COMMISSION FUNDS.

Metropolitan Parks, Old Colony Division.

Item		
8602–25	For improvement of the parking area and land adjacent thereto at Tenean Beach in the Dorchester district of the city of Boston	$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, to be in addition to the amount appropriated in item 8602–94 of section two of chapter seven hundred and ninety-one of the acts of nineteen hundred and sixty-two	50,000

SECTION 4. No agency of the commonwealth receiving an appropriation under section two or three of this act shall make any expenditure for consultant services, so called, or services coded in accordance with the expenditure code manual under the subsidiary title "03 Services — Non-employees" unless the rate of compensation for such services shall have been approved by the commissioner of administration. The said commissioner 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 director that funds are available for the purpose and shall then file a statement of intent with the budget director, 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 5. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary for the purpose of meeting payments as authorized by section two of this act, and may issue and renew from time to time notes of the commonwealth therefor, bearing interest payable at such times and at such rates as shall be fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, but the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, nineteen hundred and sixty-eight. Notwithstanding any provisions of this act, such notes shall be general obligations of the commonwealth.

SECTION 6. To meet the expenditure necessary in carrying out the provisions of section two of this act or to refinance notes issued as provided in section five of this act, the state treasurer shall, upon request of the governor and council, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor and council from time to time, but not exceeding in the aggregate, the sum of forty-five million seven hundred and eighty thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated

on their face Capital Outlay Loan, Act of 1963, 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-nine. *Approved August 14, 1963.*

Chap. 649. AN ACT AUTHORIZING THE CITY OF TAUNTON TO BORROW MONEY FOR THE EXTENSION OR ENLARGEMENT OF ITS ELECTRIC PLANT.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of providing funds for extending or enlarging its electric plant the city of Taunton 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 four million five hundred thousand dollars, and may issue bonds or notes of the city therefor which shall bear on their face the words, Taunton Electric Loan, Act of 1963. 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 limits prescribed by clause eight of section eight and by section ten of chapter forty-four of the General Laws, but shall, except as provided herein, be subject to the applicable provisions of said chapter forty-four, exclusive of the limitations contained in the first paragraph of section seven thereof.

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

Approved August 19, 1963.

Chap. 650. AN ACT PROVIDING THAT CERTAIN LABORERS EMPLOYED BY CERTAIN CITIES AND TOWNS MAY, AT THEIR OWN REQUEST, REMAIN IN SERVICE AFTER REACHING AGE SIXTY-FIVE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for the immediate right of certain laborers employed by certain cities and towns to make an election upon attaining age sixty-five to remain in service thereafter, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Paragraph (*a*) of section 77 of chapter 32 of the General Laws is hereby amended by striking out the second sentence, as appearing in chapter 243 of the acts of 1939, and inserting in place thereof the following sen-

tence: — Any laborer in the employ of such city or town who has reached the age of sixty-five and has been in such employ for not less than twenty-five years, including the time when incapacitated by reason of sickness or other disability incurred in or arising out of the performance of his duty, not exceeding two years in the aggregate, as certified by a physician in regular standing, shall, at his request, be retired from service, and shall receive from the city or town an annual pension computed in the manner hereinbefore set forth. *Approved August 19, 1963.*

Chap. 651. AN ACT INCREASING THE AMOUNT OF EARNED INCOME OF EMPLOYED CHILDREN TO BE EXEMPTED IN COMPUTING THE RESOURCES OF A PARENT UNDER THE LAWS RELATING TO OLD AGE ASSISTANCE AND MEDICAL ASSISTANCE TO THE AGED.

Be it enacted, etc., as follows:

SECTION 1. Paragraph 1 of section 2A of chapter 118A of the General Laws, as amended by section 1 of chapter 597 of the acts of 1962, is hereby further amended by striking out, in line 2 and in line 5, the words "twenty-four hundred and fifty" and inserting in place thereof, in each instance, the words: — twenty-seven hundred.

SECTION 2. Paragraph 3 of said section 2A of said chapter 118A, as so amended, is hereby further amended by striking out, in line 2 and in line 5, the words "twenty-seven hundred" and inserting in place thereof, in each instance, the words: — twenty-nine hundred and fifty.

SECTION 3. Paragraph 1 of 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, in line 2 and in line 5, the words "twenty-four hundred and fifty" and inserting in place thereof, in each instance, the words: — twenty-seven hundred.

SECTION 4. Paragraph 2 of said section 30 of said chapter 118A, as so appearing, is hereby amended by striking out, in line 2 and in line 5, the words "twenty-seven hundred" and inserting in place thereof, in each instance, the words: — twenty-nine hundred and fifty.

Approved August 19, 1963.

Chap. 652. AN ACT PROVIDING FOR THE LICENSING OF CORRESPONDENCE SCHOOLS AND CERTAIN REPRESENTATIVES OF SAID SCHOOLS.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by inserting after chapter 75B the following new chapter: —

CHAPTER 75C.

PRIVATE CORRESPONDENCE SCHOOLS.

Section 1. The term correspondence school, as used in this chapter, shall mean any school maintained for the purpose of providing instruction by correspondence in any field of study for a tuition charge or profit,

but shall not include a correspondence school having no place of business in the commonwealth, or such schools maintained or conducted by employers for their own employees with no fee or tuition being charged, or owned and operated by established religious institutions, or operated by the commonwealth or any political subdivision thereof.

Section 2. No correspondence school shall be operated in the commonwealth or from a place of business therein by any person or persons, firm, corporation or any organization unless licensed by the commissioner of education, hereinafter referred to in this chapter as the commissioner, and bonded in compliance with the provisions of section four.

Any person or corporation desiring to operate a correspondence school within the commonwealth or from a place of business therein shall submit to the commissioner information setting forth the methods of instruction to be used, the equipment, the qualifications and experience of the teachers to be employed, the form and contents of the course materials, and the form and contents of the student enrollment agreement or contract. If upon examination the commissioner is satisfied as to the standards as so set forth, and that the provisions of the student enrollment agreement or contract are clearly set forth, and are fair and equitable and approves the same, he shall issue a license authorizing the operation of a correspondence school. The fee for issuance of a license to operate a correspondence school shall be one hundred dollars, and the fee for each renewal thereof shall be fifty dollars.

Section 3. No representative of a correspondence school who solicits enrollments or sells courses therein in the commonwealth shall make representations or give counsel concerning the educational content or quality of or the benefits to be derived from correspondence courses in such school unless licensed by the commissioner and bonded in compliance with the provisions of section four.

A person desiring to be licensed as a representative of a correspondence school shall make application therefor to the commissioner and if he satisfies said commissioner that he is of good moral character, the commissioner shall license him as a representative of such correspondence school. The fee for issuance of a license to a representative of a correspondence school shall be twenty dollars, and the fee for each renewal thereof shall be ten dollars.

Section 4. No license shall issue under section two or three until the prospective licensee shall furnish a bond, with surety acceptable to the commissioner, in the amount of two thousand dollars in the case of a school license and one thousand dollars in the case of a license for a representative of a correspondence school. Each such bond shall be conditioned to provide that the obligor shall satisfy all judgments rendered against him in actions by students to recover damages resulting from fraud or misrepresentation used in procuring enrollment in a correspondence school or from a breach of contract; provided, however, that the aggregate liability of the surety for all breaches of the conditions of the bond shall, in no event, exceed the sum of such bond. Such bond shall not limit or impair any right of recovery otherwise available pursuant to law, nor shall the amount of the bond be relevant in determining the amount of damages or other relief to which any plaintiff may be entitled.

The surety on any such bond may cancel the bond upon giving thirty days notice in writing to the commissioner of education and thereafter

shall be relieved of liability for any breach of condition occurring after the effective date of said cancellation.

Section 5. Each correspondence school shall file a copy of all its advertising with the commissioner. If the commissioner finds that a correspondence school engages in or has engaged in untrue, deceptive, or misleading advertising, he may revoke its license by proceedings in compliance with the provisions of chapter thirty A.

Section 6. Licenses issued under this chapter shall be valid for one year from the date of issue, but may be revoked at any time, subject to the provisions of said chapter thirty A, if the commissioner finds that the licensee is failing to adhere to the standards existing at the time of issuance of the license. The commissioner shall provide for timely renewal of existing licenses so that licensees may continue their activities uninterrupted.

Section 7. The commissioner may, subject to the provisions of chapter thirty A, adopt, amend and repeal such regulations as may be necessary to carry out the provisions of this chapter.

Section 8. No contract of a correspondence school not licensed under section two, and no contract of a correspondence school procured by a representative not licensed under section three, shall be enforceable in the courts of the commonwealth.

Section 9. Whoever maintains a school for the purpose of providing instruction by correspondence in a field of study for a tuition charge or profit or whoever acts as representative of a licensed correspondence school and solicits enrollment in or sells courses in said school, without being licensed so to do, shall be punished by a fine of not more than one thousand dollars.

Section 10. Any pupil of a correspondence school, who is misled by a representation made by an officer or representative of the school, or by any advertisement or circular issued by the school, which representation was untrue, deceptive, or misleading, and which the person responsible for such representation knew, or might on reasonable investigation have known to be untrue, deceptive, or misleading, may recover for damages sustained, or five hundred dollars, whichever is the greater, plus court and reasonable attorney's fees provided, however, that the liability of the surety on the bond shall be limited to indemnifying the claimant only for his actual damages.

The school and the person or persons responsible for such representation shall be jointly and severally liable.

Section 11. Whoever offers correspondence courses for a tuition charge or profit in the commonwealth shall be deemed to have appointed the commissioner his agent for service of process in any action against him arising out of transactions with residents of the commonwealth. Service of process shall be accomplished by personal service at the office of said commissioner and by sending a copy of the summons and complaint by registered mail to the last known address of the defendant.

SECTION 2. Section 21 of chapter 93 of the General Laws, as most recently amended by section 1 of chapter 271 of the acts of 1955, is hereby further amended by striking out, in line 2, the words "of a correspondence school, or".

SECTION 3. Sections twenty-two and twenty-three of said chapter ninety-three of the General Laws are hereby repealed.

SECTION 4. 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 August 19, 1963.*

Chap. 653. AN ACT AUTHORIZING THE COMMONWEALTH TO GRANT EASEMENTS UPON, ACROSS, OVER AND UNDER CERTAIN LAND, FOR THE TRANSMISSION OF INTELLIGENCE, TO AMERICAN TELEPHONE AND TELEGRAPH 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 one thousand eight hundred dollars, may grant to American Telephone and Telegraph Company, a telephone and telegraph company organized and existing under the laws of the state of New York, easements for the construction, operation, maintenance, replacement and removal of underground communication systems for the transmission of intelligence upon, across, over and under certain portions of lands of the commonwealth in the towns of Chester, Worthington, Petersham and Phillipston, 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 August 19, 1963.*

Chap. 654. AN ACT AUTHORIZING THE ORGANIZATION OF PROFESSIONAL CORPORATIONS TO PRACTICE CERTAIN PROFESSIONS.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by inserting after chapter 156 the following chapter: —

CHAPTER 156A.

PROFESSIONAL CORPORATIONS.

Section 1. In this chapter the following words shall, unless the context requires otherwise, have the following meanings: —

(*a*) "Professional corporation", a corporation organized under this chapter for the purpose of rendering professional services.

(*b*) "Professional service", the personal service performed by registered physicians and surgeons, chiropodists, physical therapists, dentists, veterinarians and optometrists, all of whom are registered under chapter one hundred and twelve, and by attorneys-at-law admitted to practice in the courts of the commonwealth under chapter two hundred and twenty-one.

(*c*) "Regulating board", a board which is charged with the licensing and regulating of the practice or profession which the professional corporation is organized to render.

Section 2. One or more individuals each of whom is licensed to perform the same professional service may organize a professional corporation by filing articles of organization with the state secretary. Such article of organization shall meet the requirements of chapter one hundred and fifty-six, and in addition thereto contain the following: —

(*a*) the profession to be practiced through the professional corporation;

(*b*) the names and residence addresses of all of the original shareholders, directors and officers of the professional corporation;

(*c*) a certificate by the appropriate regulating board that each of the incorporators, directors and shareholders is duly licensed to practice such profession.

Section 3. The provisions of chapter one hundred and fifty-six shall be applicable to professional corporations and they shall enjoy the powers and privileges, and be subject to the duties, restrictions and liabilities of other corporations, except where inconsistent with the letter and purpose of this chapter. This chapter shall take precedence in the event of any conflict with provisions of said chapter one hundred and fifty-six.

Section 4. A professional corporation shall render only one specific type of professional service, and such services as may be ancillary thereto, and shall not engage in any other profession; provided, however, such corporation may own real and personal property necessary or appropriate for rendering the type of professional services it was organized to render, and may invest its funds in real estate, mortgages, stocks, bonds, and any other type of investments.

Section 5. The corporate name of every professional corporation shall end with the word "Corporation" or "Incorporated" or the abbreviation "Corp." or "Inc."; provided, that a regulating board may by rule adopt further requirements as to the names of professional corporations organized to render a professional service within the jurisdiction of such regulating board.

Section 6. A professional corporation shall have only one office, which shall be designated by street address in the articles of organization and shall not be changed without amendment of the articles of incorporation.

Section 7. A professional corporation may issue the shares of its capital stock only to persons who are duly registered to render the same professional services as those for which the corporation was organized. A shareholder in a professional corporation may voluntarily transfer his shares only to a person who is duly licensed to render the same professional services as those for which the corporation was organized, nor shall any share be issued by or transferred upon the books of, the professional corporation unless there has been filed with said corporation a certificate by the regulating board stating that the person to whom the shares are to be issued or the transfer is to be made is duly licensed to render the same professional services as those for which the corporation was organized. Any share issued or transferred in violation of this section shall be null and void.

Section 8. No person shall be an officer, director or shareholder of a professional corporation unless he is duly registered to render the same professional service as those for which the corporation was organized.

No person may be simultaneously an officer, director or shareholder of more than one professional corporation.

Section 9. A professional corporation may render professional services only through its officers, employees and agents who are duly registered to render such professional services; provided, however, this provision shall not be interpreted to include in the term "employee", as used herein, clerks, secretaries, bookkeepers, technicians and other assistants who are not usually and ordinarily considered by custom and practice to be rendering professional services to the public.

Section 10. This chapter shall not alter any law applicable to the relationship between a person rendering professional services and a person receiving such services, including liability arising out of such professional services.

Section 11. Nothing in this chapter shall restrict or limit in any manner the authority and duty of a regulating board in registering individuals licensed to perform professional services or the practice of the profession which is within the jurisdiction of such board, notwithstanding the fact that such individual is an officer, director, shareholder or employee of a professional corporation and renders such professional services or engages in the practice of such profession through the professional corporation.

Section 12. No professional corporation may do any act which an individual licensed to practice the profession which the professional corporation is organized to render is prohibited from doing.

Section 13. The articles of incorporation shall provide for the purchase or redemption of the shares of any shareholder upon his death or disqualification, or the same shall be provided for in the by-laws.

Section 14. On or before the first day of the fiscal year of a professional corporation, such corporation shall file with the state secretary a certificate giving the name and residence addresses of all shareholders as of the last day of the month preceding such filing, and certifying that all such shareholders are duly licensed to render the same professional services as those for which the corporation was organized. This certificate shall be made on a form prescribed and furnished by the state secretary, shall be signed by the president or vice president and attested by the secretary or assistant secretary of the professional corporation, and acknowledged and sworn to before a notary public by the persons executing the certificate. A fee of seventy-five dollars shall be paid to the state secretary for the filing of each such certificate, and no other fees shall be charged therefor. A duplicate original copy of such annual certificate shall be filed at the same time with the regulating board which license the shareholders described in the certificates. No filing fee shall be charged by the regulating board for such filing.

Section 15. The regulating board of the professions listed in section one are hereby authorized and directed to issue the certificate described in section two. Such certificate shall be on a form as prescribed and furnished by the state secretary. A regulating board may charge and collect a fee of five dollars for each person so certified as duly licensed by such board. Said fee shall be deposited and expended in the same manner as other fees collected by such board.

Section 16. The provisions of this chapter shall not be construed as prohibiting the organization of a corporation to render professional

services, or as limiting the rendering of professional services or the practice of any profession, under any other provisions of law.

Section 17. The provisions of this chapter shall be applicable to attorneys-at-law only to the extent and under such terms and conditions as the supreme judicial court shall determine to be necessary and appropriate. Articles of organization of professional corporations organized to practice law shall contain such provisions as may be appropriate to comply with applicable rules of said court.

SECTION 2. Section 30 of chapter 63 of the General Laws is hereby amended by striking out paragraph 1, as appearing in the Tercentenary Edition, and inserting in place thereof the following: —

1. "Domestic business corporations", every corporation organized under or subject to chapter one hundred and fifty-six or chapter one hundred and fifty-six A, except corporations organized under the provisions of section ten of chapter one hundred and fifty-seven, and except domestic manufacturing corporations as defined in section thirty-eight C.

SECTION 3. Section 49 of chapter 112 of the General Laws, as amended by chapter 270 of the acts of 1948, is hereby further amended by adding at the end the following sentence: — The provisions of this section shall not apply to a professional corporation organized to practice dentistry under chapter one hundred and fifty-six A.

SECTION 4. Section 46 of chapter 221 of the General Laws, as amended by section 1 of chapter 346 of the acts of 1935, is hereby further amended by adding at the end the following paragraph: — The provisions of this section shall not apply to a professional corporation organized to practice law under chapter one hundred and fifty-six A.

Approved August 19, 1963.

Chap. 655. AN ACT PROVIDING THAT THE BOARD OF BOILER RULES SHALL ADOPT RULES AND REGULATIONS RELATIVE TO THE INSPECTION OF THE OPERATION OF CERTAIN REFRIGERATION AND AIR CONDITIONING SYSTEMS.

Be it enacted, etc., as follows:

Section 45A of chapter 146 of the General Laws, inserted by chapter 561 of the acts of 1963, is hereby amended by striking out the last two sentences and inserting in place thereof the following: — If a refrigeration or air conditioning system is, in the opinion of an inspector of the division, in a dangerous condition, or does not comply with rules and regulations adopted as hereinafter provided, he may issue an order prohibiting the operation of such system, whether or not it is subject to inspection by an insurance company, until a certificate of inspection has been issued by an inspector of the division for such system. The fee for each inspection made by the division under this section shall be ten dollars.

The board shall adopt such rules and regulations in accordance with nationally recognized standards of engineering practice as are necessary to carry out the provisions of this section.

Approved August 19, 1963.

Chap. 656. AN ACT AUTHORIZING CITIES AND TOWNS TO INCREASE CERTAIN ANNUITIES GRANTED TO WIDOWS OR FOR THE BENEFIT OF CERTAIN CHILDREN.

Be it enacted, etc., as follows:

SECTION 1. Section 95 of chapter 32 of the General Laws, added by chapter 387 of the acts of 1953, is hereby amended by adding after the word "years", in line 15, the words: — ; and provided, further, that if any annuity granted hereunder to such spouse or for the benefit of any such child is less than twelve hundred dollars, it may be increased to an amount not exceeding twelve hundred dollars.

SECTION 2. The first paragraph of section 95A of said chapter 32, as appearing in chapter 488 of the acts of 1961, is hereby amended by adding after the word "law", in line 20, the words: — ; and provided, further, that any annuity granted hereunder to such spouse or for the benefit of any such child is less than twelve hundred dollars, it may be increased to an amount not exceeding twelve hundred dollars.

Approved August 19, 1963.

Chap. 657. AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO CONSTRUCT RECREATIONAL FACILITIES AND RECONSTRUCT, ENLARGE AND IMPROVE EXISTING 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 reconstruct, 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, and may expend therefor a sum not to exceed five million dollars; provided, that projects constructed as herein authorized shall not be subject to section thirty A of chapter seven of the General Laws.

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 commissioner of administration. The said commissioner shall, immediately upon the approval of any such rate or rates, file copies of the schedules of approved rates with the house and senate committees on ways and means.

SECTION 3. 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 4. 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 5. To meet the expenditures necessary in carrying out the purposes of this act, the state treasurer shall, upon request of the governor and council, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor and council from time to time, but not exceeding in the aggregate the sum of five million dollars. All bonds issued by the commonwealth as aforesaid shall be designated on their face, Metropolitan District Commission Recreational Loan, Act of 1963, 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. All interest payments and payments on account of principal on such obligations shall be paid from the metropolitan district commission park funds, to be assessed by methods fixed by law.

Approved August 19, 1963.

Chap. 658. AN ACT PROVIDING FOR A BRANCH OFFICE OF THE REGISTRY OF MOTOR VEHICLES IN THE CITY OF MARLBOROUGH.

Be it enacted, etc., as follows:

The registrar of motor vehicles is hereby authorized to establish and maintain in the city of Marlborough a branch office of the registry of motor vehicles. *Approved August 19, 1963.*

Chap. 659. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE LAND FOR A SITE FOR A HIGHWAY ADMINISTRATION BUILDING IN DISTRICT SIX.

Be it enacted, etc., as follows:

Item 2900–46 of section 3 of chapter 544 of the acts of 1961 is hereby amended by inserting after the word "two", in line 2, the words: — and in district six. *Approved August 19, 1963.*

Chap. 660. AN ACT ESTABLISHING THE BASIS OF APPORTIONMENT OF STATE AND COUNTY TAXES.

Be it enacted, etc., as follows:

SECTION 1. The amount of property and the proportion of every thousand dollars of state tax for each city and town in the several counties of the commonwealth, as contained in the following schedule, are hereby established, and shall constitute a basis of apportionment for state and county taxes for the calendar year nineteen hundred and sixty-five, and until another is made and enacted by the general court, to wit: —

SCHEDULE.

PROPERTY VALUE ADJUSTED TO NEAREST $1,000.
(000's omitted.)

BARNSTABLE COUNTY.

CITIES AND TOWNS.	Property.	Tax of $1,000.
Barnstable	$67,620	$6 23
Bourne	22,067	2 03
Brewster	6,167	57
Chatham	16,817	1 55
Dennis	18,748	1 73
Eastham	6,564	61
Falmouth	49,086	4 52
Harwich	20,231	1 87
Mashpee	4,324	40
Orleans	11,764	1 08
Provincetown	11,535	1 06
Sandwich	7,571	70
Truro	5,769	53
Wellfleet	6,387	59
Yarmouth	21,646	2 00
Totals	$276,296	$25 47

BERKSHIRE COUNTY.

Adams	$19,136	$1 76
Alford	633	06
Becket	1,908	18
Cheshire	3,271	30
Clarksburg	2,201	20
Dalton	13,450	1 24
Egremont	2,458	23
Florida	1,682	15
Great Barrington	17,219	1 59
Hancock	807	07
Hinsdale	1,971	18
Lanesborough	4,219	39
Lee	10,599	98
Lenox	9,905	91
Monterey	1,373	13
Mount Washington	325	03
New Ashford	241	02

BERKSHIRE COUNTY — *Concluded.*

CITIES AND TOWNS.	Property.	Tax of $1,000.
New Marlborough	$3,702	$0 34
North Adams	33,196	3 06
Otis	2,282	21
Peru	771	07
Pittsfield	128,753	11 87
Richmond	2,342	22
Sandisfield	1,274	12
Savoy	453	04
Sheffield	4,302	40
Stockbridge	7,869	72
Tyringham	958	09
Washington	371	03
West Stockbridge	2,898	27
Williamstown	14,749	1 36
Windsor	792	07
Totals	$296,110	$27 29

BRISTOL COUNTY.

Acushnet	$7,910	$0 73
Attleboro	54,658	5 04
Berkley	1,784	16
Dartmouth	29,567	2 73
Dighton	7,732	71
Easton	13,208	1 22
Fairhaven	22,987	2 12
Fall River	160,834	14 82
Freetown	4,120	38
Mansfield	14,733	1 36
New Bedford	170,913	15 75
North Attleborough	24,505	2 26
Norton	6,838	63
Raynham	5,890	54
Rehoboth	7,358	68
Seekonk	14,871	1 37
Somerset	46,765	4 31
Swansea	13,625	1 26
Taunton	58,799	5 42
Westport	14,221	1 31
Totals	$681,318	$62 80

DUKES COUNTY.

Chilmark	$2,104	$0 20
Edgartown	9,685	89
Gay Head	665	06
Gosnold	1,379	13
Oak Bluffs	7,818	72
Tisbury	9,323	86
West Tisbury	1,752	16
Totals	$32,726	$3 02

ESSEX COUNTY.

CITIES AND TOWNS.	Property.	Tax of $1,000.
Amesbury	$15,051	$1 39
Andover	39,541	3 64
Beverly	75,690	6 98
Boxford	4,216	39
Danvers	36,523	3 37
Essex	4,290	40
Georgetown	4,244	39
Gloucester	52,826	4 87
Groveland	4,024	37
Hamilton	11,283	1 04
Haverhill	84,897	7 82
Ipswich	15,559	1 43
Lawrence	153,421	14 14
Lynn	226,053	20 84
Lynnfield	18,453	1 70
Manchester	17,834	1 64
Marblehead	50,736	4 68
Merrimac	4,274	39
Methuen	45,708	4 21
Middleton	4,550	42
Nahant	9,081	84
Newbury	5,339	49
Newburyport	23,173	2 14
North Andover	26,718	2 46
Peabody	65,033	5 99
Rockport	14,424	1 33
Rowley	3,722	34
Salem	96,993	8 94
Salisbury	6,378	59
Saugus	37,146	3 42
Swampscott	45,256	4 17
Topsfield	9,822	91
Wenham	7,841	72
West Newbury	3,365	31
Totals	$1,223,464	$112 76

FRANKLIN COUNTY.

Ashfield	$2,074	$0 19
Bernardston	2,485	23
Buckland	3,878	36
Charlemont	1,756	16
Colrain	2,660	25
Conway	1,468	14
Deerfield	6,582	61
Erving	3,131	29
Gill	1,751	16
Greenfield	46,245	4 26
Hawley	428	04
Heath	681	06
Leverett	1,464	13
Leyden	504	05
Monroe	1,084	10
Montague	15,296	1 41
New Salem	674	06

FRANKLIN COUNTY — *Concluded.*

CITIES AND TOWNS.	Property.	Tax of $1,000.
Northfield	$3,852	$0 35
Orange	7,796	72
Rowe	2,491	23
Shelburne	4,600	42
Shutesbury	786	07
Sunderland	2,201	20
Warwick	882	08
Wendell	496	05
Whately	2,335	22
Totals	$117,600	$10 84

HAMPDEN COUNTY.

Agawam	$26,724	$2 46
Blandford	1,898	17
Brimfield	2,894	27
Chester	2,204	20
Chicopee	73,922	6 81
East Longmeadow	18,536	1 71
Granville	5,045	46
Hampden	3,268	30
Holland	1,614	15
Holyoke	125,520	11 57
Longmeadow	35,297	3 25
Ludlow	18,419	1 70
Monson	7,897	73
Montgomery	599	05
Palmer	19,188	1 77
Russell	5,374	50
Southwick	7,796	72
Springfield	371,800	34 27
Tolland	741	07
Wales	1,161	11
West Springfield	68,569	6 32
Westfield	47,631	4 39
Wilbraham	14,090	1 30
Totals	$860,187	$79 28

HAMPSHIRE COUNTY.

Amherst	$19,864	$1 83
Belchertown	5,052	47
Chesterfield	1,139	10
Cummington	1,253	11
Easthampton	22,334	2 06
Goshen	944	09
Granby	4,835	45
Hadley	6,398	59
Hatfield	5,755	53
Huntington	1,924	18
Middlefield	1,009	09

HAMPSHIRE COUNTY — *Concluded.*

CITIES AND TOWNS.	Property.	Tax of $1,000.
Northampton	$51,946	$4 79
Pelham	1,461	13
Plainfield	845	08
South Hadley	21,202	1 95
Southampton	3,095	28
Ware	13,746	1 27
Westhampton	1,259	12
Williamsburg	2,963	27
Worthington	1,500	14
Totals	$168,524	$15 53

MIDDLESEX COUNTY.

Acton	$14,038	$1 29
Arlington	110,391	10 17
Ashby	2,654	24
Ashland	10,682	98
Ayer	6,033	56
Bedford	15,614	1 44
Belmont	94,029	8 67
Billerica	24,376	2 25
Boxborough	1,139	11
Burlington	18,242	1 68
Cambridge	249,777	23 02
Carlisle	2,831	26
Chelmsford	23,420	2 16
Concord	29,900	2 76
Dracut	15,090	1 39
Dunstable	1,110	10
Everett	164,421	15 15
Framingham	86,638	7 99
Groton	8,903	82
Holliston	9,311	86
Hopkinton	6,878	63
Hudson	16,228	1 50
Lexington	54,133	4 99
Lincoln	12,542	1 16
Littleton	8,558	79
Lowell	137,558	12 68
Malden	106,839	9 85
Marlborough	34,217	3 15
Maynard	13,742	1 27
Medford	121,107	11 16
Melrose	70,358	6 49
Natick	56,217	5 18
Newton	290,472	26 77
North Reading	11,304	1 04
Pepperell	6,838	63
Reading	38,278	3 53
Sherborn	6,562	60
Shirley	3,607	33
Somerville	166,267	15 32
Stoneham	34,132	3 15
Stow	5,446	50
Sudbury	14,235	1 31

MIDDLESEX COUNTY — *Concluded.*

CITIES AND TOWNS.	Property.	Tax of $1,000.
Tewksbury	$15,224	$1 40
Townsend	4,912	45
Tyngsborough	4,543	42
Wakefield	50,158	4 62
Waltham	115,743	10 67
Watertown	99,022	9 13
Wayland	21,435	1 98
Westford	15,779	1 45
Weston	29,754	2 74
Wilmington	16,694	1 54
Winchester	62,448	5 76
Woburn	44,559	4 11
Totals	$2,584,388	$238 20

NANTUCKET COUNTY.

Nantucket	$25,795	$2 38
Total.	$25,795	$2 38

NORFOLK COUNTY.

Avon	$5,891	$0 54
Bellingham	8,357	77
Braintree	61,885	5 70
Brookline	210,814	19 43
Canton	22,574	2 08
Cohasset	18,797	1 73
Dedham	61,241	5 64
Dover	11,146	1 03
Foxborough	16,244	1 50
Franklin	17,365	1 60
Holbrook	12,609	1 16
Medfield	8,145	75
Medway	8,683	80
Millis	8,265	76
Milton	77,947	7 18
Needham	71,924	6 63
Norfolk	4,331	40
Norwood	52,175	4 81
Plainville	5,177	48
Quincy	222,963	20 55
Randolph	22,906	2 11
Sharon	16,657	1 54
Stoughton	21,814	2 01
Walpole	34,013	3 14
Wellesley	93,415	8 61
Westwood	24,899	2 29
Weymouth	127,113	11 72
Wrentham	8,842	82
Totals	$1,256,192	$115 78

PLYMOUTH COUNTY.

CITIES AND TOWNS.	Property.	Tax of $1,000.
Abington	$14,670	$1 35
Bridgewater	12,629	1 16
Brockton	132,481	12 21
Carver	5,153	48
Duxbury	19,228	1 77
East Bridgewater	10,914	1 01
Halifax	4,026	37
Hanover	10,525	97
Hanson	7,028	65
Hingham	34,740	3 20
Hull	25,999	2 40
Kingston	8,885	82
Lakeville	5,023	46
Marion	10,652	98
Marshfield	18,458	1 70
Mattapoisett	9,187	85
Middleborough	16,413	1 51
Norwell	8,530	79
Pembroke	8,008	74
Plymouth	43,402	4 00
Plympton	1,709	16
Rochester	3,134	29
Rockland	20,011	1 84
Scituate	30,602	2 82
Wareham	29,937	2 76
West Bridgewater	8,030	74
Whitman	15,192	1 40
Totals	$514,566	$47 43

SUFFOLK COUNTY.

Boston	$1,628,334	$150 08
Chelsea	52,087	4 80
Revere	72,400	6 67
Winthrop	38,829	3 58
Totals	$1,791,650	$165 13

WORCESTER COUNTY.

Ashburnham	$4,136	$0 38
Athol	18,817	1 73
Auburn	21,996	2 03
Barre	5,383	50
Berlin	2,580	24
Blackstone	5,378	50
Bolton	2,794	26
Boylston	2,953	27
Brookfield	3,089	29
Charlton	4,861	45
Clinton	18,423	1 70
Douglas	4,174	38

WORCESTER COUNTY — *Continued.*

CITIES AND TOWNS.	Property.	Tax of $1,000.
Dudley	$9,059	$0 83
East Brookfield	2,374	22
Fitchburg	85,761	7 90
Gardner	35,512	3 27
Grafton	11,788	1 09
Hardwick	2,902	27
Harvard	4,527	42
Holden	15,502	1 43
Hopedale	11,000	1 01
Hubbardston	1,765	16
Lancaster	5,179	48
Leicester	8,576	79
Leominster	45,213	4 17
Lunenburg	8,964	83
Mendon	3,422	32
Milford	29,584	2 73
Millbury	12,464	1 15
Millville	2,175	20
New Braintree	1,324	12
North Brookfield	5,011	46
Northborough	7,819	72
Northbridge	18,262	1 68
Oakham	902	08
Oxford	9,443	87
Paxton	3,828	35
Petersham	2,219	20
Phillipston	1,089	10
Princeton	2,415	22
Royalston	1,249	12
Rutland	4,274	39
Shrewsbury	24,625	2 27
Southborough	7,390	68
Southbridge	30,327	2 80
Spencer	11,211	1 03
Sterling	6,088	56
Sturbridge	6,993	64
Sutton	5,011	46
Templeton	6,404	59
Upton	3,552	33
Uxbridge	13,946	1 29
Warren	5,290	49
Webster	25,336	2 33
West Boylston	7,267	67
West Brookfield	3,658	34
Westborough	12,016	1 11
Westminster	5,297	49
Winchendon	9,339	86
Worcester	388,873	35 84
Totals	$1,020,809	$94 09

RECAPITULATION.

COUNTIES.	Property.	Tax of $1,000.
Barnstable	$276,296	$25 47
Berkshire	296,110	27 29
Bristol	681,318	62 80
Dukes	32,726	3 02
Essex	1,223,464	112 76
Franklin	117,600	10 84
Hampden	860,187	79 28
Hampshire	168,524	15 53
Middlesex	2,584,388	238 20
Nantucket	25,795	2 38
Norfolk	1,256,192	115 78
Plymouth	514,566	47 43
Suffolk	1,791,650	165 13
Worcester	1,020,809	94 09
Totals	$10,849,625	$1,000 00

SECTION 2. Notwithstanding the provisions of section twenty-five A of chapter fifty-eight of the General Laws, the amount which the state tax commission estimates for distribution from the proceeds of the taxes on incomes and corporations under the provisions of sections eighteen and twenty of said chapter fifty-eight for the calendar year nineteen hundred and sixty-four shall not exceed in the aggregate the amount so distributed in the calendar year nineteen hundred and sixty-three, and the amount so distributed for said calendar year nineteen hundred and sixty-four shall not exceed said estimate. Any amount remaining undistributed from funds available in nineteen hundred and sixty-four shall be reserved and shall be available for distribution in nineteen hundred and sixty-five.

SECTION 3. For the purpose of avoiding losses to any city or town resulting from adoption of the revised apportionment under section one of this act, the minimum amount which shall be certified for distribution by the state tax commission and distributed to any city or town in the year nineteen hundred and sixty-five from income and corporation taxes under sections eighteen and twenty of chapter fifty-eight of the General Laws in excess of the reapportioned county tax as hereinafter defined shall be the amount by which its share of said total distributions in the year nineteen hundred and sixty-three exceeds the amount of the county tax assessed against it for the year nineteen hundred and sixty-three. In Suffolk and Nantucket counties, the minimum amount to be so certified and distributed shall be the amount so distributed in the year nineteen hundred and sixty-three. As used in this section, the term "reapportioned county tax" shall mean the amount of county tax which would have been assessed against each city and town in the year nineteen hundred and sixty-three if the apportionment established under section one had been in effect in said year.

SECTION 4. Notwithstanding the definition contained in the ninth paragraph of section five of chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, the state financial assistance

grant for any project which has been approved by the school building assistance commission and for which funds have been authorized to meet the estimated cost of said project by a city or town prior to January first, nineteen hundred and sixty-five shall be based on the equalized valuation in effect prior to said date.

SECTION 5. Section 3 of chapter 58 of the General Laws, as amended by section 19 of chapter 254 of the acts of 1933, is hereby further amended by adding at the end the following paragraph: —

The commissioner may require from state and town officers such returns and statements relative to the amount and value of taxable property in the several towns as he deems necessary. Information provided by said assessors shall include: (1) the total of all property subject to local taxation in each city and town, (2) the amount, if any, of tax abatements for the preceding year, and (3) such other information as may be required to aid the commissioner in the discharge of his responsibility in respect to the preparation of the equalization and apportionment report as provided in sections nine and ten. The commissioner shall cause a representative of his office to visit every city and town to give to the assessors such assistance as may be authorized or required by law.

SECTION 6. Said chapter 58 is hereby further amended by striking out section 10, as most recently amended by section 8 of chapter 654 of the acts of 1953, and inserting in place thereof the following: — *Section 10.* To aid in making the equalization and apportionment required by the preceding section, and to assist the general court to determine the amounts of state tax to be imposed upon the several towns and for the purpose of providing a basis for the distribution of certain state-collected taxes, the commission shall prepare and submit to the general court a report showing the value as locally assessed by towns of all property subject to local taxation. It shall, to the best of its judgment and discretion, prepare said equalization and apportionment upon the basis of the returns and statements provided for and authorized and of any other information in its possession. The report to the general court shall include an explanation of the factors used in determining said equalization and apportionment in addition to the value of property subject to local taxation, and the commission shall give notice to the assessors of any town affected thereby and, upon their request, shall give its reasons therefor and such other information as it may properly divulge.

SECTION 7. The second sentence of section 18 of said chapter 58, as appearing in section 1 of chapter 420 of the acts of 1961, is hereby amended by striking out, in lines 3 and 4, the words "amounts of the last preceding state tax imposed on them" and inserting in place thereof the words: — valuations last established by the general court as a basis for the apportionment of state and county taxes.

SECTION 8. Clause (4) of the second paragraph of section 20 of said chapter 58, as appearing in section 2 of said chapter 420, is hereby amended by striking out, in lines 3 and 4, the words "amounts of the last preceding state tax imposed upon them" and inserting in place thereof the words: — valuations last established by the general court as a basis for the apportionment of state and county taxes.

SECTION 9. Sections seven and eight of this act shall take effect on January first, nineteen hundred and sixty-five.

Approved August 19, 1963.

Chap. 661. AN ACT RELATIVE TO THE PROCEDURE ON WRITS OF CERTIORARI.

Be it enacted, etc., as follows:

SECTION 1. Section 4 of chapter 249 of the General Laws, as most recently amended by section 1 of chapter 586 of the acts of 1953, is hereby further amended by adding at the end the following three sentences: — Where a petition is brought against a body or officer exercising judicial or quasi-judicial functions to prevent the body or officer from proceeding in favor of another party, or is brought with relation to proceedings already taken, such other party may be joined as a party respondent by the petitioner or on motion of the respondent, or by petition to intervene. Such other party may file a separate answer or adopt the pleadings or return of the body or officer. Thereafter a final order in favor of the petitioner shall be directed against said body or officer and against said other party, each of whom shall have a right of appeal under section one D of chapter two hundred and thirteen.

SECTION 2. Said chapter 249 is hereby further amended by inserting after said section 4 the following section: —

Section 4A. If a respondent is a board or commission or voluntary association having a chairman or other presiding officer, secretary or clerk, by whatever official title he is called, service upon one of such persons shall be sufficient, otherwise service shall be made upon a majority of the members of a board or commission, or, as to a voluntary association on such of its members as will fairly insure the adequate representation of all. *Approved August 19, 1963.*

Chap. 662. AN ACT DEFINING THE TERM "UTILITY CORPORATION" FOR THE PURPOSES OF THE LAW RELATING TO TAXATION.

Be it enacted, etc., as follows:

Paragraph (*a*) of subdivision (1) of section 52A of chapter 63 of the General Laws is hereby amended by striking out clause (iv), as appearing in section 1 of chapter 641 of the acts of 1951, and inserting in place thereof the following clause: —

(iv) every incorporated railroad and railway company subject to chapter one hundred and sixty; and every corporation qualified under section one hundred and thirty-one A of said chapter one hundred and sixty to acquire, own and operate terminal facilities for steam, electric or other types of railroad;. *Approved August 19, 1963.*

Chap. 663. AN ACT ABOLISHING THE BOARD OF REGISTRATION OF CERTIFIED PUBLIC ACCOUNTANTS AND ESTABLISHING A BOARD OF PUBLIC ACCOUNTANCY, AND FURTHER REGULATING THE PRACTICE OF PUBLIC ACCOUNTANCY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 13 of the General Laws is hereby amended by striking out the caption preceding section 33 and inserting in place thereof the caption BOARD OF PUBLIC ACCOUNTANCY, — and by striking

out sections 33, 34 and 35 and inserting in place thereof the following three sections: —

Section 33. (*a*) There shall be a board of public accountancy, in this section and in sections thirty-four and thirty-five called the board, consisting of five members, to be appointed by the governor, with the advice and consent of the council. Each member shall be a citizen of the commonwealth, and shall hold a valid biennial permit issued under section eighty-seven B of chapter one hundred and twelve and shall have been actively engaged on his own account or as a member of a partnership in the practice of public accountancy for at least seven years. Four of the members shall be certified public accountants holding certificates issued under section eighty-seven A of chapter one hundred and twelve, or under prior laws of the commonwealth, and the other member shall be a public accountant registered under the laws of the commonwealth.

Upon the expiration of the term of a member his successor, qualified as aforesaid, shall be appointed by the governor, with the advice and consent of the council, for a term of five years.

The governor shall remove from the board any member whose certificate of registration has become void, or has been revoked or suspended.

In any matter exclusively concerning or dealing with a certified public accountant, only the members of the board who are certified public accountants shall act; in all other matters the full board shall act.

(*b*) There shall be a public accountants administrative committee, hereinafter and in sections thirty-four and thirty-five called the "committee", consisting of the public accountant member of the board, who shall be a member ex officio and four members to be appointed by the board. Each appointive member of the committee shall be a citizen of the commonwealth, a public accountant registered under the laws of the commonwealth, and the holder of a valid biennial permit issued under section eighty-seven B of chapter one hundred and twelve, and shall have been actively engaged on his own account or as a member of a partnership in the practice of public accountancy for at least five years.

The members of the committee initially appointed shall serve for terms of one, two, three and four years, respectively, as the board may designate. Each successor member of the committee shall be appointed for a term of four years. Vacancies occurring during a term shall be filled by appointment for the unexpired term. Upon the expiration of his term of office a member shall continue to serve until his successor shall have been appointed and shall have qualified. The board shall remove from the committee any member whose registration or biennial permit has become void, or has been revoked or suspended, and may, after hearing, remove any member of the committee for just cause. Before entering office, each member shall be sworn to the faithful performance of his duties.

The committee shall have the following powers and duties and shall be vested with the powers of the board with respect to such powers and duties, subject, however, to the provisions of clause (4): —

(1) to investigate complaints and to initiate and conduct investigations or hearings, with or without the filing of any complaint, and to obtain information and evidence, relating to any matter involving the conduct of public accountants, and any violation or alleged violation of

any of the provisions of sections eighty-seven A through eighty-seven E of chapter one hundred and twelve;

(2) to pass upon the qualifications of any applicant for registration as a public accountant or as a partnership of public accountants, and to register qualified applicants;

(3) to advise the board in any and all matters affecting public accountants; serve as a liaison between the board and the public accountants, keep informed on contemplated actions of the board primarily affecting public accountants, and to have access to the files of the board for the purpose of carrying out its advisory duties;

(4) to make recommendations and forward a report to the board on any matter on which the committee is authorized to act, which recommendations and report the board may accept or reject in whole or in part. The foregoing clause (4) shall not apply to clause (2).

Section 34. (*a*) The board shall annually elect a chairman and a secretary from its members. The board shall hold meetings at such times as it shall determine, and may adopt, revoke and amend from time to time regulations for the orderly conduct of its internal affairs and practice. A majority of the board shall constitute a quorum for the transaction of business.

The board shall keep records of its proceedings. In any judicial proceeding, civil or criminal, arising out of or founded upon any provision of sections eighty-seven A to eighty-seven E, inclusive, of chapter one hundred and twelve, certified copies of any such records made in the performance of any duty of the board shall be admissible in evidence as tending to prove the content of said records.

The board shall maintain a register of persons and partnerships registered as certified public accountants or as public accountants, which shall be open to public inspection. A duplicate list shall also be open to inspection in the office of the secretary of state.

(*b*) The committee shall annually elect a chairman and a secretary from its members. The committee shall hold meetings at such times as it shall determine, and may adopt, revoke and amend from time to time, regulations for the orderly conduct of its internal affairs and practice. A majority of the committee shall constitute a quorum for the transaction of business.

Section 35. (*a*) Each member of the board shall receive fifty dollars for each day or part of a day actually spent in the performance of his duties, but in any one year not more than three thousand dollars shall be paid to any member. Each member shall be reimbursed for his actual and necessary expenses incurred in the discharge of his official duties. Each appointive member of the committee shall receive thirty dollars for each day or part of a day actually spent in the performance of his duties, but in any one year not more than two thousand dollars shall be paid to any member. Each member shall be reimbursed for his actual and necessary expenses incurred in the discharge of his official duties. The public accountant member of the board shall receive compensation as a board member whether he performs duties as a board member or as a committee member, but shall not receive more than three thousand dollars in any one year for such duties.

The board shall employ an executive secretary, who shall be a certified public accountant, and shall determine his salary. The executive

secretary shall not be subject to the provisions of sections forty-five to fifty, inclusive, of chapter thirty, or to the provisions of chapter thirty-one. The board may employ clerical and other assistants in the performance of its duties, and may rent office space and incur other reasonable expenses.

The biennial total of all of the expenses incurred and compensation paid and received by the board or the committee of whatever nature shall not exceed the biennial receipts from all sources paid to the commonwealth on account of the board's and the committee's activities; this biennial measuring period shall correspond to two fiscal years of the commonwealth. The board shall file an annual report of its activities, including an account of its disbursements and of the revenues derived from its activities, with the governor.

SECTION 2. Chapter 112 of the General Laws is hereby amended by striking out sections 87A to 87E, inclusive, and inserting in place thereof the following five sections: —

Section 87A. (*a*) The board of public accountancy, hereinafter in this section and in sections eighty-seven B to eighty-seven E, inclusive, called the "board", shall register as a certified public accountant and issue a certificate of "certified public accountant" to any person who (1) is a citizen of the United States, (2) is domiciled in the commonwealth, (3) has attained the age of twenty-one years, (4) is of good moral character, (5) shall have successfully passed a written examination given by the board in such subjects as the board shall determine to be appropriate, or shall receive a partial or total waiver of examination under regulations made by the board and (6) shall have satisfied the board that he meets the requirements respecting education and experience set by regulations made by the board under this section.

The board shall issue regulations and may revoke or amend them from time to time, setting the requirements of education and experience which it deems necessary and appropriate to assure professional standards of ability and responsibility in the practice of public accountancy. These regulations shall reflect the generally accepted standards for certified public accountants.

The board may also issue regulations and may revoke or amend them from time to time in accordance with the applicable procedures of chapter thirty A, relative to: —

(1) the eligibility of candidates to take any particular examination;

(2) the times and places of such examinations;

(3) the administration and grading of said examinations, including the obtaining of such advice and assistance as it deems appropriate respecting such administration and grading;

(4) the subject matter of said examinations;

(5) the granting of credit for successful completion of substantially equivalent examinations, or parts thereof, given by the licensing authority of any other state; provided, that when the candidate took such examination in such other state, he was not domiciled in this commonwealth;

(6) the granting of partial credit to a candidate who passes the examination in one or more subjects, the re-examination of such candidate in the other required subjects and the re-examination of any other candidate;

(7) the applicable date of particular educational and experience requirements to candidates, including provision for cases of undue hardship;

(8) the fees for examinations and re-examinations;

(9) the waiver of examination for any person otherwise qualified under this section and the regulations hereunder who holds a certificate as a certified public accountant, which is in full force and effect, issued under the laws of any other state, or who holds a certificate, license or degree issued under or recognized by the laws of any foreign country which qualified him to practice public accounting in such country and which is in full force and effect, comparable to that of a certified public accountant of this commonwealth; and

(10) any other subject appropriate to the proper and efficient administration of the provisions of this section.

Any person who holds a certificate as a certified public accountant, issued under this section or under section eighty-seven B and who holds a biennial permit issued under section eighty-seven B which are in full force and effect shall be styled and known as a "certified public accountant" and may also use the abbreviation CPA. Any such certified public accountant may also be known as a "public accountant" and may also use the abbreviation PA.

All certified public accountant certificates issued under prior laws of the commonwealth shall, for the purposes of sections eighty-seven A to eighty-seven E, inclusive, and of sections thirty-three to thirty-five, inclusive, of chapter thirteen, be considered as certificates issued under, and shall entitle their holders to be registered under, this section.

(*b*) A partnership engaged in the commonwealth in the practice of public accounting may register with the board as a partnership of certified public accountants, provided: —

(1) that each partner thereof personally and regularly engaged within the commonwealth in the practice of public accounting as a member thereof is a certified public accountant registered under this section or section eighty-seven B and holds a valid biennial permit issued under section eighty-seven B;

(2) that each active partner thereof who is resident in the United States is a certified public accountant in good standing of some state; and

(3) that each resident manager in charge of an office of the firm located in the commonwealth is a certified public accountant registered under this section or section eighty-seven B and holds a valid biennial permit issued under section eighty-seven B.

Application for such registration shall be made upon the affidavit of a member of such partnership who is a certified public accountant registered under this section or section eighty-seven B and who holds a valid biennial permit issued under section eighty-seven B. The board shall in each case determine whether the applicant is eligible for registration. A partnership which is so registered and which holds a valid biennial permit issued under section eighty-seven B may use the words "certified public accountants" or the abbreviation CPA in connection with its partnership name. Such a partnership may also use the words "public accountants" or the abbreviation PA in connection with its partnership name. Notification shall be given the board, within ninety days, after

the admission to or withdrawal of a partner from any partnership so registered, and after the commencement or termination of any partner's personal and regular practice of public accounting in the commonwealth as a member thereof.

(*c*) A fee of ten dollars shall be collected by the board for the registration of any person or partnership under this section. The fee for a partnership shall be in addition to the fees for any partners or employees thereof.

Section 87B. (*a*) If an applicant for a certificate as a certified public accountant meets all of the requirements for such certificate, other than the requirement of being domiciled in the commonwealth, the board may in its discretion issue to him a temporary certificate as a certified public accountant and may register him as a holder of such temporary certificate. Any such temporary certificate and registration shall be effective only until the board shall notify him that his application has either been granted or rejected. In no event shall such temporary certificate and registration be in effect for more than eighteen months after the date of their issuance. No fee shall be charged for such temporary certificate or registration.

(*b*) Permits to engage in the practice of public accounting in the commonwealth shall be issued by the board to persons holding certificates and registered, and to partnerships registered, as certified public accountants under section eighty-seven A or under this section, and to persons and partnerships registered as public accountants under the laws of the commonwealth. The fee for such permit shall be determined by the board, but shall not exceed fifteen dollars per year. Each such permit shall expire on the last day of June of the year next following the year of issuance. The fee for any partnership shall be in addition to the fees for any partners or employees thereof. Such permit shall be renewed by the board for a period of two years, upon application by such certificate holders and registrants, subject to the provisions of section eighty-seven C and upon payment of a biennial renewal fee of an amount to be determined from time to time by the board, not to exceed fifteen dollars per year. Failure of a certificate holder or registrant to apply for such biennial permit to practice within four years from the expiration date of the permit to practice last obtained or renewed, or four years from the date upon which the certificate holder or registrant was granted his certificate or registration, if no permit was ever issued to him, shall deprive him of the right to such permit, unless the board, in its discretion, determines such failure to have been due to good cause. In any case in which the permit could have been issued, but was not, the renewal or issuance fee, as the case may be, shall equal the aggregate of the biennial permit fees for the periods for which no permit was issued, but in no case shall this exceed ninety dollars.

(*c*) All statements, records, schedules, working papers and memoranda made by a certified public accountant or public accountant incident to or in the course of his professional services, except reports submitted by him to a client, shall be and remain the property of such accountant, in the absence of an express agreement between such accountant and the client to the contrary. No such statement, record, schedule, working paper or memorandum shall be sold, transferred or bequeathed, without the consent of the client or his personal representa-

tive or assignee, to anyone other than one or more surviving partners or new partners of such accountant.

Section 87C. (*a*) In addition to its other rule-making powers, the board may adopt, revoke or amend from time to time, under the applicable procedures of chapter thirty A, such rules of professional conduct as may be instrumental in fixing and maintaining high standards of integrity and dignity in the profession of public accounting.

(*b*) The board may revoke or suspend any certificate issued or registration granted to an individual as a certified public accountant under sections eighty-seven A or eighty-seven B, or registration granted to an individual as a public accountant under the laws of this commonwealth, or may revoke, suspend or refuse to renew any biennial permit issued to an individual under section eighty-seven B or may censure the holder of any such certificate, registration or permit for any one or any combination of the following causes: —

(1) fraud or deceit in obtaining a certificate or registration, or in obtaining a biennial permit;

(2) dishonesty, fraud or gross negligence in the practice of public accounting;

(3) violation of any of the provisions of section eighty-seven D;

(4) violation of a rule of professional conduct promulgated by the board under the authority granted by this section;

(5) conviction of a felony under the laws of any state or of the United States;

(6) conviction of any crime, an element of which is dishonesty or fraud, under the laws of any state or of the United States;

(7) cancellation, revocation, suspension or refusal to renew authority to practice as a certified public accountant or a public accountant by any other state, for any cause other than failure to pay a registration fee in such other state.

(*c*) The board shall revoke the registration of a partnership registered as certified public accountants under section eighty-seven A or as public accountants under the laws of the commonwealth if at any time it does not have all the qualifications prescribed by the provisions of law under which it qualified for registration, and the board may revoke or suspend any such registration of a partnership, or may revoke, suspend or refuse to renew any biennial permit issued to such partnership so registered for any of the causes enumerated in paragraph (*b*), and for the following additional causes: —

(1) the revocation or suspension of the certificate, registration or biennial permit of any partner;

(2) the cancellation, revocation, suspension or refusal to renew the authority of the partnership or any partner thereof to practice public accounting in any other state, for any cause other than failure to pay a registration fee in such other state.

(*d*) Upon application in writing, the board may issue a new certificate to or remove or modify a suspension respecting a certified public accountant whose certificate has been revoked or suspended, or may permit the re-registration of or remove or modify the suspension respecting any person or partnership whose registration has been revoked or suspended, or may re-issue or remove or modify the suspension of, any biennial permit which has been revoked or suspended, where the cause

for such revocation or suspension has, in the opinion of the board, been removed or cured.

Section 87D. (1) No person shall assume or use the title or designation "certified public accountant" or the abbreviation CPA or any other title, designation, words, letters, abbreviation, sign, card or device tending to indicate he is a certified public accountant, unless he has received a certificate as a certified public accountant under sections eighty-seven A or eighty-seven B and holds a valid biennial permit issued under section eighty-seven B.

(2) No partnership shall assume or use the title or designation "certified public accountants" or the abbreviation CPA or any other title, designation, words, letters, abbreviation, sign, card or device tending to indicate that such partnership is composed of certified public accountants, unless such partnership is registered as a partnership of certified public accountants under section eighty-seven A and holds a valid biennial permit issued under section eighty-seven B.

(3) No person shall assume or use the title or designation "public accountant" or the abbreviation PA or any other title, designation, words, letters, abbreviation, sign, card or device tending to indicate that he is a public accountant, unless he is registered as a public accountant under the laws of the commonwealth and holds a valid biennial permit issued under section eighty-seven B, or unless he has received a certificate as a certified public accountant under sections eighty-seven A or eighty-seven B and holds a valid biennial permit issued under section eighty-seven B.

(4) No partnership shall assume or use the title or designation "public accountants" or the abbreviation PA or any other title, designation, words, letters, abbreviations, sign, card or device tending to indicate that such partnership is composed of public accountants, unless such partnership is registered as a partnership of public accountants under the laws of this commonwealth and holds a valid biennial permit issued under section eighty-seven B, or is registered as a partnership of certified public accountants under section eighty-seven A and holds a valid biennial permit issued under section eighty-seven B.

(5) No person or partnership shall assume or use the title or designation "certified accountant", "chartered accountant", "enrolled accountant", "licensed accountant", "registered accountant", or any other title or designation likely to be confused with "certified public accountant" or "public accountant", or any of the abbreviations CA, EA, RA, or LA, or similar abbreviations likely to be confused with CPA or PA.

(6) No corporation shall assume or use the title or designation "certified public accountant" or "public accountant", or the abbreviations CPA or PA, nor shall any corporation assume or use the title or designation "certified accountant", "chartered accountant", "enrolled accountant", "licensed accountant", "registered accountant" or any other title or designation likely to be confused with "certified public accountant" or "public accountant", or any of the abbreviations CA, EA, RA, or LA or any similar abbreviations likely to be confused with CPA or PA.

(7) No person shall sign or affix his name or any trade or assumed name used by him in his profession or business, with any wording indi-

cating that he is an accountant or auditor, or with any wording indicating that he has expert knowledge in accounting or auditing, to any accounting or financial statement, or to any opinion on, report on or certificate to any accounting or financial statement, unless he holds a valid biennial permit issued under section eighty-seven B; provided, however, that the provisions of this paragraph shall not prohibit any officer, employee, partner or principal of any organization from affixing his signature to any statement or report in reference to the financial affairs of said organization, together with any wording designating the position, title or office which he holds in said organization, nor shall the provisions of this paragraph prohibit any act of a public official or employee in the performance of his duties as such.

(8) No person shall sign or affix a partnership name, with any wording indicating that it is a partnership composed of accountants or auditors or persons having expert knowledge in accounting or auditing, to any accounting or financial statement, or to any opinion on, report on or certificate to any accounting or financial statement, unless the partnership holds a valid biennial permit issued under section eighty-seven B.

(9) No person shall sign or affix a corporate name with any wording indicating that it is a corporation performing services as accountants or auditors or composed of accountants or auditors or persons having expert knowledge in accounting or auditing, to any accounting or financial statement, or to any opinion on, report on or certificate to any accounting or financial statement.

(10) No person or partnership not holding a valid biennial permit issued under section eighty-seven B, and no corporation, shall hold himself or itself out to the public as an "accountant" or "auditor" by use of either or both of such words on any sign, card, letterhead, or in any advertisement or directory; provided, that this paragraph shall not prohibit any officer, employee, partner or principal of any organization from describing himself by the position, title or office he holds in such organization; nor shall this paragraph prohibit any act of a public official or employee in the performance of his duties as such.

(11) No person shall assume or use the title or designation "certified public accountant" or "public accountant" in conjunction with names indicating or implying that there is a partnership or in conjunction with the designation "and Company", or "and Co." or a similar designation if, in any such case, there is in fact no bona fide partnership.

Nothing contained in sections eighty-seven A to eighty-seven E, inclusive, shall (1) prohibit any person not a certified public accountant or a public accountant from serving as an employee of, or an assistant to, a certified public accountant or public accountant or partnership composed of certified public accountants or public accountants, who or which holds a valid biennial permit issued under section eighty-seven B, provided, that such employee or assistant shall not issue any accounting or financial statement over his name; (2) prohibit a certified public accountant or a registered public accountant of another state, or any accountant who holds a certificate, degree or license in a foreign country, constituting a recognized qualification for the practice of public accounting in such country, from temporarily practicing in this commonwealth on professional business incident to his regular practice outside the commonwealth, provided, that such temporary practice is conducted

in conformity with the regulations and rules of professional conduct issued by the board; or (3) prohibit any person from preparing financial statements and reports for his employer, or from performing bookkeeping work, or from preparing income or other tax returns.

Whoever violates any provision of this section shall be punished by a fine of not more than one thousand dollars, or by imprisonment for not more than one year, or by both such fine and imprisonment.

Section 87E. The superior court sitting in equity shall have jurisdiction, on petition of the board, to restrain any violation of the provisions of section eighty-seven D, or to take such other action as equity and justice may require.

SECTION 3. The original appointments to the board of public accountancy established by section thirty-three of chapter thirteen of the General Laws, as amended by section one of this act, shall be made by the governor, with the advice and consent of the council, as follows: the four certified public accountants shall be appointed for terms of one, two, three and four years, respectively, as the governor may designate, and the public accountant shall be appointed for a term of five years. Upon the expiration of the term of any such member, his successor shall be appointed for the term and in the manner provided by said section thirty-three.

A member may be appointed to said board notwithstanding the fact that he does not have a certificate issued under section eighty-seven A or eighty-seven B or hold a valid biennial permit, provided that he is eligible for such registration and permit.

SECTION 4. Notwithstanding any provision of section thirty-three of chapter thirteen of the General Laws, as amended by section one of this act, the requirement that members of the public accountants administrative committee be registered and hold valid biennial permits shall, as to the initial members of said committee, be satisfied by their eligibility for such registration and such valid biennial permit.

SECTION 5. Notwithstanding any provision of section thirty-five of chapter thirteen of the General Laws, as amended by section one of this act, the initial period for measuring the receipts and expenses of the board of public accountancy shall run from the effective date of this act until the end of the next succeeding fiscal year of the commonwealth.

SECTION 6. Notwithstanding any provision of sections eighty-seven A to eighty-seven E, inclusive, of chapter one hundred and twelve of the General Laws, as amended by section two of this act, any person who, on the effective date of this act, holds a certified public accountant's certificate issued under the laws of the commonwealth shall not be required to obtain an additional certificate or to pay a fee for his initial registration, but shall otherwise be subject to the provisions of said sections and to the jurisdiction of the board of public accountancy.

SECTION 7. Any person who is a citizen of the United States, is domiciled in the commonwealth, has attained the age of twenty-one years, is of good moral character, and who meets the requirements of any of the following clauses shall upon application to the public accountants administrative committee be registered by said committee as a public accountant and may, if he also holds a valid biennial permit issued under section eighty-seven B of chapter one hundred and twelve of the General Laws, as amended by section two of this act, so style himself and may use the abbreviation PA: —

(1) a person who held himself out to the public as a public accountant and who was engaged in the commonwealth on the effective date of this act in the practice of public accounting as his principal occupation on his own account or as a member of a partnership and who makes application to said committee on or before the thirtieth day of June, nineteen hundred and sixty-four, for registration as a public accountant;

(2) a person who, on the effective date of this act, was serving in the armed forces of the United States or of the United Nations, and who, immediately prior to entering such service held himself out to the public as a public accountant and was engaged within the commonwealth in the practice of public accounting as his principal occupation on his own account or as a member of a partnership and who makes application to said committee for registration as a public accountant within twelve months from the time of his discharge from such service;

(3) a person who, on the effective date of this act, was employed as a staff accountant by a certified public accountant or by a public accountant and was regularly assigned to accounting engagements, or who at said date was serving in the armed forces of the United States or of the United Nations and was employed as aforesaid immediately prior to such service, and who files with said committee, not later than the thirtieth day of June, nineteen hundred and sixty-four, a declaration of intent to register as a public accountant, or, if in said armed forces files such declaration within twelve months from the time of his discharge therefrom; when such person who has filed such declaration applies for registration, he shall state in his application for registration his intention to engage within six months from the filing thereof in the practice of public accounting as his principal occupation on his own account or as a member of a partnership; registration under this clause shall be revoked unless the person so registered shall within twelve months of such registration furnish evidence satisfactory to said committee that he is actually engaged in this commonwealth in the practice of public accounting as his principal occupation on his own account or as a member of a partnership;

(4) a person who, on the effective date of this act, was engaged in field audit work with the United States Government in civil service grade seven or higher, or who at said date was serving in the armed forces of the United States or of the United Nations and was engaged as aforesaid immediately prior to such service, and who has had at the time he applies for registration at least two years' experience in such field audit work, and who satisfies said committee that his qualifications are substantially equivalent to those of persons who may register under clauses (1), (2) or (3); provided, that such person files with the committee not later than the thirtieth day of June, nineteen hundred and sixty-four, a declaration of intent to register as a public accountant, or if serving in the above armed forces files such declaration of intent within twelve months from the time of his discharge therefrom; when such person who has filed such declaration applies for registration under this clause, he shall state in his application for registration his intention to engage within six months from the filing thereof in the practice of public accounting as his principal occupation on his own account or as a member of a partnership; registration under this clause shall be revoked unless the person so registered shall within twelve months of such registration furnish evidence satisfactory to said committee that he is ac-

tually engaged in this commonwealth in the practice of public accounting as his principal occupation on his own account or as a member of a partnership;

(5) a person who, on the effective date of this act, was engaged in field audit work with this commonwealth or a political subdivision of the commonwealth, or who at said date was serving in the armed forces of the United States or of the United Nations and was engaged as aforesaid immediately prior to such service, and who has had at the time he applies for registration at least two years' experience in such field audit work, and who satisfies said committee that such field audit work was substantially equivalent to the field audit work required of persons who may register under clause (4), and that his qualifications are substantially equivalent to those of persons who may register under clauses (1), (2) or (3); provided, that such person files with said committee not later than the thirtieth day of June, nineteen hundred and sixty-four, a declaration of intent to register as a public accountant, or if serving in the above armed forces files such declaration of intent within twelve months from the time of his discharge therefrom; when such person who has filed such declaration applies for registration under this clause, he shall state in his application for registration his intention to engage within six months from the filing thereof in the practice of public accounting as his principal occupation on his own account or as a member of a partnership; registration under this clause shall be revoked unless the person so registered shall within twelve months of such registration furnish evidence satisfactory to the committee that he is actually engaged in this commonwealth in the practice of public accounting as his principal occupation on his own account or as a member of a partnership;

(6) a person who, on or before the thirtieth of June, nineteen hundred and sixty-six, was a public accountant registered or licensed under the laws of a state of the United States which grants to public accountants registered under this section a comparable reciprocal right of registration or licensing, and at the time of his application for registration under this clause is still so registered or licensed; in the event an applicant for registration under clause (6) meets all the requirements for such registration other than the requirement of domicile in the commonwealth, said committee may, in its discretion, allow him to register temporarily, effective only until it shall notify him that his application has either been granted or rejected; in no event shall such temporary registration be in effect for more than eighteen months after the date of its allowance; no fee shall be charged for such temporary registration;

(7) a person who, at the time of his application for registration under this clause is registered or licensed under the laws of a state which grants to public accountants registered under this section a comparable reciprocal right of registration; provided, however, that the state under whose laws such applicant is licensed or registered had, on the effective date of this act, no provision for the licensing or registration of public accountants; and provided, further, that notwithstanding any provision of this section or of section thirty-three of chapter thirteen of the General Laws, as amended by section one of this act, to the contrary, any registration under this clause shall be discretionary with said committee and subject to the prior approval of the board of public account-

ancy; in the event an applicant for registration under this clause meets all the requirements for such registration other than the requirement of domicile in the commonwealth, said committee may in its discretion, and subject to the prior approval of said board, allow him to register temporarily, effective only until said committee shall notify him that his application has either been granted or rejected; in no event shall such temporary registration be in effect for more than eighteen months after the date of its allowance; no fee shall be charged for such temporary registration.

(8) a person who on the effective date of this act is engaged in the commonwealth in the practice of public accounting on a part-time basis and has been doing public accounting as part-time work for a period of five years next prior to said effective date, and who makes application to the committee on or before the thirtieth day of June, nineteen hundred and sixty-four for registration as a public accountant.

SECTION 8. A partnership engaged in the commonwealth in the practice of public accounting may register with the public accountants administrative committee as a partnership of public accountants; provided that each partner personally and regularly engages within the commonwealth in the practice of public accounting as a member thereof, is a certified public accountant registered under sections eighty-seven A or eighty-seven B of chapter one hundred and twelve of the General Laws, as amended by section two of this act, or a public accountant registered under section seven of this act, and holds a valid biennial permit issued under said section eighty-seven B of said chapter one hundred and twelve; and provided, further, that each resident manager in charge of an office of a firm in the commonwealth is so qualified. Application for such registration shall be made upon the affidavit of a partner who meets the requirements of this paragraph.

The public accountants administrative committee shall in each case determine whether the partnership is eligible for registration. A partnership which is so registered and which holds a valid biennial permit issued under section eighty-seven B of chapter one hundred and twelve of the General Laws, as amended by section two of this act, may use the words "public accountants" or the abbreviation PA in connection with its partnership name. Notification shall be given said committee, within ninety days, after the admission to or withdrawal of a partner from any partnership so registered, and after the commencement or termination of any partner's personal and regular practice of public accounting in the commonwealth as a member thereof.

SECTION 9. A fee of ten dollars shall be collected by the public accountants administrative committee for the registration of any person or partnership under section seven or eight, respectively, of this act. The fee for a partnership shall be in addition to the fees for any partners or employees thereof. A fee of five dollars shall be collected by said committee for the filing of a declaration of intent by any person under section seven of this act.

SECTION 10. Notwithstanding any provision of section eighty-seven B of chapter one hundred and twelve of the General Laws, as amended by section two of this act, the measuring period for determining the failure of a holder of a certified public accountant certificate to make a timely application for a biennial permit, if no permit was ever issued to him,

shall, for persons issued such certificates before the effective date of this act, be four years from said effective date.

SECTION 11. Notwithstanding the provisions of paragraph (11) of subsection (*a*) of section eighty-seven D of chapter one hundred and twelve of the General Laws, as amended by section two of this act, a sole proprietor lawfully using on the effective date of this act a title or designation prohibited by said paragraph (11), may continue to do so if he otherwise complies with the provisions of this act.

SECTION 12. 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. *Approved August 19, 1963.*

Chap. 664. AN ACT ABOLISHING THE STATE SOIL CONSERVATION COMMITTEE IN THE DEPARTMENT OF AGRICULTURE AND ESTABLISHING IN THE DEPARTMENT OF NATURAL RESOURCES A DIVISION OF CONSERVATION SERVICES AND A COMMITTEE FOR CONSERVATION OF SOIL, WATER AND RELATED RESOURCES.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 1 of chapter 21 of the General Laws, as appearing in section 1 of chapter 631 of the acts of 1953, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The words "natural resources", as used herein, shall be held to include ocean, shellfish and inland fisheries; wild birds, including song and insectivorous birds; wild mammals and game; sea and fresh water fish of every description; forests and all uncultivated flora, together with public shade and ornamental trees and shrubs; land, soil and soil resources, lakes, ponds, streams, coastal, underground and surface waters; minerals and natural deposits.

SECTION 2. The fourth paragraph of said section 1 of said chapter 21 is hereby amended by striking out the first sentence, as so appearing, and inserting in place thereof the following sentence: — The department shall consist of a division of forests and parks, a division of conservation services, a division of marine fisheries, and a division of law enforcement.

SECTION 3. Said chapter 21 is hereby further amended by adding after section 17, under the caption DIVISION OF CONSERVATION SERVICES, the following eight sections: —

Section 18. The division of conservation services shall be under the administrative supervision of a director who shall be called the director of conservation services. The division shall administer the provisions of this chapter relating to conservation districts and such other programs and duties as may be assigned to it by the commissioner from time to time. It may receive and expend or dispense without further authorization such federal funds, services, grants or subventions as may be made available for the purposes of the division. The director shall appoint, with the approval of the commissioner, subject to the provisions of chapter thirty-one, such experts, clerks and other employees from time to time, and for such periods, as he may determine to be necessary.

Section 19. There shall be in the division a committee for conservation of soil, water and related resources, hereafter in this chapter called the state committee. Said committee shall consist of seven voting members and one non-voting advisory member. The seven voting members shall include three ex officio and four appointed members. The ex officio members shall be the commissioner of agriculture, the chairman of the water resources commission, and the dean of the college of agriculture at the University of Massachusetts. The four appointed members shall be appointed by said members ex officio, as follows: one from a list of two names submitted by the Massachusetts association of soil conservation districts, one from a list of two names submitted by the Massachusetts association of conservation commissions, one from a list of two names submitted by the executive committee of the state grange and one from a list of two names submitted by the executive committee of the Massachusetts farm bureau federation. The state conservationist of the United States soil conservation service shall be the advisory member. Appointed members shall serve for terms of four years, except that the four members of the state committee initially appointed shall be appointed for terms of one, two, three and four years, respectively, as the members ex officio may designate and until qualification of their successors. The appointed members of the state committee shall not receive any compensation for their services, but shall be paid their traveling and other expenses actually incurred in the performance of their duties as such members. The state committee shall hold regular meetings on the second Thursday in the months of January, April, July, October, and in addition shall hold meetings at the call of the chairman or on the request of any three members. The state committee shall annually elect a chairman who is not an ex officio member and a secretary from among the voting members of the committee. A majority of the voting members of the state committee shall constitute a quorum, and the concurrence of a majority in any matter within their duties shall be required for its determination.

Section 20. The state committee, unless otherwise specified, shall have the following powers and duties:

(1) To encourage and assist educational work in the conservation and development of renewable natural resources, including soil, water, plant life, woodland, fish and wildlife, and recreation resources, the control and prevention of soil erosion, the prevention of erosion, floodwater and sediment damages, and the conservation, development, utilization and disposal of water, through co-operation with all federal, state, county, local, public and private resource agencies.

(2) To advise the director in developing policies of the division of conservation services relating to the operation of conservation districts.

(3) To perform the functions hereinafter provided for, relating to the establishment, change of boundaries, or dissolution of conservation districts.

(4) To secure the co-operation and assistance of agencies of the United States, the commonwealth and its political subdivisions in promoting the organization and operation of conservation districts.

(5) To disseminate information concerning the activities and programs of conservation districts.

(6) To allot money appropriated by the general court for establishing and maintaining conservation districts and for the continuance of their projects and programs.

Section 21. Whenever the state committee receives a petition signed by at least one hundred land occupiers, herein defined as owners, lessees or tenants in possession, residing within an area proposed for the establishment of a conservation district, or whenever the state committee receives a petition for a change in the boundaries of an existing district from the governing body of the district or districts affected or from a majority of the land occupiers who would be affected by such change of boundaries, or whenever the state committee receives a petition for the dissolution of a district signed by at least one hundred land occupiers residing within the district, the following procedure shall be complied with:

(1) Upon the receipt of such petition, the state committee shall as soon as possible set a date for a public hearing upon the question of the establishment of the district, the change in the boundaries of an existing district, or the dissolution of the district, as the case may be, and shall cause notice to be given of such hearing at least ten days prior to the date set therefor, by publication in a newspaper having general circulation in the area affected. Such hearing shall be held by the state committee within the affected area. All interested parties shall have the right to attend such hearing and to be heard.

(2) If the state committee determines after such hearing that a majority of the land occupiers who would be affected by the organization of the district, the change in the boundaries of the district, or the dissolution of the district, as the case may be, are in favor of the proposal contained in the petition, and that such proposal is in the best interests of the district or in the public interest, the state committee shall record such determinations; and thereupon the district shall be established, the boundaries of the district changed, or the district dissolved, as may be appropriate.

(3) If a conservation district is dissolved, the supervisors shall forthwith proceed to terminate the affairs of the district and shall dispose of all property belonging to the district as directed by the director. Any sums remaining on hand after payment of district obligations shall be paid into the state treasury and shall be subject for a period of three years to claims against the district or the supervisors acting in their official capacity to the extent that such claims are found valid.

Section 22. Within sixty days after the state committee has established a conservation district it shall appoint a board of five district supervisors who shall be individual land occupiers residing on or owning land within the district. Supervisors originally appointed hereunder shall serve for terms of one, two, three, four and five years, respectively. Successors shall serve for terms of five years. Successors for full terms of five years shall be elected by the land occupiers in the district. The state committee shall give public notice of each such election by publication in a newspaper published in the district or having a general circulation therein at least ten days prior thereto. The state committee shall prescribe regulations for the conduct of such elections, which elections shall be conducted by the chairman of the state committee or his designated representative. The person receiving the highest number of

votes for any office to be filled at such election shall be declared elected. All supervisors shall serve until the qualification of their respective successors. Vacancies shall be filled by the state committee for the unexpired term. District supervisors shall be paid at a rate determined by the director, with the concurrence of the state committee, for each day of actual service rendered and their necessary traveling and other expenses, subject to appropriation.

Section 23. The supervisors of a conservation district shall be the governing body thereof. They shall designate from their membership a chairman and may from time to time change such designation. They may delegate to one or more of their members such powers and duties as they shall deem proper. They shall furnish the director and the state committee, upon request copies of such rules, regulations, orders, contracts, forms and other documents as they shall adopt or employ, and such other information as may be required.

The supervisors shall provide for the execution of surety bonds for all employees and officers who shall be entrusted with funds or property, for the keeping of records of all proceedings and orders issued or adopted, and for an annual audit of the accounts of receipts and disbursements.

The supervisors may invite the governing body of any political subdivision of the commonwealth, or any department, board or commission thereof, to designate a representative to advise and consult with them on questions of programs and policies which may affect the property, water supply, natural resources conservation or other interests of such political subdivision or agency thereof.

Section 24. The supervisors of a conservation district shall also have the following powers and duties:

(1) To conduct surveys, investigations and research relating to the conservation and development of natural resources, the control and prevention of soil erosion, the prevention of erosion, floodwater and sediment damages, and the conservation, development utilization and disposal of water, and the preventive and control measures needed, to publish the results of such surveys, investigations or research, and to disseminate information concerning such preventive and control measures; provided, that in order to avoid duplication of research activities no district shall initiate any research program except in co-operation with the proper authorities of the commonwealth or its departments, boards or commissions, or with the United States or any of its agencies.

(2) To carry out preventive and control measures within the district including, but not limited to, engineering operations, methods of cultivation, the growing of vegetation, changes in use of land, and measures for the purposes mentioned in paragraph (1), on lands owned or controlled by the commonwealth or any of its departments, boards or commissions, with the co-operation of the department, board or commission administering and having jurisdiction thereof, and on any other lands within the district at the request or with the consent of the occupier of such land or upon obtaining the necessary rights or interests therein.

(3) To co-operate or enter into agreements with, and within the limits of funds available to the district, including appropriations duly made by law, to furnish financial or other aid to any agency, governmental or otherwise, or any occupier of lands within the district in the carrying

on of measures for any of the purposes mentioned in paragraphs (1) and (2), subject to such conditions as the supervisors may deem necessary.

(4) To acquire and to make available, on such terms as they shall prescribe to land occupiers within the district, necessary machinery, equipment and materials to assist such land occupiers to carry on operations upon their lands for any of the purposes mentioned in paragraphs (1) and (2).

(5) To construct, improve, operate and maintain such structures as may be necessary or convenient for the performance of any of the operations authorized by sections eighteen to twenty-five, inclusive.

(6) To develop comprehensive plans for any of the purposes mentioned in paragraphs (1) and (2) which shall specify in such detail as may be practicable the acts, procedures, performances and avoidances which are necessary or desirable for accomplishing such plans, including the specification of engineering operations, methods of cultivation, growing of vegetation, cropping programs, tillage practices, and changes in use of land; and to publish plans and information and bring them to the attention of occupiers of lands within the conservation district.

(7) To accept contributions or appropriations in money, services, materials, or otherwise, for carrying on their operations, from federal agencies, or from the commonwealth, or any political subdivision thereof, or from any person, firm or corporation.

(8) To sue and be sued in the name of the conservation district; to have a common seal which shall be judicially noticed; to have perpetual succession unless terminated as herein provided; to make and execute contracts and other instruments, necessary or convenient to the exercise of their powers; to make, and from time to time amend or repeal, rules and regulations to carry into effect the purposes and powers of the district.

(9) As a condition to extending any benefits under sections eighteen to twenty-five, inclusive, to, or performing work upon, any lands not owned or controlled by the commonwealth or any of its departments, boards or commissions, the supervisors may ask for contributions in money, services, materials or otherwise to any operations conferring such benefits, and may ask land occupiers to enter into and perform such agreements or covenants as to the permanent use of such lands as the supervisors deem appropriate.

Section 25. The supervisors of any two or more districts may cooperate and enter into agreements with one another in the exercise of any or all powers conferred by sections eighteen to twenty-five, inclusive.

SECTION 4. Chapter one hundred and twenty-eight B of the General Laws is hereby repealed.

SECTION 5. All contracts, orders, rules and regulations or other proceedings of the state soil conservation committee and of soil conservation districts established under the provisions of chapter one hundred and twenty-eight B of the General Laws shall remain in force until revoked, modified, amended or superseded by the provisions of this act. The committee for conservation of soil, water and related resources, established by section nineteen of chapter twenty-one of the General Laws, shall be the legal successor to the said state soil conservation committee. Conservation districts established under said chapter one hundred and twenty-eight B shall continue in existence as conservation districts under section twenty-one of chapter twenty-one of the General Laws, until changed or dissolved as provided in said section twenty-one. The in-

cumbents of the offices of district supervisors shall continue to serve until the expiration of the respective terms for which they were appointed or elected. Any person who on the effective date of this act is an employee of the state soil conservation committee shall be transferred to and be employed by the committee for conservation of soil, water and related resources. Such transfers shall be without loss of seniority, retirement or other rights. All real or personal property, assets, debts and liabilities of the state soil conservation committee are hereby transferred to the committee for conservation of soil, water and related resources.

SECTION 6. Wherever in the General Laws or in any special law reference is made to the state soil conservation committee it shall mean the state committee established by section nineteen of chapter twenty-one of the General Laws.

SECTION 7. Funds available for expenditure by the state soil conservation committee shall be transferred to and made available for expenditure by the committee for conservation of soil, water and related resources.

Approved August 19, 1963.

Chap. 665. AN ACT ABOLISHING THE USE OF PRISONERS' CAGES IN COURTROOMS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Section 3 of chapter 34 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following sentence: — No courtroom in any such court house shall contain a cage for defendants.

Approved August 19, 1963.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, August 22, 1963.

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

DEAR MR. SECRETARY: — I, Endicott Peabody, 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 665 of the Acts of 1963 entitled "An Act Abolishing the Use of Prisoners' Cages in Courtrooms of the Commonwealth." and the enactment of which received my approval on August 19, 1963, 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 the use of cages should be discontinued immediately. It would seem a sufficient emergency exists that this act become effective at once.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, August 22, 1963.

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 four o'clock and forty-five minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter six hundred and sixty-five of the acts of nineteen hundred and sixty-three.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 666. AN ACT APPORTIONING REPRESENTATIVES TO THE SEVERAL COUNTIES OF THE COMMONWEALTH AND ESTABLISHING BOARDS OF SPECIAL COMMISSIONERS TO DIVIDE SUCH COUNTIES AS ARE ENTITLED TO MORE THAN ONE REPRESENTATIVE INTO REPRESENTATIVE DISTRICTS AND TO ASSIGN REPRESENTATIVES THERETO.

Be it enacted, etc., as follows:

SECTION 1. Chapter 57 of the General Laws is hereby amended by striking out section 4, as most recently amended by section 1 of chapter 182 of the acts of 1947, and inserting in place thereof the following section: — *Section 4.* The two hundred and forty members of the house of representatives are apportioned to the several counties, as existing at the time as of which the special enumeration of legal voters in the municipalities thereof was taken in the year nineteen hundred and fifty-five, agreeably to the constitution, until the next decennial apportionment, as follows: —

COUNTY.	Number of Representatives.
Barnstable	3
Berkshire	7
Bristol	19
Dukes	1
Essex	28
Franklin	3
Hampden	19
Hampshire	4
Middlesex	55
Nantucket	1
Norfolk (excluding Cohasset)	21
Plymouth (including Cohasset)	11
Suffolk	40
Worcester	28

SECTION 2. In each county of the commonwealth, except the counties of Dukes and Nantucket, there is hereby established a bipartisan board of special commissioners to divide such county, as existing at the time as of which the special enumeration of legal voters in the municipalities thereof was taken in the year nineteen hundred and fifty-five, into representative districts and to assign representatives thereto, which board shall consist of five persons, residents of the county, to be appointed by the governor as soon as may be after the effective

date of this act; provided, that for all purposes of said division and assignment the town of Cohasset, in the county of Norfolk, shall be considered a part of the county of Plymouth. As soon as may be after the qualification of its members, each such board shall organize by the choice of one member as chairman and by the appointment of a secretary, and shall notify the state secretary of the address to which to send the certification required to be made by him under Article XXI of the Amendments of the Constitution, as appearing in Article LXXI of said Amendments. In the county of Suffolk, such board shall assemble in Boston, and in each such county other than Suffolk the board shall assemble at a shire town of its county, within the time required by said Article XXI, as so appearing, shall proceed to divide such county into representative districts, and shall assign representatives thereto, in accordance with said Article, and shall make return thereof as therein required, and, in addition, to the registrars of voters or other body having similar powers and duties in each city and town in such county, as soon as may be, but not later than October fifteenth, nineteen hundred and sixty-three. Each such county, except Suffolk, and in Suffolk county the city of Boston, shall provide the board for such county with a suitable office and room for hearings. Each such board may expend for the services of a secretary and for clerical assistance, stationery, travel and other incidental expenses, such sum or sums, not exceeding, in the aggregate, one thousand dollars, as may be approved by the governor and council. Bills for said expenses shall be approved by a majority of the members of the board and transmitted to the comptroller for certification. Expenses so incurred shall be paid in the first instance by the commonwealth, subject to appropriation, and, within thirty days following the close of the fiscal year of the commonwealth during which any such bill for expenses shall be so approved and transmitted, the comptroller shall certify to the state treasurer the amount thereof so paid in each county where any such expense has been incurred. Said treasurer shall forthwith certify to the county commissioners of each such county, except Suffolk, a sum equal to the amount so paid therein and said commissioners, upon receipt of the certificate of said treasurer, shall levy the same as a part of the county tax for the next succeeding year in addition to any amounts otherwise authorized by the general court. The county commissioners, except in Suffolk county, shall forthwith issue an order on the county treasurer for the payment of the said sum and the county treasurer shall forthwith make payment thereof to said state treasurer from any available funds. The state treasurer shall also, forthwith upon receipt of the certificate as aforesaid from the comptroller, certify to the city of Boston a sum equal to the amount so paid in Suffolk county, and said city shall, upon receipt of said certificate of the state treasurer, make payment of said sum to the state treasurer from any available funds in the treasury of the city of Boston.

SECTION 3. The supreme judicial court shall have jurisdiction of any petition for a writ of mandamus relative to the division of a county into representative districts and the assignment of representatives thereto under section two of this act. Every such petition shall be filed in court within thirty days after the filing of the report of such division and assignment, unless the court, for cause shown, extends the time.

SECTION 4. This act shall take effect upon its passage; and the existence of each board established by section two hereof shall terminate when the purposes for which such board was so established have been fully accomplished. *Approved August 20, 1963.*

Chap. 667. AN ACT AUTHORIZING THE TOWN OF PALMER TO CONSTRUCT A COMBINATION TOWN ADMINISTRATION BUILDING AND COURT HOUSE.

Be it enacted, etc., as follows:

SECTION 1. The town of Palmer is hereby authorized to construct, originally equip and furnish, a combination town administration building and court house.

SECTION 2. The action taken by said town at the special town meeting held on August tenth, nineteen hundred and sixty-three, in voting to appropriate a sum of money for constructing, originally equipping and furnishing a combination town administration building and court house shall be as valid and effective as though this act had been in full force and effect at the time of the posting of the warrant for said meeting.

SECTION 3. The board of selectmen of said town is hereby authorized to contract from time to time with the county commissioners of Hampden county for the use by said county of the court house portion of the building so constructed.

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

Approved August 20, 1963.

Chap. 668. AN ACT ESTABLISHING THE METROPOLITAN AREA PLANNING COUNCIL.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for regional planning in the metropolitan Boston area, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 17 of chapter 6 of the General Laws is hereby amended by inserting after the word "commission" the first time it occurs in line 9, as appearing in section 1 of chapter 623 of the acts of 1958, the words: — , the metropolitan area planning council.

SECTION 2. Said chapter 6 is hereby further amended by inserting after section 108 under the caption METROPOLITAN AREA PLANNING COUNCIL the following six sections: —

Section 109. There shall be a metropolitan area planning council, in this section and in sections one hundred and ten to one hundred and fourteen, inclusive, called the council. Said council shall consist of one representative from each city and town of the metropolitan area planning district who shall be appointed by the mayor or, if the city has a manager, by the city manager and in the case of a town by the board of selectmen or, if the town has a manager, by the town manager; twenty-one persons to be appointed by the governor, with the advice and consent

of the executive council; and the following officers or their respective designees who shall be members ex officiis: — the chairman of the Metropolitan Transit Authority, the chairman of the Massachusetts Port Authority, the chairman of the Massachusetts Turnpike Authority, the commissioner of public safety, the commissioner of the metropolitan district commission, the commissioner of public works, the chairman of the mass transportation commission, the commissioner of commerce, the chairman of the state housing board, the chairman of the Boston Redevelopment Authority and the commissioner of public works of the city of Boston.

Upon the expiration of the term of any appointed member, his successor shall be appointed in like manner for a term of three years. The appropriate appointing authority shall fill any vacancy for the remainder of the unexpired term.

Section 110. The council shall elect annually by and from its members a president, a secretary and a treasurer, each of whom shall hold his office until his successor is elected and qualified. Election of said officers shall be held annually in the month of April, and the officers elected shall commence their terms on the fourth Wednesday of April.

The council shall meet quarterly at the call of the president, and at such other times as the council may determine.

It shall establish rules of procedure for its activities and the activities of the executive committee, and shall keep a record of its meetings, transactions, resolutions, findings and determinations, all of which shall be a public record. The council shall make an annual report to the general court.

The treasurer shall give the council 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 council may require.

The council shall conduct such research and prepare and compile such data, maps, charts and tables as may be helpful or necessary to improve the physical, social and economic conditions of the district, and shall prepare and revise comprehensive plans for the physical, social and economic improvement of the district, or parts thereof, with respect to the optimum use of the land areas in the district, and the most efficient provisions for the utilities serving these land areas.

The council shall approve or disapprove by majority vote such plans for the development and redevelopment of the district, or parts thereof, as may be laid before it. The approval of any such plan or any recommendation of the council shall be advisory only.

The council shall maintain the fullest co-operation with cities and towns in the district, and shall render them all possible assistance in their planning activities, especially when two or more of the municipalities have common problems.

Section 111. There is hereby established a metropolitan area planning district, in this section and sections one hundred and twelve to one hundred and fifteen, inclusive, called the district, consisting of: — (*a*) each city and town which is a member of the metropolitan sewage district, the metropolitan water district or the metropolitan parks district; (*b*) each city and town contiguous to any city or town in the metropolitan sewage district, the metropolitan water district or the metropolitan parks district which applies to the council to be included

in the district; and (c) any other city or town which applies to the council to be included in the district and whose application is approved by a majority vote of the representatives of the cities and towns on the council.

Section 112. There shall be a mutual exchange, between the council and all offices, boards, commissions, departments, divisions and agencies of the commonwealth, and all offices, boards, commissions and departments of each political subdivision of the commonwealth within the district, and all public authorities operating within the district, of data, records and information within their knowledge and control pertaining to the district, or to parts thereof, which may be required for the preparation of plans made pursuant to section one hundred and ten; provided, however, that no such public authority shall be required to expend any funds for such purposes in contravention of its trust indentures.

Section 113. There shall be an executive committee consisting of twenty members, the chairman of which shall be the president of the council, the secretary of which shall be the secretary of the council, and the treasurer of which shall be the treasurer of the council. One quarter of said members shall be elected from the representatives of cities; provided, that at least one such member elected is a resident of the city of Boston; one quarter shall be elected from the representatives of towns; one quarter shall be elected from the persons appointed by the governor; and the remaining one quarter shall be elected from the ex officiis members. Each member of the committee shall serve for a term of one year or until his successor has been duly qualified.

Action taken by the executive committee shall be in the name of and in behalf of the council. The executive committee shall engage, and may remove, an executive director, who shall be specially qualified by education, training and experience in the fields of regional planning and community relations, and shall determine his salary, and shall approve the selection and compensation of a technically qualified staff to discharge the professional duties of the council. The executive committee shall be responsible for the supervision of the director and for the preparation of an annual budget, to be submitted to the council for its consideration, and for the performance of such other duties as may be assigned by the council. The members of the executive committee shall serve without compensation, but shall be reimbursed for necessary expenses, including travel, incurred in the performance of their duties. The executive director shall be responsible to the executive committee and shall act for said committee at its direction. The executive director shall not be subject to chapter thirty-one nor to section nine A of chapter thirty.

The executive director, with the approval of the executive committee, shall appoint, and may remove, as members of the staff, such officers and employees as the work of the council may require, subject, however, to chapters thirty and thirty-one, who shall be members of the state contributory retirement system.

The executive director, with the approval of the executive committee, may hire temporary or part-time experts or consultants who shall not be subject to the provisions of chapters thirty-one and thirty-two.

The executive committee shall establish such technical advisory committees as may be needed to assist the executive director in exploring,

planning and developing the programs and projects of the council. The chairman, commissioner or head of any state, county or municipal body or public authority operating within the district, if permitted by its trust indentures so to do, shall delegate one or more well-qualified representatives from his agency to serve on any of the said technical advisory committees when so requested by the executive committee.

Section 114. The council may expend for services and other expenses such amounts as the general court may appropriate therefor. The total amount so appropriated, less contributions from the federal government, if any, shall be charged as assessments upon the various cities and towns comprising the district, provided, however, that any such assessment on such city or town shall not exceed a sum equivalent to five cents per capita of the population of such city or town, exclusive of the number of prisoners in any correctional institution of the commonwealth therein and of the patients in any institution under the jurisdiction of the department of mental health or public health. The state treasurer shall, subject to the aforesaid limitations, certify the amount to be assessed upon each city and town comprising the district, and said amount shall be paid by such city or town to the state treasurer, as provided by section twenty of chapter fifty-nine.

SECTION 3. The governor in making his initial appointments to the metropolitan area planning council, established under the provisions of section one hundred and nine of chapter six of the General Laws, shall appoint seven members for terms of three years, seven for terms of two years and seven for terms of one year. Thereafter, as the term of any such member expires, his successor shall be appointed for the term set forth in said section one hundred and nine.

The governor shall designate one of his original appointees to the metropolitan area planning council as the temporary president of said council. Said temporary president shall call a meeting of the council within thirty days after his appointment, at which meeting the members of the council shall elect a president, a secretary and a treasurer, each of whom shall hold office until the fourth Wednesday of April next following said election. Said officers shall exercise all the powers and duties set forth in sections one hundred and nine to one hundred and fourteen, inclusive, of chapter six of the General Laws.

SECTION 4. 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. *Approved August 26, 1963.*

Chap. 669. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF PLYMOUTH TO PAY A CERTAIN BALANCE OF RENT FOR PREMISES USED BY THE SECOND DISTRICT COURT OF PLYMOUTH.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Plymouth are hereby authorized to pay Abington Masonic Association, from any available funds in the treasury, the sum of four thousand eighty-three dollars and thirty-three cents, representing the unpaid balance of the rent, on a pro rata basis for the period beginning January first, nine-

teen hundred and sixty-two and ending May thirty-first, nineteen hundred and sixty-three, stipulated in a lease, dated December twenty-seventh, nineteen hundred and sixty-one, of certain premises in the town of Abington owned by said association and set apart for the use of the second district court of Plymouth.

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

Approved August 26, 1963.

Chap. 670. AN ACT VALIDATING CERTAIN PROCEEDINGS RELATING TO TANTASQUA REGIONAL SCHOOL DISTRICT AND AUTHORIZING VOCATIONAL EDUCATION TO BE OFFERED BY SAID DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The proceedings of the member towns of Tantasqua Regional School District purporting to authorize said district to establish and maintain state-aided vocational education are hereby validated and, by virtue of said proceedings, the agreement establishing said district shall be deemed to be amended so as to include authority for said district to offer such vocational education as may be provided by towns under chapter seventy-four of the General Laws.

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

Approved August 26, 1963.

Chap. 671. AN ACT AUTHORIZING THE GILBERTVILLE WATER DISTRICT TO ACQUIRE LAND IN THE TOWN OF NEW BRAINTREE FOR THE PURPOSE OF DEVELOPING AN ADDITIONAL GROUND WATER SUPPLY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of developing additional ground water supply, the Gilbertville Water District may take by eminent domain under chapter seventy-nine of the General Laws or acquire by purchase, gift or otherwise, certain land within the town of New Braintree, bounded and described as follows: —

Beginning at a concrete bound, said bound being located approximately 50 feet southeasterly of a road known as Mara Road, and also being an angle point in the southerly sideline of Gilbertville Road, so called, as shown on a plan of the Massachusetts Department of Public Works, Number H–2547R of the 1936 County Layout, thence S 85°–42′–55″ E as shown on the said plan of the 1936 County Layout of Gilbertville Road, two hundred eighty-four and no one hundredths (284.00) feet to a concrete bound, thence S 81°–24′–55″ E of seventy-seven and twenty-nine one hundredths (77.29) feet along said southerly sideline to a concrete bound at a point of tangency, thence running easterly on a curve to the left, said curve having a radius of nine hundred eighty-two and eleven one hundredths (982.11) feet four hundred seventy-eight and eighty-one one hundredths (478.81) feet along said southerly sideline of Gilbertville Road to a concrete bound, thence running S 16°–20′–24″ E a distance of six hundred thirty-five and no one hundredths (635.00) feet to a point, thence S 80°–50′–40″ W one thousand fifty-six and twenty-four one hundredths (1056.24) feet to a point, thence N 41°–51′–55″ W seven hundred ten and no one hun-

dredths (710.00) feet, to a point, thence N 48°–08′–05″ E five hundred forty and no one hundredths (540.00) feet to a point, in the southerly sideline of Gilbertville Road, thence S 47°–25′–38″ E along said southerly sideline of Gilbertville Road one hundred forty and no one hundredths (140.00) feet to the point of beginning.

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. The location and arrangement of all dams, reservoirs, wells or filter galleries, filtration and pumping plants, or other works, necessary to carry out the provisions of this act shall be subject to the approval of said department. Said district may construct and maintain on the lands acquired and maintained under this act proper dams, wells, reservoirs, pumping and filtration plants, buildings, standpipes, tanks, fixtures and other structures, including also purification and treatment works, the construction and maintenance of which shall be subject to the approval of said department of public health. Said district may enter upon any lands for the purpose of making surveys, test wells or pits and borings, and may take or acquire the right to occupy temporarily any lands necessary for the construction of any work or for any purpose authorized by this act.

Said district may construct, lay, repair and maintain conduits, pipes and other works on and over any lands, water courses, public or other ways, and along any such way in said town, in such a manner as to carry out the purposes of this act; and for the purpose of constructing, laying, repairing and maintaining apparatus and laying and repairing conduits, pipes and other works, and for all other purposes of this act necessary and incidental thereto and therewith, said district may enter upon and dig up or raise and embank any such lands, highways or other ways in such manner as to permit public travel hereon; provided, that said district shall restore, to as good condition as they formerly were in, any ways so dug up. Said district shall pay all damages sustained by any person in consequence of any negligent act upon the part of the said district, its agents or employees under this act.

SECTION 2. Nothing in this act shall limit any right of the town of New Braintree heretofore granted or which may hereafter be granted, to supply itself and its inhabitants with water from any source within its limits; provided, that such acts by said town shall not interfere with such water supply as may be established and required by the Gilbertville Water District.

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

Approved August 26, 1963.

Chap. 672. AN ACT RELATIVE TO STATE AID FOR FREE PUBLIC LIBRARIES.

Be it enacted, etc., as follows:

Section 19A of chapter 78 of the General Laws, inserted by section 1 of chapter 760 of the acts of 1960, is hereby amended by striking out, in lines 2 and 3, the words "proceeds of the taxation on incomes under chapter sixty-two" and inserting in place thereof the words: — General Fund.

Approved August 26, 1963.

Chap. 673. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE COMMONWEALTH MAY BORROW TO MEET THE NON-FEDERAL COST OF THE CONSTRUCTION OF THE FLOOD PROTECTION WORKS IN THE CHICOPEE RIVER IN THE CITY OF CHICOPEE.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 552 of the acts of 1962 is hereby amended by striking out, in lines 4 and 5, the words "four hundred" and inserting in place thereof the words: — five hundred and twenty-five.

SECTION 2. Section 4 of said chapter 552 is hereby amended by striking out, in line 7, the words "four hundred" and inserting in place thereof the words: — five hundred and twenty-five.

Approved August 26, 1963.

Chap. 674. AN ACT ESTABLISHING THE GOVERNOR'S HIGHWAY SAFETY COMMITTEE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 90A of the General Laws is hereby amended by striking out section 1, as most recently amended by section 1 of chapter 522 of the acts of 1960, and inserting in place thereof the following section: — *Section 1.* There shall be in the executive department a commitee to be known as the Governor's Highway Safety committee, hereinafter referred to as the committee. The committee shall consist of the registrar of motor vehicles, the attorney general, or his designee, the commissioner of insurance, the commissioner of public works, the commissioner of public safety, the commissioner of education, the chairman of the youth service board, the chairman of the metropolitan district commission, the commissioner of mental health, and ten members to be appointed by the governor, one of whom shall be a representative of a Massachusetts safety council accredited by the National Safety Council, two of whom shall be representatives of labor organizations representing persons employed as operators of trucks, buses or automobiles, one of whom shall be a representative of the Massachusetts Police Chiefs' Association and one of whom shall be a representative of an automobile club. The members appointed by the governor shall serve for a term of three years. The members of the committee shall receive no compensation for service on the committee. The committee shall have no power or authority except as specifically provided by law.

SECTION 2. Said chapter 90A is hereby further amended by striking out sections 2, 3 and 4, as appearing in section 1 of chapter 570 of the acts of 1953, and inserting in place thereof the following three sections: —

Section 2. The governor shall appoint or make available from his staff, or shall designate from other departments, such personnel as shall be necessary to carry out the functions of the committee. One such person so appointed or designated shall serve as the executive director of the committee. The executive director shall be selected by the governor and may be removed by him at any time at his discretion. He shall perform such duties as the governor may prescribe. The committee shall be provided with suitable offices and equipment.

Section 3. The committee may expend such sums as may be necessary in carrying out its duties including reasonable travel and expense of its members.

Section 4. The committee shall meet on the call of the governor at such times and places as he may determine. It shall be the duty of the committee to study the problems of safety in connection with the operation of motor vehicles; to consult and co-operate with all departments of state government in regard to highway safety; to promote and encourage uniform and effective programs of safety on highways and to assist in the co-ordination of such programs among state departments, local governmental agencies, other governmental agencies, and private organizations; to interchange information among the several departments of the state government for more effective highway safety conditions; to co-operate with officials of the United States government and with local governments toward the achievement of greater highway safety; to encourage highway safety education in the commonwealth; to encourage and assist in the creation of, and the programs of, local highway safety committees; and to make recommendations to the legislature with respect to the problems of highway safety.

Approved August 26, 1963.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, September 4, 1963.

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

DEAR MR. SECRETARY: — I, Endicott Peabody, 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 674 of the Acts of 1963 entitled "An Act Establishing the Governor's Highway Safety Committee." and the enactment of which received my approval on August 26, 1963, 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 the successful operation of the Governor's Highway Safety Committee will save many of our citizens from personal injury or death upon the highways of the Commonwealth. It would seem a sufficient emergency exists that this act become effective at once.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, September 4, 1963.

I, Kevin H. White, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at four o'clock and forty minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter six hundred and seventy-four of the acts of nineteen hundred and sixty-three.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 675. AN ACT PROVIDING THAT THE EXPENSES OF THE GREAT BARRINGTON AND WESTERN HAMPDEN DISTRICT DEPARTMENTS OF VETERANS' SERVICES SHALL BE APPORTIONED AMONG THE MUNICIPALITIES OF SAID DISTRICTS ON THE BASIS OF THE LAST PRECEDING STATE TAX IMPOSED UPON THEM.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section eleven of chapter one hundred and fifteen of the General Laws, the expenses of the directors of veterans' services and their deputies or assistants and of the departments under their charges of the Great Barrington district department of veterans' services and the Western Hampden district department of veterans' services, respectively, shall be apportioned among the several municipalities comprising each such district on the basis of the last preceding state tax imposed upon them.

SECTION 2. This act shall apply to the apportionment of the expenses of said districts for the year beginning January first, nineteen hundred and sixty-four, and for succeeding years.

Approved August 26, 1963.

Chap. 676. AN ACT PROVIDING THAT THE COMMISSIONER OF ADMINISTRATION SHALL MAKE RULES AND REGULATIONS GOVERNING THE EMPLOYMENT OF CONSULTANTS AND DETERMINE THE RATE OF THEIR COMPENSATION.

Be it enacted, etc., as follows:

Chapter 29 of the General Laws is hereby amended by inserting after section 29 the following section: —

Section 29A. The commissioner of administration shall make, and may from time to time amend, rules and regulations governing the employment of consultants in all departments and determine the rate of compensation for their services. Such rules and regulations shall be open to public inspection in the bureau of personnel, and copies thereof shall be made available to interested persons upon request. Such rules and regulations shall not be subject to the provisions of chapter thirty A. As used in this section the word "consultant" shall mean a person who, as a non-employee, gives professional advice or service regarding matters in the field of his special knowledge or training.

Approved August 26, 1963.

D.P.W.

Chap. 677. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO PLACE SHORE PROTECTIVE WORKS FOR THE PURPOSE OF PROTECTING THE SHORE OF THE TOWN OF MARSHFIELD FROM EROSION BY THE SEA.

Be it enacted, etc., as follows:

SECTION 1. Subject to the conditions herein imposed, the department of public works is hereby authorized and directed to place shore protective works for the purpose of protecting the shore of the town of Marshfield from erosion by the sea. No work shall be begun until said town has assumed liability, in the manner provided by section twenty-nine of chapter ninety-one of the General Laws, for all damages that

may be incurred hereunder, nor until there has been paid into the state treasury by the county of Plymouth a sum of money representing the county's share of the total amount to be spent under this act, and by said town a sum of money representing the town's share of the total amount to be spent under this act, which, together with a sum of money representing fifty per cent of the total amount to be spent, as may hereafter be appropriated by the commonwealth, shall constitute a fund for the improvements herein authorized; provided, that the total cost of such improvements shall not exceed seventy-five thousand dollars, including engineering costs; and provided, further, that if any of the aforesaid sum remains after completion of such improvements, proportions representing the shares of said county and said town in such unexpended balances shall be repaid to them.

SECTION 2. The cost of the work under this act shall be paid as follows: — fifty per cent by the commonwealth, twenty-five per cent by said county, and twenty-five per cent by said town.

SECTION 3. For the purpose of meeting the payments required to be made by the county of Plymouth under this act, the treasurer of said county, with the approval of the county commissioners, may borrow from time to time, on the credit of the county, such sums as may be necessary, not exceeding, in the aggregate, eighteen thousand seven hundred and fifty dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Plymouth County — Marshfield Shore Protective Works Loan, Act of 1963. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than ten years from their dates. Such bonds or notes shall be signed by the treasurer of the county 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 under this act shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

SECTION 4. The county treasurer, with the approval of the commissioners, may issue temporary notes of the county, payable in not more than one year from their dates, in anticipation of the issue of serial bonds or notes under section three, 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 said section. Any notes issued in anticipation of the serial bonds or notes shall be paid from the proceeds thereof.

SECTION 5. For the purpose of meeting the payments required to be made by the town of Marshfield under this act, said town may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, eighteen thousand seven hundred and fifty dollars, and may issue notes therefor, which shall bear on their face the words, Town of Marshfield, Shore Protective Works Loan, Act of 1963. Each authorized issue shall constitute a separate loan, and such loan shall be paid within twenty years from their dates. Indebtedness incurred by said town under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

SECTION 6. Betterments may be assessed, by the town of Marshfield under chapter eighty of the General Laws, upon estates specially bene-

fited by the improvements hereby authorized; provided, that the total amount of such assessments shall not exceed one half the amount of payments required to be made by said town for the work hereunder; and the proceeds of such assessments shall be used to pay indebtedness incurred by said town under section five.

SECTION 7. This act shall take effect upon its acceptance during the current year by the county commissioners of Plymouth county and by the town of Marshfield, and the filing in the office of the department of public works of certified copies of said votes.

Approved August 26, 1963.

Chap. 678. AN ACT DIRECTING THE COUNTY COMMISSIONERS OF PLYMOUTH COUNTY TO HAVE PLANS AND SPECIFICATIONS PREPARED FOR AN ADDITION TO THE COUNTY JAIL AND HOUSE OF CORRECTION.

Be it enacted, etc., as follows:

For the purpose of providing additional facilities at the county jail and house of correction, the county commissioners of Plymouth county are hereby authorized and directed to have plans and specifications prepared for an addition to said county jail and house of correction. For such purposes said commissioners may expend such sums as may be appropriated therefor. *Approved August 26, 1963.*

Chap. 679. AN ACT RELATIVE TO THE FUNDING OF CERTAIN INDEBTEDNESS BY THE CITY OF CHELSEA.

Be it enacted, etc., as follows:

SECTION 1. The city of Chelsea, for the purposes specified in section two, may incur indebtedness to an amount not exceeding two hundred and thirty-six thousand dollars, and may issue and sell bonds or notes therefor which shall bear on their face the words, City of Chelsea Funding Loan, Act of 1963. Said loan shall be paid in not more than five years from the date of issue. Indebtedness incurred under this section shall be within the statutory limit but shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. Amounts borrowed under authority of section one shall, together with fifty thousand dollars to be appropriated by said city, be used in meeting deficits aggregating two hundred and eighty-six thousand dollars consisting of overlay deficits on levies during the years nineteen hundred and fifty-eight to nineteen hundred and sixty-two, inclusive, of one hundred and twenty-seven thousand seventy-six dollars and twenty-two cents, a revenue deficit for the year nineteen hundred and sixty-two of one hundred and three thousand one hundred and ninety-five dollars and forty-four cents, and payments of final judgments in accordance with the provisions of section thirty-one of chapter forty-four of the General Laws in the amount of fifty-five thousand seven hundred and twenty-eight dollars and thirty-four cents.

SECTION 3. This act shall take effect upon its acceptance by the city of Chelsea. *Approved August 26, 1963.*

Chap. 680. AN ACT SUBJECTING ALL HOTELS AND FAMILY HOTELS TO CERTAIN RULES AND REGULATIONS OF THE BOARD OF FIRE PREVENTION REGULATIONS AND RULES OF THE HEAD OF THE FIRE DEPARTMENT RELATIVE TO FIRE PREVENTION.

Be it enacted, etc., as follows:

SECTION 1. Paragraph L of section 28 of chapter 148 of the General Laws, as most recently amended by section 9 of chapter 363 of the acts of 1946, is hereby further amended by inserting after the word "in", in line 4, the words: — hotels, family hotels and — so as to read as follows: — L. Prohibiting or regulating inflammable decorations in public buildings and places of assembly, as such terms are defined in section one of chapter one hundred and forty-three, and in hotels, family hotels and stores.

SECTION 2. This act shall take effect on January first, nineteen hundred and sixty-four. *Approved August 26, 1963.*

Chap. 681. AN ACT PROVIDING THAT NO BUILDING OR PART THEREOF SHALL BE OCCUPIED OR USED AS A HOTEL OR FAMILY HOTEL UNTIL A LICENSE OR CERTIFICATE THEREFOR HAS BEEN ISSUED.

Be it enacted, etc., as follows:

SECTION 1. Section 52 of chapter 143 of the General Laws, as amended by chapter 478 of the acts of 1945, is hereby further amended by inserting after the word "a", in line 2, the words: — hotel, family hotel, — so that the first sentence will read as follows: — No person shall occupy or use any building or part thereof as a hotel, family hotel, theatre, special hall, public hall, miscellaneous hall or schoolhouse until a license therefor has been issued by the commissioner or a certificate therefor by an inspector, whichever is required under this chapter.

SECTION 2. This act shall take effect on January first, nineteen hundred and sixty-four. *Approved August 26, 1963.*

Chap. 682. AN ACT RELATIVE TO THE LAW AUTHORIZING 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, AND AUTHORIZING THE INCLUSION OF THE TOWN OF WINTHROP IN SAID DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 703 of the acts of 1962 is hereby amended by striking out section 1 and inserting in place thereof the following section: — *Section 1.* The cities of Chelsea, Malden, Melrose, Revere and Woburn, and the towns of North Reading, Reading, Saugus, Stoneham, Wakefield, Winchester and Winthrop, 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; provided that membership on the regional vocational school district planning board of the town of Winthrop is hereby authorized without a vote of said town. The city council of each city and the moderator of each town shall have the power to fill any vacancy in the regional vocational school district planning board of said city or town. 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. A quorum of the regional vocational school district planning board shall consist of not less than one representative from two-thirds of the participating cities or towns. Less than a quorum may adjourn any meeting to a given time and place. References herein to "regional school district" shall mean "regional vocational school district". References herein to "regional district planning board" shall mean "regional vocational school district planning board".

SECTION 2. Said chapter 703 is hereby further amended by striking out section 2 and inserting in place thereof the following section: — *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, at the same time or at a later time or times, to the selectmen of each of said towns.

The regional vocational school district planning board shall have the right to request of each city or town the appropriation of funds, in accordance with the provisions of section one, in such proportion as to the said regional vocational school district planning board shall seem equitable.

SECTION 3. Section 3 of said chapter 703 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The said regional district planning board may recommend that there shall be established a regional vocational school district to be known as Northeast Metropolitan 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.

SECTION 4. Said chapter 703 is hereby further amended by striking out section 5 and inserting in place thereof the following section: *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 next regular city elections, whichever occurs first, in substantially the form hereinafter set forth; and not more than sixty days after 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 town meeting 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, as amended by an act passed by the General Court in the year nineteen hundred and sixty-three, providing for the establishment of a regional school district by the cities of (such cities as may be recommended under section three of this act) 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 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 5. This act shall take effect upon its passage.

Approved August 27, 1963.

Chap. 683. AN ACT INCREASING THE SALARY OF THE JUSTICE OF THE DISTRICT COURT OF LEE.

Be it enacted, etc., as follows:

Section 78 of chapter 218 of the General Laws is hereby amended by inserting after line 37, as appearing in section 2 of chapter 675 of the acts of 1958, reading "district court of southern Berkshire," the following line: — district court of Lee, ; and by striking out line 41, as so appearing, reading "district court of Lee,".

Approved August 27, 1963.

Chap. 684. AN ACT RELATIVE TO 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 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 1 of chapter 773 of the acts of 1960 is hereby amended by striking out paragraph (*b*) and inserting in place thereof the following paragraph: —

(*b*) The term "cost of a project" shall embrace the cost, whenever incurred, of carrying out a project and placing it in operation, the cost of architectural and engineering services, plans, specifications, surveys, estimates of cost and of revenues, other expenses necessary or incident to determining the feasibility or practicability of the project, administrative expense, legal expense and such other expenses as may be necessary or incident to the aforesaid, to the financing thereof and to the issuance therefor of notes or bonds or both under the provisions of this act and interest for such period as the Authority may deem advisable but ending not later than eighteen months after the trustees shall have accepted the project for occupancy on money borrowed to pay all or part of the cost of a project. The term shall also embrace the cost of preliminary architectural and engineering services, plans, specifications, surveys, estimates of cost and of revenues and other expenses necessary or incident to determine the feasibility or practicability of other projects for which written requests shall have been made by authority of the trustees.

SECTION 2. Said section 1 of said chapter 773 is hereby further amended by striking out paragraph (*d*) and inserting in place thereof the following paragraph: —

(*d*) The word "project" shall mean the construction of new buildings or structures and the acquisition, addition to, alteration, enlargement, reconstruction, remodeling and other work in or upon or respecting existing buildings or structures, the provision and installation therein or in respect thereof of furnishings, furniture, machinery, equipment, facilities, approaches, driveways, walkways, parking areas, planting and landscaping, the acquisition of land, other property, rights, easements and interests acquired for or in respect to any thereof, the demolition or removal of any buildings or structures on land so acquired or interests in which are so acquired and site preparation, with respect to which the Authority shall provide by resolution for the issuance of a series of bonds or notes. Whenever appropriate the word shall also mean such land, buildings or structures and such appurtenances.

SECTION 3. The second paragraph of section 2 of said chapter 773 is hereby amended by inserting after the word "trustees", in lines 5 and 6, the words: — and such dual membership shall not invalidate any action heretofore or hereafter taken by the Authority or by the trustees in which any such member has participated or may participate.

SECTION 4. Said chapter 773 is hereby further amended by striking out section 3 and inserting in place thereof the following section: —

Section 3. Purposes. — The Authority is created for the general purposes of aiding and contributing to the performance of the educational and other purposes of the university by providing dormitories, dining commons and other buildings and structures for the use of the university, its students, staff and their dependents. Such use shall include, but not be limited to, use by an organization or association, in any form, of students or others the activities of which are a part of the activities at the university and subject to regulation by the trustees or use by a research foundation or other research organization the operation of which in conjunction with the university is approved by the trustees. The Authority shall not initiate any project except upon written request made by authority of the trustees, and notwithstanding any other provisions of this act the Authority shall have power to initiate

only such projects as the trustees determine to be designed primarily to provide facilities for the housing, feeding, medical care or extra curricular use by students, staff and dependents or facilities for use by a research foundation or other research organization as above defined.

SECTION 5. Section 4 of said chapter 773 is hereby amended by striking out clauses (*c*), (*d*), (*e*) and (*f*) and inserting in place thereof the following four clauses: —

(*c*) To maintain an office or offices in the town of Amherst and elsewhere within the commonwealth;

(*d*) To sue and be sued in its own name, plead and be impleaded;

(*e*) To construct buildings or structures and to acquire, add to, alter, enlarge, reconstruct, remodel and do other work in or upon or respecting any building or structure, in each case upon written request made by authority of the trustees; to provide and install furnishings, furniture, machinery, equipment, facilities, approaches, driveways, walkways, parking areas, planting and landscaping in or for or related to any such building or structure; provided, that such approaches, driveways, parking areas, planting and landscaping be approved by authority of the trustees; to repair, maintain and operate all property in which the Authority holds an interest;

(*f*) To rent or lease as landlord any building or structure or portion thereof or parking or other area held by it hereunder, to operate the same and to provide services therein, and to establish rules and regulations for the use thereof; provided, that no such rules or regulations shall conflict with any rules or regulations made by authority of the trustees for use of property of the university, except as provided in section nine;.

SECTION 6. Said section 4 of said chapter 773 is hereby further amended by striking out clauses (*h*), (*i*) and (*j*) and inserting in place thereof the following three clauses: —

(*h*) Subject to the provisions of section nine, to fix and revise from time to time, and to charge and collect rates, fees, rentals and other charges for the use of any building, structure, other property or portion thereof under its control;

(*i*) To acquire, hold and dispose of real and personal property and rights and interests therein in the exercise of its powers and the performance of its duties under this act;

(*j*) To acquire from the commonwealth by purchase, lease or grant such property of the commonwealth, real or personal, or easements or rights therein, as may be necessary or desirable for carrying out the provisions of this act;.

SECTION 7. Said section 4 of said chapter 773 is hereby further amended by striking out clause (*l*) and inserting in place thereof the following clause: —

(*l*) To make application for, receive and accept from the federal government or any agency thereof grants or loans for or in aid of the payment of all or any part of the cost of a project, and to receive and accept contributions from any source of money, property, labor or other things of value, to be held, used and applied only for the purposes for which such grants and contributions may be made;.

SECTION 8. Section 5 of said chapter 773 is hereby amended by striking out clauses (*a*) and (*b*) and inserting in place thereof the following two clauses: —

(*a*) Sell, convey or lease to the Authority real or personal property owned by the commonwealth in Amherst or Hadley or grant easements, licenses or any other rights or privileges therein to the Authority, and the provisions of section twenty-seven, but not the provisions of section twenty-eight, of chapter seventy-five of the General Laws shall apply to any such sale, conveyance, lease or grant;

(*b*) Cause private ways, sidewalks, footpaths, ways for vehicular travel, parking areas, water, sewage or drainage facilities and similar improvements and steam service and other utilities and connections for heating and other necessary purposes to be furnished to or in any project carried out by the Authority;.

SECTION 9. Said section 5 of said chapter 773 is hereby further amended by striking out clause (*d*) and inserting in place thereof the following clause: —

(*d*) Do any and all things authorized by law and necessary or convenient to aid and co-operate with the Authority in carrying out the purposes of the Authority and exercising its powers hereunder and in complying with the provisions of any trust agreement into which the Authority may enter.

SECTION 10. Said section 5 of said chapter 773 is hereby further amended by striking out the last paragraph and inserting in place thereof the following paragraph: —

No lease or other agreement made under this act between the trustees, acting on behalf of the commonwealth, and the Authority shall be subject to any provision of law relating to publication or to advertising for bids, and any such lease or agreement may be entered into and shall become effective without any necessity for any order of court or other action or formality other than the regular and formal action of the authorities concerned and except as may be expressly provided elsewhere in this act.

SECTION 11. Said chapter 773 is hereby further amended by striking out section 7, as amended by section 1 of chapter 763 of the acts of 1962, and sections 8 and 9, and section 10, as amended by section 2 of said chapter 763, and inserting in place thereof the following four sections: —

Section 7. Authority Bonds and Notes. — The Authority is hereby authorized to provide by resolution at one time or from time to time for the issue of bonds of the Authority for the purpose of paying all or any part of the cost of a project or for the purpose of refunding outstanding indebtedness of the Authority incurred under this act or any other authority to finance or refinance a project; provided, that the Authority shall not issue bonds the principal amount of which, when added to the principal amount of bonds and notes theretofore issued hereunder, excluding bonds and notes previously refunded or being or to be refunded thereby, shall exceed thirty-five million dollars.

The Authority is further authorized, subject to such conditions, limitations and restrictions as may be set forth in the resolution or resolutions authorizing or the trust agreement or agreements securing any bonds or notes theretofore issued, to provide by resolution at one time or from time to time for the issue under this act of such additional bonds for the above purposes as may hereafter be authorized by the general court.

The Authority is further authorized to provide by resolution at one time or from time to time for the issue of interest-bearing or discounted

notes for the purposes and in the amounts that bonds may be issued as provided above. Such notes shall be payable within three years from their respective dates, but the principal of and any interest on notes issued for such period or for a shorter period may be renewed or paid from time to time by the issue of other notes hereunder; provided, that the period from the date of an original note to the maturity of any note issued to renew or pay the same debt or the interest thereon shall not exceed five years.

The principal and interest of any bonds or notes issued hereunder shall be payable solely from the funds herein provided for such payment. The bonds of each issue shall be dated, shall bear interest at such rates not exceeding five per centum per annum, shall mature serially with the final maturity at such time not exceeding forty years from their date or dates as may be determined by the Authority, and may be made redeemable before maturity at the option of the Authority, at such price or prices and under such terms and conditions as may be fixed by the Authority prior to the issuance of any such bonds.

The Authority shall determine the form of bonds and notes issued by it hereunder, including any interest coupons to be attached thereto, and the manner of execution thereof, and shall fix the denomination or denominations thereof and the place or places of payment of principal and interest, which may be at any bank or trust company within or outside the commonwealth. In case any officer whose signature or a facsimile of whose signature shall appear on any notes, bonds or coupons shall cease to be such officer before the delivery thereof, 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. The bonds may be issued in coupon or in registered form, or both, as the Authority may determine, and provision may be made for the registration of any coupon bonds as to principal alone, and also as to both principal and interest, and for the reconversion into coupon bonds of any bonds registered as to both principal and interest and for the interchange of registered and coupon bonds. The Authority may sell such bonds and notes 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 and notes 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 or notes prior to maturity. All bonds and notes issued under the provisions of this act shall have all the qualities and incidents of investment securities under the Uniform Commercial Code.

The proceeds of such bonds and notes shall be used solely for the payment of the cost of the project which they are issued to finance or for the payment of the principal amount of the bonds or notes which they are issued to refund, together with accrued interest, premium if any, and related fees and expenses, and shall be disbursed in such manner and under such restrictions, if any, as the Authority may provide in the resolution authorizing the issuance thereof or in the trust agreement securing the same. If the proceeds of bonds or notes issued in whole or in part to pay the cost of a project, by error of estimates or otherwise,

shall be less than such cost, additional bonds or notes may in like manner be issued to provide the amount of such deficit, and, unless otherwise provided in the resolution authorizing the issuance thereof or in the trust agreement, shall be deemed to be of the same issue or series and shall be entitled to payment from the same fund without preference or priority of the bonds or notes of such issue or series first issued. If the proceeds of an issue or series of bonds or notes shall exceed the cost of the projects they were issued to finance the surplus shall be deposited for application to the retirement 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 or notes which shall become mutilated or shall be destroyed or lost. Bonds or notes may be issued under the provisions of this act without obtaining the consent of any department, division, commission, board, bureau or agency of the commonwealth, 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, and without compliance with the provisions of any other law applicable to the issue of bonds or notes.

While any bonds or notes 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 thereof.

Section 8. Trust Agreement. — Bonds issued under the provisions of this act shall be secured by a trust agreement by and between the Authority and a trustee, which may be any trust company or bank having powers of a trust company within the commonwealth. Such trust agreement may pledge or assign the revenues to be received from the projects in respect of which the bonds secured by such trust agreement are issued and from any other property of the Authority, but shall not convey or mortgage any property of the Authority. 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 involve any violation of law, including but not limited to definitions of revenues and expenses, covenants setting forth the duties of the Authority in relation to the carrying out of such projects and to the improvement, maintenance, operation, repair, insurance, disposition and replacement of such projects and of other property then or thereafter financed or refinanced thereunder or the revenues from which are then or thereafter pledged thereunder, convenants as to the fixing of the fees, rates, rents or other charges to be made by the Authority for use or occupancy of such projects or property or any portion thereof, covenants designed to assure sufficient occupancy of such projects and property to meet debt service and reserves, provisions for the establishment of reserves from bond proceeds and revenues, conditions and limitations with respect to the issuance of additional bonds under this act or any other authority, provisions with respect to the rights and remedies of the bondholders and of the trustee as to the amendment of such trust agreement and the custody, safeguarding and application of all moneys. Such trust agreement may restrict the individual right of action by bondholders. In the discretion of the Authority, bonds issued

to finance a project may be secured by a trust agreement providing for the security only of bonds issued to finance or refinance such project, or providing for the security of bonds issued at one or more times to finance or refinance more than one project. 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 security as may be required by the Authority. 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 or projects to which such trust agreement pertains.

Section 9. Revenues. — The Authority is hereby authorized to establish and revise rules and regulations to insure the use and occupancy of, and to fix, revise and collect fees, rents, rates and other charges for the use of, a project financed or refinanced hereunder or of any property the revenues from which are pledged hereunder or of any portion thereof or room or accommodation therein. Such rules and regulations and fees, rents, rates and other charges, shall be fixed and adjusted, with respect to the aggregate of the revenues from the project, projects and property the revenues from which are pledged under any trust agreement (1) so as to provide revenues sufficient (*a*) to pay the cost of maintaining, repairing and operating such projects or property, (*b*) to pay the principal of and interest on bonds issued to finance or refinance such projects as the same shall become due and payable, (*c*) to pay such portion of the current operating and administrative expenses of the Authority as the Authority shall deem properly allocable to such projects and property, (*d*) to create reserves for the foregoing purposes, (*e*) to pay the amounts, if any, required by section nineteen C to be paid to the treasurer and receiver-general out of such revenues and (*f*) (i) if a contract is entered into with respect to the financing of any such projects under section ten, to create the reserves required by that section, or (ii) if no such contract is entered into under section ten, to provide for such additional coverage of expenses and debt service as the Authority, with the approval of the trustees, may agree to provide in the trust agreement securing the bonds, and (2) so as to maintain, so far as consistent with the foregoing requirements, a reasonable uniformity in charges for like rooms or other accommodations at the university whether or not contained in a project of the Authority.

Any establishment or revision of rules and regulations insuring use and occupancy and any fixing, revision or adjustment of fees, rents, rates or other charges by the Authority shall require the approval of the trustees. In the case of projects and property the revenues from which are pledged to the payment of bonds which are not guaranteed by the commonwealth under section ten, the trustees shall so exercise their powers hereunder as to permit the Authority at all times to establish and maintain rules and regulations requiring the use and occupancy of such projects and property and to fix and maintain fees, rents, rates and other charges for such use and occupancy which will produce aggregate revenues sufficient to meet the requirements of clauses (1) (*a*) through (*f*), above, applicable to such bonds. Upon any failure of the trustees so to exercise their powers, the Authority may proceed to establish or revise such rules and regulations and to fix or adjust such fees, rents, rates and other charges without the approval of the trustees;

provided, that in such case the trustees may propose alternate rules and regulations or scale of fees, rents, rates and other charges which shall thereupon be adopted by the Authority if aggregate revenues sufficient to meet said requirements will be produced thereby. Such fees, rents, rates and other charges shall not, except as expressly provided herein with respect to the trustees, be subject to supervision or regulation of any department, division, commission, board, bureau or agency of the commonwealth or any political subdivision thereof.

All revenues derived from projects and property, the revenues from which are pledged under any resolution or trust agreement, except such part thereof as may be necessary to pay or provide for the costs of maintenance, repair and operation thereof, the allocable portion of current operating and administrative expenses of the Authority and such reserves therefor as may be provided for in the applicable trust agreement and to pay the amounts, if any, required by section nineteen C to be paid to the treasurer and receiver-general out of such revenues, shall be set aside at such regular intervals as may be provided in such trust agreement and shall be pledged to, and charged with, the payment of the principal of and the interest on the bonds issued under such trust agreement as the same shall become due, and the redemption price or the purchase price of bonds retired by call or purchase as provided therein. Such pledge shall be valid and binding from the time it is made, the revenues or other moneys pledged and thereafter received by the Authority shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the Authority, irrespective of whether such parties have notice thereof. No resolution or trust agreement by which a pledge is created need be filed or recorded except in the records of the Authority. The use and disposition of moneys so pledged shall be subject to the provisions of the applicable trust agreement. Except as may otherwise be provided in such trust agreement, such moneys shall be a fund for all such bonds without distinction or priority of one over another.

Upon the payment in full of the principal amount, including any redemption premium, of all bonds, including refunding bonds, issued to finance or refinance the cost of a project or projects under a single trust agreement, with interest thereon to the stated or accelerated maturity, as the case may be, of such bonds, and of all other sums, if any, then payable to the trustee under the provisions of such trust agreement, or upon deposit by the Authority with the trustee of funds sufficient and in trust to pay such principal amount, interest and sums, then the pledge of revenues from such project or projects or property the revenues from which are pledged thereunder shall cease and terminate, and the revenues thereafter derived from such project and property, except such part thereof as may be necessary to pay the cost of maintenance, repair and operation thereof and such portion of current operating and administrative expenses of the Authority and to provide reserves therefor as may be provided for at the time by resolution of the Authority upon the written approval of the trustees and to pay the amounts, if any, required by section nineteen C to be paid to the treasurer and receiver-general out of such revenues, shall be set aside and pledged to and

charged with (1) the reimbursement to the commonwealth of any amounts theretofore paid by the commonwealth to meet principal or interest on any bonds of the Authority guaranteed by the commonwealth under section ten, or, if and only if the commonwealth has made no such payments, or has been reimbursed therefor, (2) the payment of the principal, interest and premiums, if any, at maturity or upon redemption or purchase, of (*a*) all bonds previously or contemporaneously issued under any particular trust agreement, or (*b*) all bonds previously or contemporaneously issued under more than one trust agreement, or (*c*) all bonds then outstanding, as the Authority may determine at the time by resolution approved by the trustees with a view to achieving reasonable uniformity in charges for like rooms and accommodations at the university. Such subsequent pledge shall remain in effect until the applicable payment has been made, whereupon the pledged revenues shall again be pledged in accordance with the preceding sentence. The provisions of this section applicable to the initial pledge of such revenues shall apply to such subsequent pledges.

Section 10. Guaranty by Commonwealth. — The commonwealth, acting by and through the trustees, may enter into a contract or contracts with the Authority for state financial assistance in the form of a guaranty by the commonwealth of bonds of the Authority issued to finance the cost of a project. Such guaranty shall be executed on each bond by an officer of the trustees. Each such contract shall contain such limitations as to the cost of the project and current operating and administrative expenses of the Authority to be allocated to the project, and such other provisions as the trustees may require. For each issue or series of bonds with respect to which such a contract shall be executed, the Authority shall create, beginning the first year immediately succeeding the issue thereof, a reserve for principal and interest equal to one twelfth of the largest principal and interest payments which will be due thereon in any one year thereafter and shall maintain such reserve and increase the same by a similar amount for each of the eleven succeeding years thereafter and shall maintain each such increase; provided, however, that if such bonds should be refunded in whole or in part such reserves shall be appropriately adjusted so that twelve years after the date of issuance of the original bonds, or as soon thereafter as may be practicable, there will have been created and thereafter maintained a reserve equal to the largest amount of principal and interest due in any subsequent year on account of such issue or series of bonds including bonds issued for the purpose of refunding the same. Such reserve may be used whenever necessary to meet principal and interest of such issue or series of bonds as they become due, but shall thereafter be restored to the required level as soon as practicable.

Any such contract may provide for the guaranty by the commonwealth of notes of the Authority issued under section seven, the total amount of which shall not exceed the amount specified in the contract for state financial assistance.

The guaranty of the commonwealth provided pursuant to such contract shall be of the payment of the principal of, and interest on, all such notes and bonds as the same become due and payable, and the full faith and credit of the commonwealth is hereby pledged for any such guaranty; provided, that the total amount of notes and bonds so guaran-

teed shall not exceed thirty-five million dollars in the aggregate for all projects of the Authority, exclusive of bonds and notes previously refunded or being or to be refunded thereby.

SECTION 12. Section 12 of said chapter 773 is hereby amended by striking out, in line 3, the words "as revenues" and inserting in place thereof the word: — otherwise.

SECTION 13. Section thirteen of said chapter seven hundred and seventy-three is hereby repealed.

SECTION 14. Section 15 of said chapter 773 is hereby amended by striking out, in line 4, the word "construction" and inserting in place thereof the words: — carrying out.

SECTION 15. Said chapter 773 is hereby further amended by striking out section 19 and inserting in place thereof the following four sections:—

Section 19. Transfer to Commonwealth. — When all bonds and notes 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 notes and the interest thereon to the maturity thereof shall have been set aside in trust for the benefit of the holders thereof, all projects then owned by the Authority shall become the property of the commonwealth, and thereupon the Authority shall be dissolved and all funds of the Authority not required for the payment of the bonds and notes and of the interest thereon or for the satisfaction of any other obligations of the Authority or for expenses incident to its dissolution shall be paid into the treasury of the commonwealth and all other property belonging to the Authority shall be vested in the commonwealth and delivered to the trustees.

Section 19A. Transfer of Trust Funds to Authority. — To provide for the expenses of the Authority and for the payment of indebtedness incurred by it in carrying out the provisions of this act, the trustees may, in the name and on behalf of the commonwealth, in connection with any transfer to the Authority of buildings or other property under the provisions of section five, transfer to the Authority any part or all of any funds held by the trustees as trust funds under the provisions of section eleven of chapter seventy-five of the General Laws as amended by section three of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-two derived from and for the operation of any such building or other property so transferred. The trustees may impose such terms and conditions as to the application of the funds so transferred as the trustees deem appropriate for the carrying out of the provisions of this act. No funds so transferred need be reimbursed by the Authority to the commonwealth except upon transfer of all of the properties of the Authority to the commonwealth pursuant to section eighteen.

Section 19B. Use and Disposition of Property and Proceeds Thereof. — The Authority may sell the buildings or other structures upon any land acquired by it and which are not included in a project, or may remove the same, and may sell or lease any lands or rights or interest in lands or other property acquired for the purposes of this act whenever the same shall, in the opinion of the Authority, cease to be needed for such purposes. The proceeds of any such sale or lease shall be held and disposed of as revenues from the project for or with respect to which the property sold or leased shall have been acquired; provided, however, that no property acquired from the commonwealth under the provisions of this act shall be sold or leased without the prior approval of the governor

and council; and provided, further, that the proceeds of any sale or lease of any such property shall be paid to the treasurer and receiver-general of the commonwealth and shall be credited on the books of the commonwealth to the General Fund.

Section 19C. Commonwealth Properties. — In the event that the trustees shall sell, convey or lease to the Authority any dormitory, dining commons or boarding hall, faculty or student apartment building, garage building or student union building at the university and owned by the commonwealth or any interest of the commonwealth in or to such a building so located but owned by another, and in the further event that funds for the rental or maintenance of such building or buildings have been provided by appropriation from general funds of the commonwealth for any fiscal year ending after the effective date of such sale, conveyance or lease, such sale, conveyance or lease shall provide that the rentals, fees or other charges levied for the use of such building or rooms or accommodations therein or services provided therein in such fiscal year shall be retained by or paid to the treasurer and receiver-general of the commonwealth, as the case may be.

If one or more of the dormitories at the university with respect to which special maintenance appropriations shall have been made by the general court under item 8363–09 of chapter six hundred and forty-nine of the acts of nineteen hundred and sixty-two, under item 8364–27 of chapter five hundred and twenty-two of the acts of nineteen hundred and sixty-three or under any item of any subsequent act and expended, or any interest in any such dormitory, shall be sold, conveyed or leased to the Authority, the Authority shall pay to the treasurer and receiver-general of the commonwealth within each twelve-month period following the effective date of such sale, conveyance or lease, an amount out of the revenues received by the Authority from such dormitory or dormitories during such twelve-month period equal to the lesser of (*a*) one tenth of the total amount so appropriated and expended with respect to such dormitory or dormitories as certified by the treasurer of the university or (*b*) one tenth of such net revenues. Such payments shall continue until they shall aggregate the total amount so appropriated and expended as so certified and shall be in addition to any other amount which the Authority may be obliged to pay pursuant to any agreement entered into under section five.

If the dining commons or boarding hall at the university on July first, nineteen hundred and sixty-three, shall be so sold, conveyed or leased to the Authority, the Authority shall pay to the treasurer and receiver-general of the commonwealth the sum of sixty-one thousand five hundred dollars out of the revenues received by the Authority from such dining commons or boarding hall in respect of each twelve-month period thereafter until June thirtieth, nineteen hundred and eighty-five. Each such payment shall be made in or within ninety days after the end of the twelve-month period with respect to which it is payable and shall be in addition to any other amount which the Authority may be obliged to pay pursuant to any agreement entered into under section five.

All payments made to the treasurer and receiver-general of the commonwealth under this section shall be credited on the books of the commonwealth to the General Fund.

SECTION 16. Nothing in this act shall be deemed to rescind or invalidate any action heretofore taken, or any agreement, contract, lease or

other instrument entered into by the Authority or by the trustees, or any borrowing made by the Authority under the provisions of chapter seven hundred and seventy-three of the acts of nineteen hundred and sixty, as amended by chapter seven hundred and sixty-three of the acts of nineteen hundred and sixty-two, and each such action, agreement, contract, lease, other instrument and borrowing is hereby confirmed and ratified. *Approved August 29, 1963.*

Chap. 685. AN ACT RELATIVE TO THE LOWELL TECHNOLOGICAL INSTITUTE BUILDING AUTHORITY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide urgently needed facilities for students at Lowell Technological Institute, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 557 of the acts of 1961 is hereby amended by striking out paragraph (*b*) and inserting in place thereof the following paragraph: —

(*b*) The term "cost of a project" shall embrace the cost, whenever incurred, of carrying out a project and placing it in operation, the cost of architectural and engineering services, plans, specifications, surveys, estimates of cost and of revenues, other expenses necessary or incident to determining the feasibility or practicability of the project, administrative expense, legal expense and such other expenses as may be necessary or incident to the aforesaid, to the financing thereof and to the issuance therefor of notes or bonds or both under the provisions of this act and interest for such period as the Authority may deem advisable but ending not later than eighteen months after the trustees shall have accepted the project for occupancy on money borrowed to pay all or part of the cost of a project. The term shall also embrace the cost of preliminary architectural and engineering services, plans, specifications, surveys, estimates of cost and of revenues and other expenses necessary or incident to determine the feasibility or practicability of other projects for which written requests shall have been made by authority of the trustees.

SECTION 2. Said section 1 of said chapter 557 is hereby further amended by striking out paragraph (*d*) and inserting in place thereof the following paragraph: —

(*d*) The word "project" shall mean the construction of new buildings or structures and the acquisition, addition to, alteration, enlargement, reconstruction, remodeling and other work in or upon or respecting existing buildings or structures, the provision and installation therein or in respect thereof of furnishings, furniture, machinery, equipment, facilities, approaches, driveways, walkways, parking areas, planting and landscaping, the acquisition of land, other property, rights, easements and interests acquired for or in respect of any thereof, the demolition or removal of any buildings or structures on land so acquired or interests in which are so acquired and site preparation, with respect to which the Authority shall provide by resolution for the issuance of a

series of bonds or notes. Whenever appropriate the word shall also mean such land, buildings or structures and such appurtenances.

SECTION 3. The second paragraph of section 2 of said chapter 557 is hereby amended by inserting after the word "trustees", in line 6, the words: —, and such dual membership shall not invalidate any action heretofore or hereafter taken by the Authority or by the trustees in which any such member has participated or may participate.

SECTION 4. Said chapter 557 is hereby further amended by striking out section 3 and inserting in place thereof the following section: — *Section 3. Purposes.* — The Authority is created for the general purposes of aiding and contributing to the performance of the educational and other purposes of the Institute by providing dormitories, dining commons and other buildings and structures for the use of the Institute, its students, staff and their dependents. Such use shall include, but not be limited to, use by an organization or association, in any form, of students or others the activities of which are a part of the activities at the Institute and subject to regulation by the trustees or use by a research foundation or other research organization the operation of which in conjunction with the Institute is approved by the trustees. The Authority shall not initiate any project except upon written request made by authority of the trustees, and notwithstanding any other provisions of this act the Authority shall have power to initiate only such projects as the trustees shall determine to be designed primarily to provide facilities for the housing, feeding, medical care or extra curricular use by students, staff and dependents or facilities for use by a research foundation or other research organization as above defined.

SECTION 5. Section 4 of said chapter 557 is hereby amended by striking out clauses (*e*) and (*f*) and inserting in place thereof the following two clauses: —

(*e*) To construct buildings or structures and to acquire, add to, alter, enlarge, reconstruct, remodel and do other work in or upon or respecting any building or structure, in each case upon written request made by authority of the trustees; to provide and install furnishings, furniture, machinery, equipment, facilities, approaches, driveways, walkways, parking areas, planting and landscaping in or for or related to any such building or structure; provided, that such approaches, driveways, parking areas, planting and landscaping be approved by authority of the trustees; to repair, maintain and operate all property in which the Authority holds an interest;

(*f*) To rent or lease as landlord any building or structure or portion thereof or parking or other area held by it hereunder, to operate the same and to provide services therein, and to establish rules and regulations for the use thereof; provided, that no such rules or regulations shall conflict with any rules or regulations made by authority of the trustees for use of property of the Institute, except as provided in section nine;.

SECTION 6. Said section 4 of said chapter 557 is hereby further amended by striking out clauses (*h*), (*i*) and (*j*) and inserting in place thereof the following three clauses: —

(*h*) Subject to the provisions of section nine, to fix and revise from time to time, and to charge and collect rates, fees, rentals and other charges for the use of any building, structure, other property or portion thereof under its control;

(*i*) To acquire, hold and dispose of real and personal property and rights and interests therein in the exercise of its powers and the performance of its duties under this act;

(*j*) To acquire from the commonwealth by purchase, lease or grant such property of the commonwealth, real or personal, or easements or rights therein, as may be necessary or desirable for carrying out the provisions of this act;.

SECTION 7. Said section 4 of said chapter 557 is hereby further amended by striking out clause (*l*) and inserting in place thereof the following clause: —

(*l*) To make application for, receive and accept from the federal government or any agency thereof grants or loans for or in aid of the payment of all or any part of the cost of a project, and to receive and accept contributions from any source of money, property, labor or other things of value, to be held, used and applied only for the purposes for which such grants and contributions may be made;.

SECTION 8. Section 5 of said chapter 557 is hereby amended by striking out clauses (*a*) and (*b*) and inserting in place thereof the following two clauses: —

(*a*) Sell, convey or lease to the Authority real or personal property owned by the commonwealth in Lowell or grant easements, licenses or any other rights or privileges therein to the Authority, and the provisions of section twenty, but not the provisions of section twenty-one, of chapter seventy-five A of the General Laws shall apply to any such sale, conveyance, lease or grant;

(*b*) Cause private ways, sidewalks, footpaths, ways for vehicular travel, parking areas, water, sewage or drainage facilities and similar improvements and steam service and other utilities and connections for heating and other necessary purposes to be furnished to or in any project carried out by the Authority;.

SECTION 9. Said section 5 of said chapter 557 is hereby further amended by striking out clause (*d*) and inserting in place thereof the following clause: —

(*d*) Do any and all things authorized by law and necessary or convenient to aid and co-operate with the Authority in carrying out the purposes of the Authority and exercising its powers hereunder and in complying with the provisions of any trust agreement into which the Authority may enter.

SECTION 10. Said section 5 of said chapter 557 is hereby further amended by striking out the last paragraph and inserting in place thereof the following paragraph: —

No lease or other agreement made under this act between the trustees, acting on behalf of the commonwealth, and the Authority shall be subject to any provision of law relating to publication or to advertising for bids, and any such lease or agreement may be entered into and shall become effective without any necessity for any order of court or other action or formality other than the regular and formal action of the authorities concerned and except as may be expressly provided elsewhere in this act.

SECTION 11. Said chapter 557 is hereby further amended by striking out sections 7, 8, 9 and 10 and inserting in place thereof the following four sections: —

Section 7. Authority Bonds and Notes. — The Authority is hereby authorized to provide by resolution at one time or from time to time for the issue of bonds of the Authority for the purpose of paying all or any part of the cost of a project or for the purpose of refunding outstanding indebtedness of the Authority incurred under this act or any other authority to finance or refinance a project; provided, that the Authority shall not issue bonds the principal amount of which, when added to the principal amount of bonds and notes theretofore issued hereunder, excluding bonds and notes previously refunded or being or to be refunded thereby, shall exceed fifteen million dollars.

The Authority is further authorized, subject to such conditions, limitations and restrictions as may be set forth in the resolution or resolutions authorizing the issuance of bonds or notes or in the trust agreement or agreements securing any bonds or notes theretofore issued, to provide by resolution at one time or from time to time for the issue under this act of such additional bonds for the above purposes as may hereafter be authorized by the general court.

The Authority is further authorized to provide by resolution at one time or from time to time for the issue of interest-bearing or discounted notes for the purposes and in the amounts that bonds may be issued as provided above. Such notes shall be payable within three years from their respective dates, but the principal of and any interest on notes issued for such period or for a shorter period may be renewed or paid from time to time by the issue of other notes hereunder; provided, that the period from the date of an original note to the maturity of any note issued to renew or pay the same debt or the interest thereon shall not exceed five years.

The principal and interest of any bonds or notes issued hereunder shall be payable solely from the funds herein provided for such payment. The bonds of each issue shall be dated, shall bear interest at such rates not exceeding five per centum per annum, shall mature serially with the final maturity at such time not exceeding forty years from their date or dates, as may be determined by the Authority, and may be made redeemable before maturity at the option of the Authority, at such price or prices and under such terms and conditions as may be fixed by the Authority prior to the issuance of any of such bonds.

The Authority shall determine the form of bonds and notes issued by it hereunder, including any interest coupons to be attached thereto, and the manner of execution thereof, and shall fix the denomination or denominations thereof and the place or places of payment of principal and interest, which may be at any bank or trust company within or outside the commonwealth. In case any officer whose signature or a facsimile of whose signature shall appear on any notes, bonds or coupons shall cease to be such officer before the delivery thereof, 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. The bonds may be issued in coupon or in registered form, or both, as the Authority may determine, and provision may be made for the registration of any coupon bonds as to principal alone, and also as to both principal and interest, and for the reconversion into coupon bonds of any bonds registered as to both principal and interest and for the interchange of registered and coupon bonds. The Authority may sell such

bonds and notes 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 and notes 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 or notes prior to maturity. All bonds and notes issued under the provisions of this act shall have all the qualities and incidents of investment securities under the Uniform Commercial Code.

The proceeds of such bonds and notes shall be used solely for the payment of the cost of the project which they are issued to finance or for the payment of the principal amount of the bonds or notes which they are issued to refund, together with accrued interest, premium if any, and related fees and expenses, and shall be disbursed in such manner and under such restrictions, if any, as the Authority may provide in the resolution authorizing the issuance thereof or in the trust agreement securing the same. If the proceeds of bonds or notes issued in whole or in part to pay the cost of a project, by error of estimates or otherwise, shall be less than such cost, additional bonds or notes may in like manner be issued to provide the amount of such deficit, and, unless otherwise provided in the resolution authorizing the issuance thereof or in the trust agreement, shall be deemed to be of the same issue or series and shall be entitled to payment from the same fund without preference or priority of the bonds or notes of such issue or series first issued. If the proceeds of an issue or series of bonds or notes shall exceed the cost of the projects they were issued to finance the surplus shall be deposited for application to the retirement 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 or notes which shall become mutilated or shall be destroyed or lost. Bonds or notes may be issued under the provisions of this act without obtaining the consent of any department, division, commission, board, bureau or agency of the commonwealth, 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, and without compliance with the provisions of any other law applicable to the issue of bonds or notes.

While any bonds or notes 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 thereof.

Section 8. Trust Agreement. — Bonds issued under the provisions of this act shall be secured by a trust agreement by and between the Authority and a trustee, which may be any trust company or bank having powers of a trust company within the commonwealth. Such trust agreement may pledge or assign the revenues to be received from the projects in respect of which the bonds secured by such trust agreement are issued and from any other property of the Authority, but shall not convey or mortgage any property of the Authority. 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 involve any violation of law, including but not limited to definitions of revenues and expenses, covenants setting forth the duties of the Authority in relation to the carrying out of such projects and to the improvement, maintenance, operation, repair, insurance, disposition and replacement of such projects and of other property then or thereafter financed or refinanced thereunder or the revenues from which are then or thereafter pledged thereunder, covenants as to the fixing of the fees, rates, rents or other charges to be made by the Authority for use or occupancy of such projects or property or any portion thereof, covenants designed to assure sufficient occupancy of such projects and property to meet debt service and reserves, provisions for the establishment of reserves from bond proceeds and revenues, conditions and limitations with respect to the issue of additional bonds under this act or any other authority, provisions with respect to the rights and remedies of the bondholders and of the trustee as to the amendment of such trust agreement and the custody, safeguarding and application of all moneys. Such trust agreement may restrict the individual right of action by bondholders. In the discretion of the Authority, bonds issued to finance a project may be secured by a trust agreement providing for the security only of bonds issued to finance or refinance such project, or providing for the security of bonds issued at one or more times to finance or refinance more than one project. 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 security as may be required by the Authority. 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 or projects to which such trust agreement pertains.

Section 9. Revenues. — The Authority is hereby authorized to establish and revise rules and regulations to insure the use and occupancy of, and to fix, revise and collect fees, rents, rates and other charges for the use of, a project financed or refinanced hereunder or of any property the revenues from which are pledged hereunder or of any portion thereof or room or accommodation therein. Such rules and regulations and fees, rents, rates and other charges, shall be fixed and adjusted, with respect to the aggregate of the revenues from the project, projects and property the revenues from which are pledged under any trust agreement (1) so as to provide revenues sufficient (*a*) to pay the cost of maintaining, repairing and operating such projects or property, (*b*) to pay the principal of and interest on bonds issued to finance or refinance such projects as the same shall become due and payable, (*c*) to pay such portion of the current operating and administrative expenses of the Authority as the Authority shall deem properly allocable to such projects and property, (*d*) to create reserves for the foregoing purposes, (*e*) to pay the amounts, if any, required by section nineteen B to be paid to the treasurer and receiver-general out of such revenues and (*f*) (i) if a contract is entered into with respect to the financing of any such projects under section ten, to create the reserves required by that section, or (ii) if no such contract is entered into under section ten, to provide for such additional coverage of expenses and debt service as the

Authority, with the approval of the trustees, may agree to provide in the trust agreement securing the bonds, and (2) so as to maintain, so far as consistent with the foregoing requirements, a reasonable uniformity in charges for like rooms or other accommodations at the Institute whether or not contained in a project of the Authority.

Any establishment or revision of rules and regulations insuring use and occupancy and any fixing, revision or adjustment of fees, rents, rates or other charges by the Authority shall require the approval of the trustees. In the case of projects and property the revenues from which are pledged to the payment of bonds which are not guaranteed by the commonwealth under section ten, the trustees shall so exercise their powers hereunder as to permit the Authority at all times to establish and maintain rules and regulations requiring the use and occupancy of such projects and property and to fix and maintain fees, rents, rates and other charges for such use and occupancy which will produce aggregate revenues sufficient to meet the requirements of clauses (1) (*a*) through (*f*), above, applicable to such bonds. Upon any failure of the trustees so to exercise their powers, the Authority may proceed to establish or revise such rules and regulations and to fix or adjust such fees, rents, rates and other charges without the approval of the trustees; provided, that in such case the trustees may propose alternative rules and regulations or scale of fees, rents, rates and other charges which shall thereupon be adopted by the Authority if aggregate revenues sufficient to meet said requirements will be produced thereby. Such fees, rents, rates and other charges shall not, except as expressly provided herein with respect to the trustees, be subject to supervision or regulation of any department, division, commission, board, bureau or agency of the commonwealth or any political subdivision thereof.

All revenues derived from projects and property, the revenues from which are pledged under any resolution or trust agreement, except such part thereof as may be necessary to pay or provide for the costs of maintenance, repair and operation thereof, the allocable portion of current operating and administrative expenses of the Authority and such reserves therefor as may be provided for in the applicable trust agreement and to pay the amounts, if any, required by section nineteen B to be paid to the treasurer and receiver-general out of such revenues, shall be set aside at such regular intervals as may be provided in such trust agreement and shall be pledged to, and charged with, the payment of the principal of and the interest on the bonds issued under such trust agreement as the same shall become due, and the redemption price or the purchase price of bonds retired by call or purchase as provided therein. Such pledge shall be valid and binding from the time it is made, the revenues or other moneys pledged and thereafter received by the Authority shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the Authority, irrespective of whether such parties have notice thereof. No resolution or trust agreement by which a pledge is created need be filed or recorded except in the records of the Authority. The use and disposition of moneys so pledged shall be subject to the provisions of the applicable trust agreement. Except as may otherwise be provided in such trust

agreement, such moneys shall be a fund for all such bonds without distinction or priority of one over another.

Upon the payment in full of the principal amount, including any redemption premium, of all bonds, including refunding bonds, issued to finance or refinance the cost of a project or projects under a single trust agreement, with interest thereon to the stated or accelerated maturity, as the case may be, of such bonds, and of all other sums, if any, then payable to the trustee under the provisions of such trust agreement, or upon deposit by the Authority with the trustee of funds sufficient and in trust to pay such principal amount, interest and sums, then the pledge of revenues from such project or projects or property the revenues from which are pledged thereunder shall cease and terminate, and the revenues thereafter derived from such projects and property, except such part thereof as may be necessary to pay the cost of maintenance, repair and operation thereof and such portion of current operating and administrative expenses of the Authority and to provide reserves therefor as may be provided for at the time by resolution of the Authority upon the written approval of the trustees and to pay the amounts, if any, required by section nineteen B to be paid to the treasurer and receiver-general out of such revenues, shall be set aside and pledged to and charged with (1) the reimbursement to the commonwealth of any amounts theretofore paid by the commonwealth to meet principal or interest on any bonds of the Authority guaranteed by the commonwealth under section ten, or, if and only if the commonwealth has made no such payments, or has been reimbursed therefor, (2) the payment of the principal, interest and premiums, if any, at maturity or upon redemption or purchase, of (*a*) all bonds previously or contemporaneously issued under any particular trust agreement, or (*b*) all bonds previously or contemporaneously issued under more than one trust agreement, or (*c*) all bonds then outstanding, as the Authority may determine at the time by resolution approved by the trustees with a view to achieving reasonable uniformity in charges for like rooms and accommodations at the Institute. Such subsequent pledge shall remain in effect until the applicable payment has been made, whereupon the pledged revenues shall again be pledged in accordance with the preceding sentence. The provisions of this section applicable to the initial pledge of such revenues shall apply to such subsequent pledges.

Section 10. Guaranty by Commonwealth. — The commonwealth, acting by and through the trustees, may enter into a contract or contracts with the Authority for state financial assistance in the form of a guaranty by the commonwealth of bonds of the Authority issued to finance the cost of a project. Such guaranty shall be executed on each bond by an officer of the trustees. Each such contract shall contain such limitations as to the cost of the project and current operating and administrative expenses of the Authority to be allocated to the project, and such other provisions as the trustees may require. For each issue or series of bonds with respect to which such a contract shall be executed, the Authority shall create, beginning in the first year immediately succeeding the issue thereof, a reserve for principal and interest equal to one twelfth of the largest principal and interest payments which will be due thereon in any one year thereafter and shall maintain such reserve and increase the same by a similar amount for each of the eleven succeeding

years thereafter and shall maintain each such increase; provided, however, that if such bonds should be refunded in whole or in part such reserves shall be appropriately adjusted so that twelve years after the date of issuance of the original bonds, or as soon thereafter as may be practicable, there will have been created and thereafter maintained a reserve equal to the largest amount of principal and interest due in any subsequent year on account of such issue or series of bonds including bonds issued for the purpose of refunding the same. Such reserve may be used whenever necessary to meet principal and interest of such issue or series of bonds as they become due, but shall thereafter be restored to the required level as soon as practicable.

Any such contract may provide for the guaranty by the commonwealth of notes of the Authority issued under section seven, the total amount of which shall not exceed the amount specified in the contract for state financial assistance.

The guaranty of the commonwealth provided pursuant to such contract shall be of the payment of the principal of, and interest on, all such notes and bonds as the same become due and payable, and the full faith and credit of the commonwealth is hereby pledged for any such guaranty; provided, that the total amount of notes and bonds so guaranteed shall not exceed fifteen million dollars in the aggregate for all projects of the Authority, exclusive of bonds and notes previously refunded or being or to be refunded thereby.

SECTION 12. Section 12 of said chapter 557 is hereby amended by striking out, in line 3, the words "as revenues" and inserting in place thereof the word: — otherwise.

SECTION 13. Section thirteen of said chapter five hundred and fifty-seven is hereby repealed.

SECTION 14. Section 15 of said chapter 557 is hereby amended by striking out, in line 4, the word "construction" and inserting in place thereof the words: — carrying out.

SECTION 15. Said chapter 557 is hereby further amended by striking out section 19 and inserting in place thereof the following three sections: —

Section 19. Transfer to Commonwealth. — When all bonds and notes 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 notes and the interest thereon to the maturity thereof shall have been set aside in trust for the benefit of the holders thereof, all projects then owned by the Authority shall become the property of the commonwealth, and thereupon the Authority shall be dissolved and all funds of the Authority not required for the payment of the bonds and notes and of the interest thereon or for the satisfaction of any other obligations of the Authority or for expenses incident to its dissolution shall be paid into the treasury of the commonwealth and all other property belonging to the Authority shall be vested in the commonwealth and delivered to the trustees.

Section 19A. Use and Disposition of Property and Proceeds Thereof. — The Authority may sell the buildings or other structures upon any land acquired by it and which are not included in a project, or may remove the same, and may sell or lease any lands or rights or interest in lands or other property acquired for the purposes of this act whenever the

same shall, in the opinion of the Authority, cease to be needed for such purposes. The proceeds of any such sale or lease shall be held and disposed of as revenues from the project for or with respect to which the property sold or leased shall have been acquired; provided, however, that no property acquired from the commonwealth under the provisions of this act shall be sold or leased without the prior approval of the governor and council; and provided, further, that the proceeds of any sale or lease of any such property shall be paid to the treasurer and receiver-general of the commonwealth and shall be credited on the books of the commonwealth to the General Fund.

Section 19B. Commonwealth Properties. — In the event that the trustees shall sell, convey or lease to the Authority any dormitory, dining commons or boarding hall, faculty or student apartment building or student union building at the Institute and owned by the commonwealth or any interest of the commonwealth in or to such a building so located but owned by another, and in the further event that funds for the rental or maintenance of such building or buildings have been provided by appropriation from general funds of the commonwealth for any fiscal year ending after the effective date of such sale, conveyance or lease, such sale, conveyance or lease shall provide that the rentals, fees or other charges levied for the use of such building or rooms or accommodations therein or services provided therein in such fiscal year shall be retained by or paid to the treasurer and receiver-general of the commonwealth, as the case may be.

SECTION 16. Nothing in this act shall be deemed to rescind or invalidate any action heretofore taken, or any agreement, contract, lease or other instrument entered into by the Authority or by the trustees, or any borrowing made by the Authority under the provisions of said chapter five hundred and fifty-seven of the acts of nineteen hundred and sixty-one as in effect immediately prior to the effective date of this act, and each such action, agreement, contract, lease, other instrument and borrowing is hereby confirmed and ratified.

Approved August 29, 1963.

Chap. 686. AN ACT AUTHORIZING THE BOARD OF SELECTMEN OF THE TOWN OF HOLDEN TO EXTEND THE TERM OF A LEASE OF A PORTION OF THE TOWN COMMON TO THE CONGREGATIONAL CHURCH OF HOLDEN.

Be it enacted, etc., as follows:

SECTION 1. The board of selectmen of the town of Holden is hereby authorized to extend the term of the lease of a certain portion of the town common for a period not to exceed fifteen years, upon such terms and restrictions as said board deems advisable. Said lease is dated August nineteenth, nineteen hundred and fifty-four and was entered into between said board and the Congregational Church of Holden under authority of chapter three hundred and ninety-one of the acts of nineteen hundred and fifty-three.

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

Approved August 29, 1963.

Chap. 687. AN ACT PROVIDING THAT NO HOTEL OR FAMILY HOTEL BE ERECTED OR ALTERED UNTIL PLANS AND SPECIFICATIONS HAVE BEEN DEPOSITED WITH THE SUPERVISOR OF PLANS, AND THAT EVERY HOTEL AND FAMILY HOTEL HAVE PROPER EGRESSES OR OTHER MEANS OF ESCAPE FROM FIRE.

Be it enacted, etc., as follows:

SECTION 1. Section 15 of chapter 143 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 2 of chapter 720 of the acts of 1962, and inserting in place thereof the following sentence: — No building which is designed to be used, or in which alteration shall be made for the purpose of using it, or continuing its use, in whole or in part, as a public building, a public or private school, a hotel or family hotel, or as a factory, workshop or mercantile or other establishment, and which has accommodations for ten or more employees, or as a hospital, sanatorium, convalescent or nursing home, infirmary maintained in a city or town, private infirmary or rest home housing three or more patients, or as a day care service for children, licensed by and under the supervision of the department of public health, grandstand, stadium, bleacher or arena, or for the purpose of providing group care therein by a children's foster care agency licensed by the department of public welfare under the provisions of section fifteen of chapter one hundred and nineteen and no building more than two stories in height designed to be used above the second story, or in which alteration shall be made for the purpose of using it, or continuing its use, in whole or in part, as an office building, dormitory, apartment house, boarding house, lodging house or tenement house, and to have eight or more rooms above said story, shall be erected, and no alteration shall be made therein, until a copy of the plans and specifications thereof has been deposited with a supervisor of plans by the person causing its erection or alteration or by the architect thereof.

SECTION 2. Section 21 of said chapter 143 is hereby amended by striking out the first sentence, as most recently amended by section 3 of said chapter 720, and inserting in place thereof the following sentence: — The owner, lessee or mortgagee in possession of any building in whole or in part used as a public building, hotel or family hotel, or as a factory, workshop, mercantile or other establishment, and which has accommodations for ten or more employees, or of a hospital, sanatorium, convalescent or nursing home, infirmary maintained in a city or town, private infirmary or rest home or of a day care service for children, licensed by and under the supervision of the department of public health, building used or occupied for the purpose of providing group care therein by any children's foster care agency licensed by the department of public welfare under the provisions of section fifteen of chapter one hundred and nineteen, a grandstand, stadium, bleacher or arena, or of an office building, dormitory, apartment house, boarding house, lodging house or tenement house which has eight or more rooms above the second story, or in which ten or more persons are accommodated, lodge or reside above the second story, to which building sections fifteen to sixty, inclusive, apply, shall provide such building with proper egresses or other means of escape from fire sufficient for the use of all persons employed, lodged or resident therein; provided, that in all buildings sub-

ject to this section, other than mercantile establishments, hotels and buildings used solely for office purposes, such egresses or means of escape from fire shall also be sufficient for the use of all persons accommodated or assembled therein; and, in such mercantile establishments, hotels and buildings used solely for office purposes, shall be sufficient, to the greatest extent compatible, in the opinion of the inspector, with the reasonable use thereof, for the use of all persons accommodated or assembled therein; and provided, further, that no owner, lessee or mortgagee in possession of a building subject to any provision of this section shall be deemed to have violated this provision unless he has been notified in writing by an inspector as to what additional egresses or means of escape from fire are necessary, and for thirty days has neglected or refused to provide the same.

SECTION 3. This act shall take effect on January first, nineteen hundred and sixty-four. *Approved August 29, 1963.*

Chap. 688. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF MIDDLESEX COUNTY TO BORROW MONEY TO ACQUIRE LAND IN THE CITY OF WOBURN AND TO CONSTRUCT THEREON A NEW COURT HOUSE BUILDING.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Middlesex are hereby authorized to acquire land in the city of Woburn and construct thereon a new court house building and originally equip the same.

SECTION 2. For the purpose aforesaid the treasurer of said county, with the approval of the county commissioners, may borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, nine hundred thousand dollars, and may issue bonds or notes of the county therefor which shall bear on their face the words, Middlesex County Court House Loan, Act of 1963. Each authorized issue shall constitute a separate loan, and such loans shall be payable not more than ten years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws. The county treasurer, with the approval of the county commissioners, may issue temporary notes of the county, payable in not more than one year from their date, in anticipation of the issue of serial bonds or notes under this act, but the time within which such serial bonds or notes shall become due and payable shall not, by reason of such temporary notes, be extended beyond the time fixed by this act. Any notes issued in anticipation of the serial bonds or notes shall be paid from the proceeds thereof.

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

Approved September 3, 1963.

Chap. 689. AN ACT REQUIRING THE HEAD OF THE FIRE DEPARTMENT TO REPORT TO THE PROPER AUTHORITY VIOLATIONS OF THE BUILDING LAWS.

Be it enacted, etc., as follows:

Chapter 148 of the General Laws is hereby amended by inserting after section 28 the following section: —

Section 28A. The head of the fire department or any person designated by him who, in the performance of his official duties, observes any condition which he believes to be a violation of any provision of chapter one hundred and forty-three, or of any ordinance or by-law enacted or adopted under authority of said chapter one hundred and forty-three, or of the Boston Building Code, shall report the same to the authority charged with the enforcement of such provision.

Approved September 3, 1963.

Chap. 690. AN ACT REQUIRING THE MANAGER OF A HOTEL TO NOTIFY THE FIRE DEPARTMENT FORTHWITH OF ANY FIRE THEREIN, REQUIRING ALARM SYSTEMS IN HOTELS, AND RELATIVE TO WATCHMEN IN HOTELS AND LODGING HOUSES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 143 of the General Laws is hereby amended by striking out section 44, as amended by chapter 643 of the acts of 1947, and inserting in place thereof the following section: — *Section 44.* The keeper of a boarding or lodging house containing one hundred or more sleeping rooms, and being four or more stories high, shall, except as otherwise provided under section forty-six, have therein at least two competent watchmen, each properly assigned, and each on duty between the hours of nine o'clock at night and six o'clock in the morning. The keeper of every boarding or lodging house containing fifty or more sleeping rooms, but less than one hundred, and being three stories high, shall have between said hours at least one competent watchman on duty therein. If the keeper of any boarding house or lodging house maintains in the rooms, in good working order, a system of thermostats or such other automatic warning device as will sound an audible warning at the registration desk, together with a visual or otherwise obvious indication of the location at which such warning originated, he shall not be required, except as may be otherwise provided under section forty-six, to have more than one watchman.

In all hotels, lodging houses or family hotels, the halls, corridors and stairways shall be properly lighted at night, and a red light shall be kept during the night at the top and bottom of each flight of stairs; and one or more proper alarms or gongs, capable of being heard throughout the house, shall always remain easy of access and ready for use in every such building to give to the inmates warning of fire. The keeper of every hotel, boarding or lodging house or family hotel shall keep a notice satisfactory to the commissioner and descriptive of such means of escape conspicuously posted in every sleeping room, preferably near the door which opens into the main egress or means of escape. Said notice shall be easily legible and shall, if required by the commissioner, include

a plan showing such egress or means of escape in relation to such sleeping room.

SECTION 2. Said chapter 143 is hereby further amended by striking out section 45, as amended by section 3 of chapter 544 of the acts of 1943, and inserting in place thereof the following section: — *Section 45.* The keeper of every hotel or family hotel having fifty or more sleeping rooms shall, in addition to the night clerk and porters between the hours of nine o'clock at night and six o'clock in the morning, have at least two competent watchmen who shall each, at least once an hour during said hours, make a tour throughout the said hotel or family hotel for the purpose of the prevention of fire and for the purpose of sounding an alarm to warn the occupants thereof of fire. Said keeper shall furnish each watchman with a watchman's watch, to be kept in good working order, for operation at key stations located at such points throughout said hotel or family hotel, as may be determined by an inspector, or, in lieu of such watchman's clock and key stations, said keeper shall maintain and keep in good working order in said hotel or family hotel a system of electric watch clocks which shall register at the office the movements of the watchman throughout the hotel or family hotel. If such keeper shall maintain in the rooms, in good working order, a system of thermostats or other automatic warning devices which will sound an audible warning at the registration desk, together with a visual or other obvious indication of the location from which such warning originated, he shall not be required, except as may be otherwise provided under section forty-six, to have more than one watchman. Records of all tours made by a watchman or records of movements of watchmen as registered by such system of electric watch clocks, as the case may be, shall be made daily, shall be kept on file by said keeper and shall be available for inspection by the fire marshal and the head of the fire department, or by persons designated by them.

Every hotel and family hotel shall be equipped with an alarm system, which shall be subject to the approval of an inspector, the activation of which shall be made from activation stations located throughout said hotel or family hotel, the number and location of such stations to be determined by said inspector. Said alarm system shall be so installed and maintained that the activation thereof from any station shall cause the warning bells or gongs at that activating station and at all other stations to be sounded simultaneously.

SECTION 3. Said chapter 143 is hereby further amended by striking out section 46, as so amended, and inserting in place thereof the following section: — *Section 46.* In addition to the provisions of sections forty-four and forty-five relating to watchmen and their duties, the aldermen of any city and the selectmen of any town may prescribe additional night watch to be kept and further provision for the prevention of fires and for the better protection of life in case of fire to be made by the keepers of hotels, boarding or lodging houses or family hotels within their cities and towns. Whoever neglects or refuses to comply with any provision of any ordinance or by-law established under this section or with any provision of section forty-four or forty-five shall be punished by a fine of not less than fifty nor more than one thousand dollars.

SECTION 4. Chapter 266 of the General Laws is hereby amended by inserting after section 13, as appearing in the Tercentenary Edition, the following section: —

Section 13A. The manager of a hotel or family hotel or such other person as may be in charge of the premises in the absence of the manager, shall, as soon as he becomes aware that there is a fire therein, notify the fire department and, if such fire threatens to spread to rooms occupied by guests, sound the alarm system required by section forty-five of chapter one hundred and forty-three.

Whoever violates any provision of this section shall be punished by imprisonment in a jail or house of correction for not more than two and a half years or by a fine of not more than one thousand dollars.

SECTION 5. This act shall take effect on January first, nineteen hundred and sixty-four. *Approved September 3, 1963.*

Chap. 691. AN ACT PROVIDING THAT MATERIALS USED IN BUILDINGS REQUIRED TO HAVE PROPER EGRESSES AND OTHER MEANS OF ESCAPE FROM FIRE SHALL COMPLY WITH RULES AND REGULATIONS MADE BY THE BOARD OF STANDARDS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 3B of chapter 143 of the General Laws, as amended by chapter 646 of the acts of 1947, is hereby further amended by striking out the first two sentences and inserting in place thereof the following two sentences: — The board of standards in the department shall make rules and regulations relating to the construction, reconstruction, alteration, repair, demolition, removal, use or occupancy, and to the standards of materials, including materials used for finish and trim, to be used in such construction, reconstruction, alteration, repair, demolition, removal, use or occupancy of any building, portion of a building or room which is a place of assembly or which is required to be provided with proper egresses or other means of escape; and such rules and regulations shall be in accordance with the generally accepted standards of engineering practice and not inconsistent with law. Such rules and regulations may provide that no permit for use or occupancy of a place of assembly or of any portion of a building in which said proper egresses or other means of escape from fire are so required shall be granted unless there is presented with the application for such permit a certificate of the inspector to the effect that the building of which such place of assembly is a part or that any portion of a building in which said proper egresses or other means of escape from fire are so required complies with the pertinent provisions of this chapter.

SECTION 2. This act shall take effect on January first, nineteen hundred and sixty-four. *Approved September 3, 1963.*

Chap. 692. AN ACT PERMITTING THE CITY OF BOSTON TO USE FOR THE PURPOSES OF A FIRE STATION CERTAIN LAND AT THE CORNER OF CONGRESS STREET AND ATLANTIC AVENUE IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of chapter four hundred and seventy-four of the acts of nineteen hundred and forty-six, as amended, or of any other special or general law, and notwithstanding

any contrary covenant, restriction or condition in the deed of November twenty-one, nineteen hundred and sixty, from the commonwealth to the city of Boston recorded with Suffolk Deeds, book 7529, page 310, so much of parcel three described in said deed lying southeasterly of the surface street within the limits of said parcel three as said city, acting by its fire commissioner, may determine, may, without further authority than that contained in this act, be used by said city, acting by such commissioner, for the purposes of a fire station.

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

Approved September 9, 1963.

Chap. 693. AN ACT PROVIDING FOR THE ENTRY OF THE COMMONWEALTH INTO AN INTERSTATE LIBRARY COMPACT.

Be it enacted, etc., as follows:

SECTION 1. A compact is hereby entered into with such of the states of Connecticut, Rhode Island, Vermont, New Hampshire and Maine as may legally join therein, in substantially the following form: —

INTERSTATE LIBRARY COMPACT.

ARTICLE I. POLICY AND PURPOSE.

Because the desire for the services provided by libraries transcends governmental boundaries and can most effectively be satisfied by giving such services to communities and people regardless of jurisdictional lines, it is the policy of the states party to this compact to co-operate and share their responsibilities; to authorize co-operation and sharing with respect to those types of library facilities and services which can be more economically or efficiently developed and maintained on a co-operative basis, and to authorize co-operation and sharing among localities, states and others in providing joint or co-operative library services in areas where the distribution of population or of existing and potential library resources make the provision of library service on an interstate basis the most effective way of providing adequate and efficient service.

ARTICLE II. DEFINITIONS.

As used in this compact:

(*a*) "Public library agency" means any unit or agency of local or state government operating or having power to operate a library.

(*b*) "Private library agency" means any non-governmental entity which operates or assumes a legal obligation to operate a library.

(*c*) "Library agreement" means a contract establishing an interstate library district pursuant to this compact or providing for the joint or co-operative furnishing of library services.

ARTICLE III. INTERSTATE LIBRARY DISTRICTS.

(*a*) Any one or more public library agencies in a party state in co-operation with any public library agency or agencies in one or more other party states may establish and maintain an interstate library

district. Subject to the provisions of this compact and any other laws of the party states which pursuant hereto remain applicable, such district may establish, maintain and operate some or all of the library facilities and services for the area concerned in accordance with the terms of a library agreement therefor. Any private library agency or agencies within an interstate library district may co-operate therewith, assume duties, responsibilities and obligations thereto, and receive benefits therefrom as provided in any library agreement to which such agency or agencies become party.

(*b*) Within an interstate library district, and as provided by a library agreement, the performance of library functions may be undertaken on a joint or co-operative basis or may be undertaken by means of one or more arrangements between or among public or private library agencies for the extension of library privileges to the use of facilities or services operated or rendered by one or more of the individual library agencies.

(*c*) If a library agreement provides for joint establishment, maintenance or operation of library facilities or services by an interstate library district, such district shall have power to do any one or more of the following in accordance with such library agreement:

1. Undertake, administer and participate in programs or arrangements for securing, lending or servicing of books and other publications, any other materials suitable to be kept or made available by libraries, library equipment or for the dissemination of information about libraries, the value and significance of particular items therein, and the use thereof.

2. Accept for any of its purposes under this compact any and all donations, and grants of money, equipment, supplies, materials, and services (conditional or otherwise), from any state or the United States or any subdivision or agency thereof, or interstate agency, or from any institution, person, firm or corporation, and receive, utilize and dispose of the same.

3. Operate mobile library units or equipment for the purpose of rendering bookmobile service within the district.

4. Employ professional, technical, clerical and other personnel and fix terms of employment, compensation and other appropriate benefits; and where desirable, provide for the in-service training of such personnel.

5. Sue and be sued in any court of competent jurisdiction.

6. Acquire, hold and dispose of any real or personal property or any interest or interests therein as may be appropriate to the rendering of library service.

7. Construct, maintain and operate a library, including any appropriate branches thereof.

8. Do such other things as may be incidental to or appropriate for the carrying out of any of the foregoing powers.

ARTICLE IV. INTERSTATE LIBRARY DISTRICTS, GOVERNING BOARD.

(*a*) An interstate library district which establishes, maintains or operates any facilities or services in its own right shall have a governing board which shall direct the affairs of the district and act for it in all matters relating to its business. Each participating public library agency in the district shall be represented on the governing board which shall be organized and conduct its business in accordance with provision

therefor in the library agreement, but in no event shall a governing board meet less often than twice a year.

(*b*) Any private library agency or agencies party to a library agreement establishing an interstate library district may be represented on or advise with the governing board of the district in such manner as the library agreement may provide.

ARTICLE V. STATE LIBRARY AGENCY CO-OPERATION.

Any two or more state library agencies of two or more of the party states may undertake and conduct joint or co-operative library programs, render joint or co-operative library services, and enter into and perform arrangements for the co-operative or joint acquisition, use, housing and disposition of items or collections of materials which, by reason of expense, rarity, specialized nature, or infrequency of demand therefor would be appropriate for central collection and shared use. Any such programs, services or arrangements may include provision for the exercise on a co-operative or joint basis of any power exercisable by an interstate library district and an agreement embodying any such program, service or arrangement shall contain provisions covering the subjects detailed in Article VI of this compact for interstate library agreements.

ARTICLE VI. LIBRARY AGREEMENTS.

(*a*) In order to provide for any joint or co-operative undertaking pursuant to this compact, public and private library agencies may enter into library agreements. Any agreement executed pursuant to the provisions of this compact shall, as among the parties to the agreement:

1. Detail the specific nature of the services, programs, facilities, arrangements or properties to which it is applicable.

2. Provide for the allocation of costs and other financial responsibilities.

3. Specify the respective rights, duties, obligations and liabilities of the parties.

4. Set forth the terms and conditions for duration, renewal, termination, abrogation, disposal of joint or common property, if any, and all other matters which may be appropriate to the proper effectuation and performance of the agreement.

(*b*) No public or private library agency shall undertake to exercise itself, or jointly with any other library agency, by means of a library agreement any power prohibited to such agency by the constitution or statutes of its state.

(*c*) No library agreement shall become effective until filed with the compact administrator of each state involved, and approved in accordance with Article VII of this compact.

ARTICLE VII. APPROVAL OF LIBRARY AGREEMENTS.

(*a*) Every library agreement made pursuant to this compact shall, prior to and as a condition precedent to its entry into force, be submitted to the attorney general of each state in which a public library agency party thereto is situated, who shall determine whether the agreement is in proper form and compatible with the laws of his state.

The attorneys general shall approve any agreement submitted to them unless they shall find that it does not meet the conditions set forth herein and shall detail in writing addressed to the governing bodies of the public library agencies concerned the specific respects in which the proposed agreement fails to meet the requirements of law. Failure to disapprove an agreement submitted hereunder within ninety days of its submission shall constitute approval thereof.

(*b*) In the event that a library agreement made pursuant to this compact shall deal in whole or in part with the provision of services or facilities with regard to which an officer or agency of the state government has constitutional or statutory powers of control, the agreement shall, as a condition precedent to its entry into force, be submitted to the state officer or agency having such power of control and shall be approved or disapproved by him or it as to all matters within his or its jurisdiction in the same manner and subject to the same requirements governing the action of the attorneys general pursuant to paragraph (*a*) of this article. This requirement of submission and approval shall be in addition to and not in substitution for the requirement of submission to and approval by the attorneys general.

ARTICLE VIII. OTHER LAWS APPLICABLE.

Nothing in this compact or in any library agreement shall be construed to supersede, alter or otherwise impair any obligation imposed on any library by otherwise applicable law, nor to authorize the transfer or disposition of any property held in trust by a library agency in a manner contrary to the terms of such trust.

ARTICLE IX. APPROPRIATIONS AND AID.

(*a*) Any public library agency party to a library agreement may appropriate funds to the interstate library district established thereby in the same manner and to the same extent as to a library wholly maintained by it and, subject to the laws of the state in which such public library agency is situated, may pledge its credit in support of an interstate library district established by the agreement.

(*b*) Subject to the provisions of the library agreement pursuant to which it functions and the laws of the states in which such district is situated, an interstate library district may claim and receive any state and federal aid which may be available to library agencies.

ARTICLE X. COMPACT ADMINISTRATOR.

Each state shall designate a compact administrator with whom copies of all library agreements to which his state or any public library agency thereof is party shall be filed. The administrator shall have such other powers as may be conferred upon him by the laws of his state and may consult and co-operate with the compact administrators of other party states and take such steps as may effectuate the purposes of this compact. If the laws of a party state so provide, such state may designate one or more deputy compact administrators in addition to its compact administrator.

ARTICLE XI. ENTRY INTO FORCE AND WITHDRAWAL.

(*a*) This compact shall enter into force and effect immediately upon its enactment into law by any two states. Thereafter, it shall enter into force and effect as to any other state upon the enactment thereof by such state.

(*b*) This compact shall continue in force with respect to a party state and remain binding upon such state until six months after such state has given notice to each other party state of the repeal thereof. Such withdrawal shall not be construed to relieve any party to a library agreement entered into pursuant to this compact from any obligation of that agreement prior to the end of its duration as provided therein.

ARTICLE XII. CONSTRUCTION AND SEVERABILITY.

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any party 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 party thereto, 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 2. No political subdivision of the commonwealth shall be a party to a library agreement which provides for the construction or maintenance of a library pursuant to Article III, paragraph (*c*) 7, of the compact, nor pledge its credit in support of such a library, or contribute to the capital financing thereof, except after compliance with any laws applicable to such political subdivision relating to or governing capital outlays and the pledging of credit.

SECTION 3. As used in this compact "state library agency", with reference to the commonwealth, means the division of library extension in the department of education.

SECTION 4. An interstate library district lying partly within the commonwealth may claim and be entitled to receive state aid in support of any of its functions to the same extent and in the same manner as such functions are eligible for support when carried on by entities wholly within this state. For the purpose of computing and apportioning state aid to an interstate library district, the commonwealth will consider that portion of the district which lies within the commonwealth as an independent entity for the performance of the aided function or functions and compute and apportion the aid accordingly. Subject to any applicable laws of this state, such a district also may apply for and be entitled to receive any federal aid for which it may be eligible.

SECTION 5. The governor, with the advice and consent of the council, shall appoint the compact administrator pursuant to Article X of the compact.

SECTION 6. In the event of withdrawal of the commonwealth from the compact the governor shall send and receive any notices required by Article XI of the compact. *Approved September 9, 1963.*

Chap. 694. AN ACT AUTHORIZING THE RICHMOND TELEPHONE COMPANY TO BORROW A CERTAIN AMOUNT OF MONEY.

Be it enacted, etc., as follows:

Richmond Telephone Company is hereby authorized to borrow a sum, not exceeding two 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. *Approved September 9, 1963.*

DPW

Chap. 695. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO MAKE IMPROVEMENTS TO THE HARBOR AND THE FACILITIES THEREOF IN THE TOWN OF FAIRHAVEN.

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 make improvements to the harbor and the harbor facilities in the town of Fairhaven. No work shall be commenced until said town has appropriated money for such improvements and has assumed liability, in the manner provided by section twenty-nine of chapter ninety-one of the General Laws.

SECTION 2. For the purpose of paying the necessary expenses and liabilities incurred under this act, the town of Fairhaven may, from time to time, within a period of ten years from the passage of this act, borrow a sum not exceeding, in the aggregate, one hundred thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Fairhaven Harbor Improvement Loan, Act of 1963. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than ten years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit provided by chapter forty-four of the General Laws and shall, except as provided herein, be subject to the provisions of chapter forty-four of the General Laws, exclusive of the limitations contained in the first paragraph of section seven thereof. *Approved September 9, 1963.*

Chap. 696. AN ACT FURTHER REGULATING THE ADMINISTRATION OF THE BRADFORD DURFEE COLLEGE OF TECHNOLOGY AND THE NEW BEDFORD INSTITUTE OF TECHNOLOGY.

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 Bradford Durfee College of Technology and the New Bedford Institute of Technology beginning with the fiscal year

nineteen hundred and sixty-four, 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 42C of chapter 74 of the General Laws is hereby amended by striking out the last three paragraphs, added by section 2 of chapter 499 of the acts of 1962.

SECTION 2. Said chapter 74 is hereby further amended by inserting after said section 42C the following fourteen sections: —

Section 42D. The Bradford Durfee College of Technology and the New Bedford Institute of Technology shall continue as state institutions within the department of education but not under its control and shall be governed by the boards of trustees established therefor under section twenty-one of chapter fifteen. In addition to the authority, responsibility, powers and duties specifically conferred by sections forty-two to forty-two C, inclusive, and by sections forty-two E to forty-six B, inclusive, the said boards of trustees shall have the 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 said institutions be subject to, or superseded in any such authority by, any other state board, bureau, department or commission, except as herein provided.

Section 42E. The trustees shall maintain high educational standards at the college and the institute and shall have complete authority to establish, support, consolidate or abolish classes, courses and curricula whenever and wherever required in meeting the needs of the college and institute and the citizens of the commonwealth. The trustees shall establish appropriate qualifications and standards for admission, promotion and graduation.

Section 42F. 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 college or institute, 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. The trustees shall determine the time and place of their meetings and the manner of giving notice thereof. Nine members shall constitute a quorum.

Section 42G. The trustees may, except as to duties imposed or powers granted under sections forty-two E and forty-two F, delegate their authority or any portion thereof to the president or any other officer of the college and of the institute whenever in their judgment such delegation may be necessary or desirable.

Section 42H. All accounts of the college or institute, as the case may be, under the direction of the board of trustees, including the accounts of all property or funds received, held or disbursed by the trustees under any provision of section forty-two L, shall be audited annually by the state auditor.

Section 42I. The trustees shall prepare and submit a detailed budget in such form and manner as the governor and general court may direct.

Section 42J. 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 college and the institute, 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 college or institute designated by the trustees.

Section 42K. 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 college and the institute.

Section 42L. The trustees of the college and the trustees of the institute 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 said college or institute, 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 said college or institute 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 college and the institute.

Section 42M. The trustees shall, on behalf of the commonwealth, manage and administer the college and the institute, and all property, real and personal, belonging to the commonwealth and occupied or used by said college or institute, and shall keep in repair houses, buildings and equipment so used or occupied.

Section 42N. Notwithstanding any other provision of law to the contrary, the trustees of the college or an officer of the college designated by them and the trustees of the institute or an officer of the institute 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 college or institute shall follow modern methods of purchasing and shall, wherever practicable, invite competitive bids. Except as herein provided, the state purchasing agent shall on the certifi-

cation of availability of funds purchase all items specified on requisitions submitted to him by the college and by the institute; provided, that the college and the institute shall have the right to review all bids received on college or institute requisitions and to make binding recommendation on the award of the contract based on the judgment of the college or institute as to which of the bids best meet the specification of the college or institute on which the bids were received.

Section 420. As used in this section the following words shall have the following meanings, unless the context otherwise requires:

"Professional staff", all officers of the college and of the institute 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 thereof.

"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 college and of the institute 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 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 officer of the college or institute 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 college and the institute, 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.

The president of the college or an officer designated by him and the president of the institute or an officer designated by him, shall file annually with the governor, the budget commissioner and the joint committee on ways and means a list of all positions at said college or institute, 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 college and the institute.

The non-professional personnel of the college and of the institute 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 trustees of the college and the institute 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 college and of the institute 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.

Section 42P. The trustees shall have complete authority in determining the travel policy of the college and the institute. They shall determine which of the college personnel and which of the institute personnel may travel within and without the commonwealth at state expense and where such personnel may travel.

Section 42Q. The trustees shall make rules and regulations for the control, movement and parking of vehicles on the campus of the college and the institute, 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 college and the institute who in the enforcement of said rules and regulations and throughout the college and the institute 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 college or to the trustees of the institute, as the case may be, to be deposited in the scholarship trust fund of said college or institute for scholarship purposes.

SECTION 3. The classification, title and salary of each member of the professional staff of the Bradford Durfee College of Technology and the New Bedford Institute of Technology immediately 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 in the salary schedule to which the individual shall by reason of length of service be entitled within the grade currently held as of July first, nineteen hundred and sixty-three.

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-three. *Approved September 10, 1963.*

Chap. 697. AN ACT ESTABLISHING THE MASSACHUSETTS HISTORICAL COMMISSION AND AUTHORIZING CITIES AND TOWNS TO ESTABLISH HISTORICAL COMMISSIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 9 of the General Laws is hereby amended by adding at the end the following two sections: —

Section 26. There shall be in the department of the state secretary a Massachusetts historical commission, hereinafter and in section twenty-seven called the commission. Said commission shall consist of the state secretary, or an officer or employee from his department designated by him, who shall be the chairman, the commissioner of natural resources, the commissioner of commerce, two persons to be appointed by the governor, and seven persons to be appointed by the state secretary of whom one shall be selected from a list of three nominees submitted by the Bay State Historical League, one from a list of three nominees submitted by the Massachusetts Historical Society, one from a list of three nominees submitted by The Society for the Preservation of New England Antiquities, one from a list of three nominees submitted by The American Antiquarian Society, one from a list of three nominees submitted by The Trustees of Reservations, one from a list of three nominees submitted by the New England Historic Genealogical Society, and one from a list of three nominees submitted by The Massachusetts Archeological Society, Incorporated. Upon the expiration of the term of an appointive member his successor shall be appointed in like manner for a term of three years. The commission shall advise the state secretary on matters relating to the historic assets of the commonwealth and assist him in compiling and maintaining an inventory of such assets. The state secretary may on behalf of the commonwealth for the purposes of this section and section twenty-seven accept gifts of real and personal property, including papers, documents, and moneys, and he may provide technical and other assistance, and publish, furnish and disseminate information of an historic nature. All moneys received hereunder shall be transmitted forthwith to the state treasurer, who shall administer the same as a trust fund in the manner provided by section sixteen of chapter ten. The members of the commission shall serve without compensation but shall be reimbursed for actual expenses incurred by them in the performance of their duties as such members.

Section 27. The commission may request the chairman to examine certain sites and structures in the commonwealth and to make recommendations concerning their historical significance. Any such site or structure deemed by the commission to be of substantial historical significance to the commonwealth may, with the written consent of parties having recorded interests, be certified by the commission as an historic landmark and a list of such certified historic landmarks shall be maintained and published annually by the state secretary. No such certification shall take effect until a notice of such certification has been recorded in the registry of deeds in the county where such certified landmark is situated. The commission may establish standards for the care and management of such certified landmarks, and may withdraw such certification for failure to maintain such standards provided that a notice of such withdrawal shall be recorded as aforesaid. No certified

historic landmark shall be altered in such a manner as would seriously impair its historical values without permission of the commission. Before granting such permission the commission shall hold a public hearing. The commission may grant such permission or may withhold permission for any period up to one year during which time the commission shall consult with civic groups, public agencies and interested citizens to ascertain what action if any ought to be taken to preserve such landmark and shall make recommendations for its preservation to the commonwealth or its political subdivisions, to historical societies or to other interested civic organizations. The superior court shall have jurisdiction in equity to enforce the provisions of this section and, on petition of any party in interest, may alter, amend or revoke the order of the commission.

SECTION 2. Chapter 36 of the General Laws is hereby amended by adding after section 14 the following section: —

Section 14A. A notice of certification of an historic site and a withdrawal of such certification, required to be recorded under the provisions of section twenty-seven of chapter nine, shall be recorded by the register of deeds without the payment of any fee therefor.

SECTION 3. Section 5 of chapter 40 of the General Laws is hereby amended by inserting after clause (55), inserted by section 2 of chapter 479 of the acts of 1963, the following clause: —

(56) To mark, acquire, maintain, preserve, promote and develop places of historical value, and to establish and maintain an historical commission.

SECTION 4. Said chapter 40 is hereby further amended by inserting after section 8C the following section: —

Section 8D. A city or town which accepts this section may establish an historical commission, hereinafter called the commission, for the preservation, promotion and development of the historical assets of such city or town. Such commission shall conduct researches for places of historic value and shall seek to co-ordinate the activities of unofficial bodies organized for similar purposes, and may advertise, prepare, print and distribute books, maps, charts, plans, and pamphlets which it deems necessary for its work. For the purpose of protecting and preserving such places, it may make such recommendations to the city council or the selectmen as it deems necessary, and, subject to the approval of the city council or the selectmen, to the Massachusetts historical commission, that any such place be certified as an historic landmark. It shall keep accurate records of its meetings and actions and shall file an annual report which shall be printed in the case of towns in the annual town report. The commission may appoint such clerks and other employees as it may from time to time require. The commission shall consist of not less than three nor more than seven members. In cities the members shall be appointed by the mayor, subject to the provisions of the city charter, except that in cities having a city manager form of government, said appointments shall be by the city manager, subject to the provisions of the charter; and in towns they shall be appointed by the selectmen, excepting towns having a town manager form of government, in which towns appointments shall be made by the town manager, subject to the approval of the selectmen. When a commission is first established, the terms of the members shall be for one, two or

three years, and so arranged that the terms of approximately one third of the members will expire each year, and their successors shall be appointed for terms of three years each. Any member of a commission so appointed may, after a public hearing if requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall in a city be filled for the unexpired term in the same manner as an original appointment, and in a town in the manner provided in section eleven of chapter forty-one. Said commission may acquire in the name of the city or town by gift, purchase, grant, bequest, devise, lease or otherwise the fee or lesser interest in real or personal property of significant historical value and may manage the same.

SECTION 5. Chapter 79 of the General Laws is hereby amended by striking out section 5A, added by chapter 180 of the acts of 1948, and inserting in place thereof the following section: —

Section 5A. No historic landmark certified under the provisions of section twenty-seven of chapter nine and no property owned, preserved and maintained by any historical organization or society as an ancient landmark or as property of historical or antiquarian interest shall be taken without leave of the general court specially obtained.

SECTION 6. The two members originally appointed to the Massachusetts historical commission established by section twenty-six of chapter nine of the General Laws, added by section one of this act, by the governor shall serve for terms of three years, and of the seven members originally appointed to said commission by the state secretary one shall serve for a term of three years, three for terms of two years and three for terms of one year, as the state secretary may designate.

Approved September 11, 1963.

Chap. 698. AN ACT AUTHORIZING THE COMMISSIONER OF PUBLIC HEALTH TO TRANSFER CERTAIN PROPERTY OF THE COMMONWEALTH IN THE JAMAICA PLAIN DISTRICT OF THE CITY OF BOSTON TO THE UNITED STATES OF AMERICA FOR USE BY THE UNITED STATES PUBLIC HEALTH SERVICE.

Be it enacted, etc., as follows:

SECTION 1. Subject to the approval of the governor and council, the commissioner of public health, in the name and on behalf of the commonwealth, is hereby authorized to convey without consideration to the United States of America, a portion of the parcel of land not exceeding four and one half acres situated on South street in the Jamaica Plain district of the city of Boston, held by the commonwealth under the jurisdiction of the department of public health. Said land shall be used by the United States Public Health Service for construction and operation of the Northeast Water Pollution Control Laboratory or other environmental health facilities. Said conveyance shall be subject to such conditions and restrictions as said commissioner may deem advisable.

SECTION 2. The deed of conveyance under section one shall provide 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; that persons residing on such land shall have the right to vote at all primaries and elections within the city of Boston and the county of Suffolk; that title to said land shall revert to and revest in the commonwealth whenever such land shall cease to be used for the purposes set forth in section one; and that in the event the United States of America fails to commence the construction of said laboratory on or before September first, nineteen hundred and sixty-eight, title to said land shall revert to and revest in the commonwealth.

Approved September 12, 1963.

Chap. 699. AN ACT MAKING AN APPROPRIATION FOR THE DIVISION OF FISHERIES AND GAME.

Be it enacted, etc., as follows:

SECTION 1. To provide for an accelerated program of capital improvements at fish hatcheries, game farms and wildlife management areas, the sum set forth in section two is hereby appropriated from the inland fisheries and game fund, subject to the provisions of law regulating the disbursement of public funds and the approval thereof and the conditions pertaining to appropriations in chapter five hundred of the acts of nineteen hundred and sixty-three.

SECTION 2.

INLAND FISHERIES AND GAME FUND.

STATE PURPOSES APPROPRIATION.

Department of Natural Resources.

Division of Fisheries and Game.

3304-21 For a program of construction and improvements to fish hatcheries, game farms and wildlife management areas, as provided in section three A of chapter one hundred and thirty-one of the General Laws; provided, that expenditures from this item shall not be subject to the provisions of section thirty A of chapter seven of the General Laws; and provided, further, that any federal funds received on account of expenditures made under this item shall be credited to the Inland Fisheries and Game Fund, appropriation expires June thirtieth, nineteen hundred and sixty-five **$142,414**

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

Approved Sepiember 13, 1963.

Chap. 700. AN ACT AUTHORIZING THE CITY OF CHICOPEE TO CONSTRUCT SEWAGE TREATMENT FACILITIES.

Be it enacted, etc., as follows:

SECTION 1. For the purposes of constructing a sewage treatment plant, sewers, pumping stations, and appurtenant structures, the city of Chicopee may, from time to time, within five years after the passage of this act, borrow such sums as may be necessary, not exceeding, in the

aggregate, four million dollars, and may issue bonds and notes therefor which shall bear on their face the words, Chicopee Sewage Treatment Loan, Act of 1963. Each authorized issue shall constitute a separate loan and such loans shall be payable not more than thirty years from their dates.

Indebtedness under this act shall be in excess of the statutory limit and shall, except as provided herein, be subject to the provisions of chapter forty-four of the General Laws, except section seven thereof.

SECTION 2. Said city shall, by vote of the board of aldermen, determine what proportion of the cost of the sewerage works provided for in section one it shall pay. In providing for the payment of any portion of the cost thereof by abutters, including public and private institutions, contributing sewage, said city may avail itself of any and all of the methods permitted by the General Laws, including section sixteen of chapter eighty-three of the General Laws providing for the establishment of just and equitable annual charges for the use of the common sewers. Such charges shall be paid by every person, including public and private institutions, who enters or has entered his or its particular sewer into the sewerage system of the city. The provisions of the 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. At the same meeting at which it determines the proportion of the cost which is to be borne by the city, or at a subsequent meeting, it shall by vote determine by which of such methods the remaining portion of said cost shall be provided for. The collector of taxes of said city shall certify the payments of such assessments or apportionments thereof to the superintendent of streets, who shall preserve a record thereof.

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

Approved September 16, 1963.

Chap. 701. AN ACT RELATIVE TO THE ADMINISTRATION OF THE LOWELL TECHNOLOGICAL INSTITUTE 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 Lowell Technological Institute of Massachusetts beginning with the fiscal year nineteen hundred and sixty-four, 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 75A of the General Laws, as appearing in section 3 of chapter 407 of the acts of 1953, is hereby amended by adding at the end, the following paragraph: —

The institute 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 whose authority, responsibility, rights, privileges, powers and duties specifically conferred by this chapter shall be the same as those customarily and traditionally exercised by governing boards of institutions of higher learning. In exercising such authority, responsibility, rights, privileges, powers and duties said board shall not

in the management of the affairs of the institute be subject to, or superseded in any such authority by, any other state board, bureau, department or commission, except as herein provided. The trustees shall maintain high educational standards at the institute and shall have complete authority to establish, locate, support, consolidate or abolish classes, courses, curricula, departments, divisions, wherever and whenever required in meeting the needs of the commonwealth in the fields of public higher education. The trustees shall establish appropriate qualifications and standards for admission, promotion and graduation.

SECTION 2. Said chapter 75A is hereby further amended by inserting after said section 1 the following section: —

Section 1A. The trustees may, except as to duties imposed or powers granted under sections one, two, three and six, delegate their authority or any portion thereof to the president or other officers of the institute whenever in their judgment such delegation may be necessary or desirable.

SECTION 3. Said chapter 75A is hereby further amended by inserting after section 3 the following two sections: —

Section 3A. The trustees shall prepare and submit a detailed budget in such form and manner as the governor and general court may direct.

Section 3B. 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 institute; 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 institute designated by the trustees.

SECTION 4. Section 4 of said chapter 75A, as appearing in section 3 of chapter 407 of the acts of 1953, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — All accounts of the institute 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 law, shall be audited annually by the state auditor.

SECTION 5. Said chapter 75A is hereby further amended by striking out section 5, as so appearing, and inserting in place thereof the following section: — *Section 5.* 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 institute.

SECTION 6. Said chapter 75A is hereby further amended by striking out section 7, as so appearing, and inserting in place thereof the following section: — *Section 7.* 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

institute, 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 executive office for administration and finance, and the joint committee on ways and means.

SECTION 7. Section 8 of said chapter 75A, as so appearing, is hereby amended by adding at the end the following paragraph: —

The trustees shall have the authority to assent to federal laws designed to benefit the institute 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 institute. 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 student health service, research institutes and foundations, dormitories and student and faculty facilities. All income 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 institute. 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 institute. All receipts from student 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 8. Said chapter 75A is hereby further amended by inserting after section 9 the following section: —

Section 9A. Notwithstanding any other provision of law to the contrary, the trustees or officers of the institute 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 institute 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 institute; provided, that the institute shall have the right to review all bids received on institute requisitions and to make binding recommendation on the award of the contract based on the judgment of the institute as to which of the bids best meet the institute's specification on which the bids were received.

SECTION 9. Section 12 of said chapter 75A, as most recently amended by section 1 of chapter 499 of the acts of 1962, is hereby further amended by adding at the end the following eight paragraphs: —

As used in this section the following words shall have the following meanings, unless the context otherwise requires:

"Professional staff", all officers of the institute 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 institute.

"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 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 director, 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 institute 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 institute, 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.

The president or an officer of the institute designated by him shall file annually with the governor, the budget director and the joint committee on ways and means a listing of all positions at the institute, including the name of the incumbent, the classification and title, and the rate of pay.

The non-professional personnel of the institute 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 institute 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 institute 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.

SECTION 10. Said chapter 75A is hereby further amended by inserting after said section 12 the following two sections: —

Section 12A. The trustees shall have complete authority in determining the travel policy of the institute. They shall determine which

of the institute personnel may travel within and without the commonwealth at state expense and where such personnel may travel.

Section 12B. The trustees shall make rules and regulations for the control, movement and parking of vehicles on the campus of the institute and on other land of the institute, 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 institute who in the enforcement of said rules and regulations and throughout institute 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 institute to be deposited in the scholarship trust fund of the institute for scholarship purposes.

SECTION 11. The classification, title and salary of each member of the professional staff of the Lowell Technological Institute of Massachusetts immediately 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 in the salary schedule to which the individual shall by reason of length of service be entitled within the grade held by him on July first, nineteen hundred and sixty-three.

SECTION 12. 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 13. This act shall take effect as of July first, nineteen hundred and sixty-three. *Approved September 16, 1963.*

Chap. 702. AN ACT ESTABLISHING ADDITIONAL SPECIAL EDUCATION SCHOLARSHIPS.

Be it enacted, etc., as follows:

Chapter 69 of the General Laws is hereby amended by inserting after section 7C the following section: —

Section 7D. In addition to the scholarships provided for in section seven C, there are hereby established special education scholarships to be given to graduates of high schools within the commonwealth who qualify for entrance to a public or private college or university in courses in the field of education, who are in need of financial assistance and who wish to attend a college other than the state college at Fitchburg. Said scholarships shall be awarded by the board of educational assistance established under the provisions of section twenty-five of chapter fifteen.

The number of scholarships to be so awarded shall not exceed twenty-five in each of the four undergraduate years. No individual scholarship shall exceed three hundred dollars in any year. Said scholarships shall continue for such time as the recipient thereof remains a student in good standing at such college or university and pursues the courses prescribed for certification as a special class teacher of the mentally retarded, but in no event shall any student receive such scholarship aid for more than four years. *Approved September 16, 1963.*

Chap. 703. AN ACT ESTABLISHING THE MASSACHUSETTS STATE COLLEGE BUILDING AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. *Definitions.* — As used in this act, the following words and terms shall have the following meanings, unless the context shall indicate another or different meaning or intent:

(*a*) "Authority", the Massachusetts State College Building Authority, created by section two of this act or, if such Authority shall be abolished, the board, body or commission succeeding to the principal functions thereof or to which the powers given by this act to the Authority shall be given by law.

(*b*) "Trustees", the board of trustees established under section twenty A of chapter fifteen of the General Laws to govern the division of state colleges within the department of education, or if such trustees shall hereafter be abolished, the board, body or commission succeeding to the principal functions thereof or to which the powers given by chapter fifteen of the General Laws shall be given by law.

(*c*) "Cost of a project", shall embrace the cost, whenever incurred, of carrying out a project and placing it in operation, the cost of architectural and engineering services, plans, specifications, surveys, estimates of cost and of revenues, other expenses necessary or incident to determining the feasibility or practicability of the project, administrative expense, legal expense and such other expenses as may be necessary or incident to the aforesaid, to the financing thereof and to the issuance therefor of notes or bonds or both under the provisions of this act and interest for such period as the Authority may deem advisable but ending not later than eighteen months after the trustees shall have accepted the project for occupancy on money borrowed to pay all or part of the cost of a project. The term shall also embrace the cost of preliminary architectural and engineering services, plans, specifications, surveys, estimates of costs and of revenues and other expenses necessary or incident to determine the feasibility or practicability of other projects for which written requests shall have been made by authority of the trustees.

(*d*) "Federal government", the United States of America and any agency, board, bureau, commission, department or other instrumentality thereof.

(*e*) "Project", the construction of new buildings or structures and the acquisition, addition to, alteration, enlargement, reconstruction, remodeling and other work in or upon or respecting existing buildings or structures, the provision and installation therein or in respect thereof of furnishings, furniture, machinery, equipment, facilities, approaches, driveways, walkways, parking areas, planting and landscaping, the acquisition of land, other property, rights, easements and interests acquired for or in respect to any thereof, the demolition or removal of any buildings or structures on land so acquired or interests in which are so acquired and site preparation, with respect to which the Authority shall provide by resolution for the issuance of a series of bonds or notes. Whenever appropriate the word shall also mean such land, buildings or structures and such appurtenances.

(*f*) "Trust agreement", a trust agreement made and entered into by and between the Authority and a Trustee under the provisions of section eight.

(*g*) "Trustee", the bank or trust company acting as trustee under a trust agreement.

(*h*) "State college", any college under the general management of the board of trustees established under section twenty A of chapter fifteen of the General Laws.

SECTION 2. *Massachusetts State College Building Authority.* — There is hereby created and placed in the department of education a body politic and corporate to be known as the Massachusetts State College Building Authority, which shall not be subject to the supervision or regulation of the department of education or of any department, commission, board, bureau or agency of the commonwealth except to the extent and in the manner provided in this act. The Authority is hereby constituted a public instrumentality and the exercise by the Authority of the powers conferred by this act shall be deemed and held to be the performance of an essential governmental function.

The Authority shall consist of nine members to be appointed by the governor with the advice and consent of the council. Three of such members shall be graduates of a state college and six members shall not be graduates of a state college. The governor shall appoint three members of said Authority from the members of the board of trustees who are members of the board of education, and such dual membership shall not invalidate any action taken by the Authority or by the trustees in which any such member participates.

The members of the Authority first appointed shall continue in office for terms expiring on June thirtieth, in the years nineteen hundred and sixty-four, nineteen hundred and sixty-five, nineteen hundred and sixty-six, nineteen hundred and sixty-seven, nineteen hundred and sixty-eight, nineteen hundred and sixty-nine, nineteen hundred and seventy, nineteen hundred and seventy-one and nineteen hundred and seventy-two, respectively, the term of each such member to be designated by the governor. As the term of a member expires his successor shall be appointed in like manner for a term of nine years, except that any person appointed to fill a vacancy shall serve only for the unexpired term. Any member of the Authority may be removed by the governor, with the advice and consent of the council, for cause after notice and a public hearing unless such notice and hearing are in writing expressly waived. The Authority shall annually elect from its members a chairman and a vice-chairman, and shall also elect a secretary-treasurer and may elect an assistant secretary-treasurer who need not be members of the Authority.

The secretary-treasurer shall keep a record of the proceedings of the Authority and shall be the custodian of all books, documents and papers filed with the Authority and of the minute book or journal of the Authority and of its official seal. He and the assistant secretary-treasurer shall each have authority to cause copies to be made of all minutes and other records and documents of the Authority and to give certificates under the official seal of the Authority to the effect that such copies are true copies, and all persons dealing with the Authority may rely upon such certificates.

Five members of the Authority shall constitute a quorum and the affirmative vote of five members shall be necessary for any action taken by the Authority. No vacancy in the membership of the Authority

shall impair the right of a quorum to exercise all the rights and perform all the duties of the Authority.

Before the issuance of any bonds under the provisions of this act the secretary-treasurer and the assistant secretary-treasurer, if any, of the Authority shall each execute a surety bond in the penal sum of fifty thousand dollars, such surety bond to be conditioned upon the faithful performance of the duties of his office, to be executed by a surety company authorized to transact business in the commonwealth as surety and to be approved by the attorney general and filed in the office of the secretary of the commonwealth.

The members of the Authority shall serve without compensation, but each member shall be reimbursed for all necessary travel and other expenses incurred by him in the discharge of his official duties.

No member, agent or employee of the Authority shall, directly or indirectly, have any financial interest in any property to be included in, or any contract for property or materials to be furnished or used in connection with, any project of the Authority. Whoever violates any provision of the preceding sentence shall be punished by a fine of not less than fifty nor more than one thousand dollars, or by imprisonment for not more than one month, or both.

SECTION 3. *Purposes.* — The Authority is created for the general purposes of aiding and contributing to the performance of the educational and other purposes of a state college by providing dormitories, dining commons and other buildings and structures for the use of a state college, its students, staff and their dependents. Such use shall include, but not be limited to, use by an organization or association, in any form, of students or others the activities of which are a part of the activities at a state college and subject to regulation by the trustees or use by a research foundation or other research organization the operation of which in conjunction with a state college is approved by the trustees. The Authority shall not initiate any project except upon written request made by authority of the trustees, and notwithstanding any other provisions of this act the Authority shall have power to initiate only such projects as the trustees determine to be designed primarily to provide facilities for the housing, feeding, medical care or extra-curricular use by students, staff and dependents or facilities for use by a research foundation or other research organization as above defined.

SECTION 4. *General Grant of Powers.* — In furtherance of the purposes for which it is created, the Authority is hereby authorized and empowered:

(*a*) To adopt by-laws for the regulation of its affairs and the conduct of its business, and to fix penalties for the violation thereof;

(*b*) To adopt an official seal and alter the same at pleasure;

(*c*) To maintain an office in the city of Boston;

(*d*) To sue and be sued in its own name, plead and be impleaded;

(*e*) To construct buildings or structures and to acquire, add to, alter, enlarge, reconstruct, remodel and do other work in or upon or respecting any building or structure, in each case upon written request made by authority of the trustees; to provide and install furnishings, furniture, machinery, equipment, facilities, approaches, driveways, walkways, parking areas, planting and landscaping in or for or related to any such building or structure; provided, that such approaches, driveways, park-

ing areas, planting and landscaping be approved by authority of the trustees; to repair, maintain and operate all property in which the Authority holds an interest;

(*f*) To rent or lease as landlord any building or structure or portion thereof or parking or other area held by it hereunder, to operate the same and to provide services therein, and to establish rules and regulations for the use thereof; provided, that no such rules or regulations shall conflict with any rules or regulations made by authority of the trustees for use of property of a state college, except as provided in section nine;

(*g*) To borrow money from time to time to finance the cost of projects, to issue and sell its revenue bonds and notes therefor, payable solely from its revenues, as provided in section seven;

(*h*) Subject to the provisions of section nine, to fix and revise from time to time, and to charge and collect rates, fees, rentals and other charges for the use of any building, structure, other property or portion thereof under its control;

(*i*) To acquire, hold and dispose of real and personal property and rights and interests therein in the exercise of its powers and the performance of its duties under this act;

(*j*) To acquire from the commonwealth by purchase, lease or grant such property of the commonwealth, real or personal, or easements or rights therein, as may be necessary or desirable for carrying out the provisions of this act;

(*k*) To employ architects, consulting engineers, attorneys, construction, financial and other experts, superintendents, managers, and such other employees and agents as may be necessary in its judgment, and to fix their compensation; provided, that all such expenses shall be payable solely from funds provided under the authority of this act;

(*l*) To make application for, receive and accept from the federal government or any agency thereof grants or loans for or in aid of the payment of all or any part of the cost of a project, and to receive and accept contributions from any source of money, property, labor or other things of value, to be held, used and applied only for the purposes for which such grants and contributions may be made;

(*m*) To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act;

(*n*) To invest in obligations of, or guaranteed by, the government of the United States of America any funds held by it and not required for immediate disbursement;

(*o*) To do all acts and things necessary or convenient to carry out the powers expressly granted in this act.

SECTION 5. *Agreements between the Commonwealth and the Authority.* — The trustees may, in the name and on behalf of the commonwealth, upon such terms and with or without consideration, do any or all of the following:

(*a*) Sell, convey or lease to the Authority real or personal property owned by the commonwealth in a city or town in which a state college is located or grant easements, licenses or any other rights or privileges therein to the Authority, and no such sale, conveyance, lease or grant made under this section shall become operative until it is approved by the

governor and council. The Authority shall not be liable to taxation upon any real property, including any building or buildings erected thereon, or personal property sold, conveyed or leased under this section;

(*b*) Cause private ways, sidewalks, footpaths, ways for vehicular travel, parking areas, water, sewage or drainage facilities and similar improvements and steam service and other utilities and connections for heating and other necessary purposes to be furnished to or in any project carried out by the Authority;

(*c*) Make available to the Authority the services of officers and employees of a state college and office space and facilities in a state college for, among other things, billing and collecting rents, fees, rates and other charges for the use and occupancy of property of the Authority by a state college or any person, organization or association referred to in section three; renting and leasing rooms and other accommodations in the buildings and structures of the Authority; cleaning, heating, daily operation of and repairs to and maintenance of such buildings and structures and other property of the Authority; and keeping all books of account for the Authority; and

(*d*) Do any and all things authorized by law and necessary or convenient to aid and co-operate with the Authority in carrying out the purposes of the Authority and exercising its powers hereunder and in complying with the provisions of any trust agreement into which the Authority may enter.

No lease or other agreement made under this act between the trustees, acting on behalf of the commonwealth, and the Authority shall be subject to any provision of law relating to publication or to advertising for bids, and any such lease or agreement may be entered into and shall become effective without any necessity for any order of court or other action or formality other than the regular and formal action of the authorities concerned and except as may be expressly provided elsewhere in this act.

SECTION 6. *Accountability.* — The Authority shall keep an accurate account of all its activities and of all its receipts and expenditures and shall annually in the month of January make a report thereof to the trustees, to the governor and to the state auditor, such reports to be in a form prescribed by the trustees, with the written approval of said auditor. The trustees or said auditor may investigate the affairs of the Authority, may severally examine the properties and records of the Authority, and may prescribe methods of accounting and the rendering of periodical reports in relation to projects undertaken by the Authority.

SECTION 7. *Authority Bonds and Notes.* — The Authority is hereby authorized to provide by resolution at one time or from time to time for the issue of bonds of the Authority for the purpose of paying all or any part of the cost of a project or for the purpose of refunding outstanding indebtedness of the Authority incurred under this act or any other authority to finance or refinance a project; provided, that the Authority shall not issue bonds the principal amount of which, when added to the principal amount of bonds and notes theretofore issued hereunder, excluding bonds and notes previously refunded or being or to be refunded thereby, shall exceed ten million dollars.

The Authority is further authorized, subject to such conditions, limitations and restrictions as may be set forth in the resolution or resolu-

tions authorizing or the trust agreement or agreements securing any bonds or notes theretofore issued, to provide by resolution at one time or from time to time for the issue under this act of such additional bonds for the above purposes as may hereafter be authorized by the general court.

The Authority is further authorized to provide by resolution at one time or from time to time for the issue of interest-bearing or discounted notes for the purposes and in the amounts that bonds may be issued as provided above. Such notes shall be payable within three years from their respective dates, but the principal of and any interest on notes issued for such period or for a shorter period may be renewed or paid from time to time by the issue of other notes hereunder; provided, that the period from the date of an original note to the maturity of any note issued to renew or pay the same debt or the interest thereon shall not exceed five years.

The principal and interest of any bonds or notes issued hereunder shall be payable solely from the funds herein provided for such payment. The bonds of each issue shall be dated, shall bear interest at such rates not exceeding five per centum per annum, shall mature serially with the final maturity at such time not exceeding forty years from their date or dates as may be determined by the Authority, and may be made redeemable before maturity at the option of the Authority, at such price or prices and under such terms and conditions as may be fixed by the Authority prior to the issuance of any such bonds.

The Authority shall determine the form of bonds and notes issued by it hereunder, including any interest coupons to be attached thereto, and the manner of execution thereof, and shall fix the denomination or denominations thereof and the place or places of payment of principal and interest, which may be at any bank or trust company within or outside the commonwealth. In case any officer whose signature or a facsimile of whose signature shall appear on any notes, bonds or coupons shall cease to be such officer before the delivery thereof, 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. The bonds may be issued in coupon or in registered form, or both, as the Authority may determine, and provision may be made for the registration of any coupon bonds as to principal alone, and also as to both principal and interest, and for the reconversion into coupon bonds of any bonds registered as to both principal and interest and for the interchange of registered and coupon bonds. The Authority may sell such bonds and notes 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 and notes 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 or notes prior to maturity. All bonds and notes issued under the provisions of this act shall have all the qualities and incidents of investment securities under the Uniform Commercial Code.

The proceeds of such bonds and notes shall be used solely for the payment of the cost of the project which they are issued to finance or

for the payment of the principal amount of the bonds or notes which they are issued to refund, together with accrued interest, premium if any, and related fees and expenses, and shall be disbursed in such manner and under such restrictions, if any, as the Authority may provide in the resolution authorizing the issuance thereof or in the trust agreement securing the same. If the proceeds of bonds or notes issued in whole or in part to pay the cost of a project, by error of estimates or otherwise, shall be less than such cost, additional bonds or notes may in like manner be issued to provide the amount of such deficit, and, unless otherwise provided in the resolution authorizing the issuance thereof or in the trust agreement, shall be deemed to be of the same issue or series and shall be entitled to payment from the same fund without preference or priority of the bonds or notes of such issue or series first issued. If the proceeds of an issue or series of bonds or notes shall exceed the cost of the projects they were issued to finance the surplus shall be deposited for application to the retirement 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 or notes which shall become mutilated or shall be destroyed or lost. Bonds or notes may be issued under the provisions of this act without obtaining the consent of any department, division, commission, board, bureau or agency of the commonwealth, 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, and without compliance with the provisions of any other law applicable to the issue of bonds or notes.

While any bonds or notes 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 thereof.

SECTION 8. *Trust Agreement.* — Bonds issued under the provisions of this act shall be secured by a trust agreement by and between the Authority and a trustee, which may be any trust company or bank having powers of a trust company within the commonwealth. Such trust agreement may pledge or assign the revenues to be received from the projects in respect of which the bonds secured by such trust agreement are issued and from any other property of the Authority, but shall not convey or mortgage any property of the Authority. 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 involve any violation of law, including but not limited to definitions of revenues and expenses, covenants setting forth the duties of the Authority in relation to the carrying out of such projects and to the improvement, maintenance, operation, repair, insurance, disposition and replacement of such projects and of other property then or thereafter financed or refinanced thereunder or the revenues from which are then or thereafter pledged thereunder, covenants as to the fixing of the fees, rates, rents or other charges to be made by the Authority for use or occupancy of such projects or property or any portion thereof, covenants

designed to assure sufficient occupancy of such projects and property to meet debt service and reserves, provisions for the establishment of reserves from bond proceeds and revenues, conditions and limitations with respect to the issuance of additional bonds under this act or any other authority, provisions with respect to the rights and remedies of the bondholders and of the trustee as to the amendment of such trust agreement and the custody, safeguarding and application of all moneys. Such trust agreement may restrict the individual right of action by bondholders. In the discretion of the Authority, bonds issued to finance a project may be secured by a trust agreement providing for the security only of bonds issued to finance or refinance such project, or providing for the security of bonds issued at one or more times to finance or refinance more than one project. 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 security as may be required by the Authority. 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 or projects to which such trust agreement pertains.

SECTION 9. *Revenues.* — The Authority is hereby authorized to establish and revise rules and regulations to insure the use and occupancy of, and to fix, revise and collect fees, rents, rates and other charges for the use of, a project financed or refinanced hereunder or of any property the revenues from which are pledged hereunder or of any portion thereof or room or accommodation therein. Such rules and regulations and fees, rents, rates and other charges, shall be fixed and adjusted, with respect to the aggregate of the revenues from the project, projects and property the revenues from which are pledged under any trust agreement (1) so as to provide revenues sufficient (*a*) to pay the cost of maintaining, repairing and operating such projects or property, (*b*) to pay the principal of and interest on bonds issued to finance or refinance such projects as the same shall become due and payable, (*c*) to pay such portion of the current operating and administrative expenses of the Authority as the Authority shall deem properly allocable to such projects and property, (*d*) to create reserves for the foregoing purposes, (*e*) to pay the amounts, if any, required by section twenty to be paid to the treasurer and receiver-general out of such revenues and (*f*) (i) if a contract is entered into with respect to the financing of any such projects under section ten, to create the reserves required by that section, or (ii) if no such contract is entered into under section ten, to provide for such additional coverage of expenses and debt service as the Authority, with the approval of the trustees, may agree to provide in the trust agreement securing the bonds, and (2) so as to maintain, so far as consistent with the foregoing requirements, a reasonable uniformity in charges for like rooms or other accommodations at a state college whether or not contained in a project of the Authority.

Any establishment or revision of rules and regulations insuring use and occupancy and any fixing, revision or adjustment of fees, rents, rates or other charges by the Authority shall require the approval of the trustees. In the case of projects and property the revenues from which are pledged to the payment of bonds which are not guaranteed by the commonwealth under section ten, the trustees shall so exercise their

powers hereunder as to permit the Authority at all times to establish and maintain rules and regulations requiring the use and occupancy of such projects and property and to fix and maintain fees, rents, rates and other charges for such use and occupancy which will produce aggregate revenues sufficient to meet the requirements of clauses (1) (*a*) through (*f*), above, applicable to such bonds. Upon any failure of the trustees so to exercise their powers, the Authority may proceed to establish or revise such rules and regulations and to fix or adjust such fees, rents, rates and other charges without the approval of the trustees; provided, that in such case the trustees may propose alternate rules and regulations or scale of fees, rents, rates and other charges which shall thereupon be adopted by the Authority if aggregate revenues sufficient to meet said requirements will be produced thereby. Such fees, rents, rates and other charges shall not, except as expressly provided herein with respect to the trustees, be subject to supervision or regulation of any department, division, commission, board, bureau or agency of the commonwealth or any political subdivision thereof.

All revenues derived from projects and property, the revenues from which are pledged under any resolution or trust agreement, except such part thereof as may be necessary to pay or provide for the costs of maintenance, repair and operation thereof, the allocable portion of current operating and administrative expenses of the Authority and such reserves therefor as may be provided for in the applicable trust agreement and to pay the amounts, if any, required by section twenty to be paid to the treasurer and receiver-general out of such revenues, shall be set aside at such regular intervals as may be provided in such trust agreement and shall be pledged to, and charged with, the payment of the principal of and the interest on the bonds issued under such trust agreement as the same shall become due, and the redemption price or the purchase price of bonds retired by call or purchase as provided therein. Such pledge shall be valid and binding from the time it is made, the revenues or other moneys pledged and thereafter received by the Authority shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the Authority, irrespective of whether such parties have notice thereof. No resolution or trust agreement by which a pledge is created need be filed or recorded except in the records of the Authority. The use and disposition of moneys so pledged shall be subject to the provisions of the applicable trust agreement. Except as may otherwise be provided in such trust agreement, such moneys shall be a fund for all such bonds without distinction or priority of one over another.

Upon the payment in full of the principal amount, including any redemption premium, of all bonds, including refunding bonds, issued to finance or refinance the cost of a project or projects under a single trust agreement, with interest thereon to the stated or accelerated maturity, as the case may be, of such bonds, and of all other sums, if any, then payable to the trustee under the provisions of such trust agreement, or upon deposit by the Authority with the trustee of funds sufficient and in trust to pay such principal amount, interest and sums, then the pledge of revenues from such project or projects or property the revenues from

which are pledged thereunder shall cease and terminate, and the revenues thereafter derived from such project and property, except such part thereof as may be necessary to pay the cost of maintenance, repair and operation thereof and such portion of current operating and administrative expenses of the Authority and to provide reserves therefor as may be provided for at the time by resolution of the Authority upon the written approval of the trustees and to pay the amounts, if any, required by section twenty to be paid to the treasurer and receiver-general out of such revenues, shall be set aside and pledged to and charged with (1) the reimbursement to the commonwealth of any amounts theretofore paid by the commonwealth to meet principal or interest on any bonds of the Authority guaranteed by the commonwealth under section ten, or, if and only if the commonwealth has made no such payments, or has been reimbursed therefor, (2) the payment of the principal, interest and premiums, if any, at maturity or upon redemption or purchase, of (*a*) all bonds previously or contemporaneously issued under any particular trust agreement, or (*b*) all bonds previously or contemporaneously issued under more than one trust agreement, or (*c*) all bonds then outstanding, as the Authority may determine at the time by resolution approved by the trustees with a view to achieving reasonable uniformity in charges for like rooms and accommodations at the university. Such subsequent pledge shall remain in effect until the applicable payment has been made, whereupon the pledged revenues shall again be pledged in accordance with the preceding sentence. The provisions of this section applicable to the initial pledge of such revenues shall apply to such subsequent pledges.

SECTION 10. *Guaranty by Commonwealth.* — The commonwealth, acting by and through the trustees, may enter into a contract or contracts with the Authority for state financial assistance in the form of a guaranty by the commonwealth of bonds of the Authority issued to finance the cost of a project. Such guaranty shall be executed on each bond by an officer of the trustees. Each such contract shall contain such limitations as to the cost of the project and current operating and administrative expenses of the Authority to be allocated to the project, and such other provisions as the trustees may require. For each issue or series of bonds with respect to which such a contract shall be executed, the Authority shall create, beginning the first year immediately succeeding the issue thereof, a reserve for principal and interest equal to one twelfth of the largest principal and interest payments which will be due thereon in any one year thereafter and shall maintain such reserve and increase the same by a similar amount for each of the eleven succeeding years thereafter and shall maintain each such increase; provided, however, that if such bonds should be refunded in whole or in part such reserves shall be appropriately adjusted so that twelve years after the date of issuance of the original bonds, or as soon thereafter as may be practicable, there will have been created and thereafter maintained a reserve equal to the largest amount of principal and interest due in any subsequent year on account of such issue or series of bonds including bonds issued for the purpose of refunding the same. Such reserve may be used whenever necessary to meet principal and interest of such issue or series of bonds as they become due, but shall thereafter be restored to the required level as soon as practicable.

Any such contract may provide for the guaranty by the commonwealth of notes of the Authority issued under section seven, the total amount of which shall not exceed the amount specified in the contract for state financial assistance.

The guaranty of the commonwealth provided pursuant to such contract shall be of the payment of the principal of, and interest on, all such notes and bonds as the same become due and payable, and the full faith and credit of the commonwealth is hereby pledged for any such guaranty; provided, that the total amount of notes and bonds so guaranteed shall not exceed ten million dollars in the aggregate for all projects of the Authority.

SECTION 11. *Credit of Commonwealth Not Otherwise Pledged.* — Notes and bonds issued by the Authority under the provisions of this act shall not constitute a debt of the commonwealth or of any political subdivision thereof or a pledge of the faith and credit of the commonwealth or of any political subdivision, unless and except any such notes and bonds bear the guaranty of the commonwealth pursuant to section ten, and shall be payable solely from the funds herein provided therefor from revenues. All such notes and bonds, except those bearing such guaranty, shall contain on the face thereof a statement to the effect that neither the commonwealth nor the Authority shall pay the same or the interest thereon except from revenues of the Authority and that neither the faith and credit nor the taxing power of the commonwealth or of any political subdivision thereof is pledged to the payment of the principal of or the interest on such bonds.

All expenses incurred in carrying out the provisions of this act shall be payable solely from funds provided under the authority of this act and no liability or obligation shall be incurred by the Authority hereunder beyond the extent to which moneys shall have been provided under the provisions of this act.

SECTION 12. *Trust Funds.* — All moneys received pursuant to the authority of this act, whether as proceeds from the sale of notes or bonds or otherwise, shall be deemed to be trust funds to be held and applied solely as provided in this act. The resolution authorizing the notes or bonds or the trust agreement securing such bonds shall provide that any officer with whom, or any bank or trust company with which, such moneys shall be deposited shall act as trustee of such moneys and shall hold and apply the same for the purposes hereof, subject to such regulations as this act and such resolution or trust agreement may provide.

SECTION 13. *Remedies.* — Any holder of notes or bonds issued under the provisions of this act or any of the coupons appertaining thereto, and the Trustee under any trust agreement, except to the extent the rights herein given may be restricted by such trust agreement, may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights under the laws of the commonwealth or granted hereunder or under such trust agreement or resolution authorizing the issuance of such bonds, and may enforce and compel the performance of all duties required by this act or by such trust agreement or resolution to be performed by the Authority or by any officer thereof, including the fixing, charging and collecting of fees, rents, rates and charges.

SECTION 14. *Exemption from Taxation.* — The exercise of the powers granted by this act will be in all respects for the benefit of the people of

the commonwealth, and for the promotion and improvement of public education in the commonwealth, and as the carrying out, operation and maintenance of projects by the Authority will constitute the performance of essential governmental functions, the Authority shall not be required to pay any taxes or assessments upon any property acquired or used by the Authority under the provisions of this act or upon the income therefrom, and the notes and bonds issued under the provisions of this act, their transfer and the income therefrom, including any profit made on the sale thereof, shall at all times be free from taxation within the commonwealth.

SECTION 15. *Notes and Bonds Eligible for Investment.* — Notes and bonds issued by the Authority under the provisions of this act are hereby made securities in which all public officers and public bodies of the commonwealth and its political subdivisions, all savings banks, insurance companies, trust companies in their commercial departments and, within the limits set by section 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. Such bonds are hereby made securities which may properly and legally be deposited with and received by any state or municipal officer or any agency or political subdivision of the commonwealth for any purpose for which the deposit of bonds or other obligations of the commonwealth is now or may hereafter be authorized by law.

SECTION 16. *Liability in Contract or Tort; Enforcement of Claims.* — The Authority shall be liable in contract or in tort in the same manner as a private corporation. The members of the Authority shall not be personally liable as such on its contracts, or for torts not committed or directly authorized by them. The property or funds of the Authority shall not be subject to attachment, or to levy and sale on execution, but if the Authority refuses to pay a judgment entered against it in any court of competent jurisdiction, the supreme judicial court, sitting within and for the county in which the Authority is situated may, by writ of mandamus, direct the treasurer of the Authority to pay such judgment. The real estate of the Authority shall not be subject to liens under chapter two hundred and fifty-four of the General Laws.

SECTION 17. *Miscellaneous.* — The Authority may take such action as it deems appropriate to enable its employees to come within the provisions and obtain the benefits of the federal social security act. If the employees of the Authority shall come within the provisions of said social security act, their employment shall be included in the term "employment" as used in sections one to seven, inclusive, of chapter one hundred and fifty-one A of the General Laws.

The provisions of sections twenty-six to twenty-nine, inclusive, and of sections forty-four A to forty-four L, inclusive, of chapter one hundred and forty-nine of the General Laws, and the provisions of sections thirty-nine F, thirty-nine I and thirty-nine K of chapter thirty of the General Laws are hereby made applicable to the Authority.

SECTION 18. *Transfer to Commonwealth.* — When all bonds and notes 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 notes and the interest thereon to the maturity thereof shall have been set aside in trust for the benefit of the holders thereof, all projects then owned by the Authority shall become the property of the commonwealth, and thereupon the Authority shall be dissolved and all funds of the Authority not required for the payment of the bonds and notes and of the interest thereon or for the satisfaction of any other obligations of the Authority or for expenses incident to its dissolution shall be paid into the treasury of the commonwealth and all other property belonging to the Authority shall be vested in the commonwealth and delivered to the trustees.

SECTION 19. *Use and Disposition of Property and Proceeds Thereof.* — The Authority may sell the buildings or other structures upon any land acquired by it and which are not included in a project, or may remove the same, and may sell or lease any lands or rights or interest in lands or other property acquired for the purposes of this act whenever the same shall, in the opinion of the Authority, cease to be needed for such purposes. The proceeds of any such sale or lease shall be held and disposed of as revenues from the project for or with respect to which the property sold or leased shall have been acquired; provided, however, that no property acquired from the commonwealth under the provisions of this act shall be sold or leased without the prior approval of the governor and council; and provided, further, that the proceeds of any sale or lease of any such property shall be paid to the treasurer and receiver-general of the commonwealth and shall be credited on the books of the commonwealth to the General Fund.

SECTION 20. *Commonwealth Properties.* — In the event that the trustees shall sell, convey or lease to the Authority any dormitory, dining commons or boarding hall, faculty or student apartment building or student union building at a state college and owned by the commonwealth or any interest of the commonwealth in or to such a building so located but owned by another, and in the further event that funds for the rental or maintenance of such building or buildings have been provided by appropriation from general funds of the commonwealth for any fiscal year ending after the effective date of such sale, conveyance or lease, such sale, conveyance or lease shall provide that the rentals, fees or other charges levied for the use of such building or rooms or accommodations therein or services provided therein in such fiscal year shall be retained by or paid to the treasurer and receiver-general of the commonwealth, as the case may be.

SECTION 21. In the event that the Authority upon request of the trustees shall decide to proceed with a project, plans for which have been previously authorized under the provisions of section thirty A of chapter seven of the General Laws, the Authority may acquire the right to such plans upon payment to the treasurer and receiver-general of the commonwealth of the cost to the commonwealth to the date of the transfer of the plans from the supervision of the director of building construction to the Authority, and such payment shall be a part of the cost of employing architects or consulting engineers, as authorized by clause *k* of section four. The acquisition of any such plans as provided in this section shall not limit the powers of the Authority in respect to any such project.

SECTION 22. *Act Liberally Construed.* — This act, being necessary for the welfare of the commonwealth and its inhabitants, shall be liberally construed to effect the purposes thereof.

SECTION 23. *Constitutional Construction.* — The provisions of this act are severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

SECTION 24. *Inconsistent Laws Inapplicable.* — All other general or special laws, or parts thereof, inconsistent herewith are hereby declared to be inapplicable to the provisions of this act.

SECTION 25. Section 12 of chapter 63 of the General Laws is hereby amended by adding after paragraph (*y*), inserted by section 17 of chapter 778 of the acts of 1962, the following paragraph: —

(*z*) Bonds, notes or other evidences of indebtedness issued by the Massachusetts State College Building Authority.

Approved September 16, 1963.

Chap. 704. AN ACT AUTHORIZING THE CITY OF BOSTON TO CONVEY, WITHOUT CONSIDERATION, A CERTAIN PORTION OF THE WILLIAM H. GARVEY PLAYGROUND TO THE METROPOLITAN DISTRICT COMMISSION FOR THE PURPOSE OF THE CONSTRUCTION THEREON, BY SAID COMMISSION, OF AN ARTIFICIAL ICE SKATING RINK.

Be it enacted, etc., as follows:

For the purposes of chapter seven hundred and sixty-eight of the acts of nineteen hundred and sixty-two, the city of Boston is hereby authorized to convey without consideration to the commonwealth of Massachusetts a certain portion of the William H. Garvey playground which is located in the Dorchester district of said city and bounded and described as follows: — Beginning at a point on the westerly side of William T. Morrissey Boulevard approximately 189 feet southeasterly from a stone bound on the easterly side of Tolman street and running southeasterly 783.17 feet, then veering slightly and running in the same general direction 67.83 feet to land now or formerly Holbrook, then turning and running westerly 91 feet, then running southwesterly 68 feet, then changing direction slightly and running southwesterly 48 feet, then turning and running northeasterly 170 feet, then running in the same general direction 126 feet to a point approximately 10 feet from the easterly side of the field house on said playground, then turning and running on a line parallel to the easterly side of said field house a distance of 40 feet, then turning and running by a line parallel to the northerly side of said field house a distance of 85 feet, then turning and running by a line parallel to the westerly side of said field house a distance of 10 feet, then turning and running northwesterly a distance of 335 feet to land now or formerly Crandall, then turning and running northeasterly by land now or formerly Crandall and by land now or formerly Swain a distance of 320 feet to the point of beginning, all of said measurements being more or less, and containing approximately 147,600 square feet, and as appearing on a plan of the Metropolitan District Commission, Park Division, entitled "William T. Morrissey Boulevard" and dated August 21, 1963, Benjamin W. Fink, Engineer, and numbered 41464-V.T. *Approved September 16, 1963.*

Chap. 705. AN ACT REQUIRING THAT LOCAL LICENSING AUTHORITIES BE NOTIFIED OF THE EXPIRATION OR REVOCATION OF LICENSES OR CERTIFICATES ISSUED UNDER THE BUILDING LAWS.

Be it enacted, etc., as follows:

Section 49 of chapter 143 of the General Laws, as most recently amended by chapter 526 of the acts of 1945, is hereby further amended by adding at the end the following paragraph: —

Said commissioner or such inspector shall, upon the issuance, renewal or revocation of any such license or certificate, forthwith notify in writing the appropriate local licensing authority, as defined in section one of chapter one hundred and thirty-eight, or the appropriate licensing authority, as defined in section one of chapter one hundred and forty, of the date of expiration or revocation thereof, as the case may be.

Approved September 16, 1963.

Chap. 706. AN ACT CONFIRMING THE CORPORATE STATUS OF FIRST CONGREGATIONAL CHURCH IN BOXFORD AND CHANGING ITS NAME TO FIRST CHURCH, CONGREGATIONAL, OF BOXFORD.

Be it enacted, etc., as follows:

SECTION 1. First Congregational Church in Boxford, hereinafter referred to as the church, a religious society gathered on December thirtieth, seventeen hundred and two, and heretofore known by the following names: — First Church of Boxford, First Church in Boxford, First Congregational Church in Boxford, First Congregational Church of Boxford, Church and Society, Boxford, and The First Church of Christ in Boxford, is hereby declared to be an existing religious society whose incorporation as such is hereby confirmed.

SECTION 2. First Parish in Boxford, hereinafter referred to as the parish, a religious society gathered on November seventeenth, seventeen hundred and thirty-five, and heretofore known by the following names: — First Parish of Boxford, East Parish of Boxford, East Parish in Boxford, is hereby declared to be an existing religious society and is hereby dissolved.

SECTION 3. Chapter one hundred and sixteen of the acts of eighteen hundred and twenty-four is hereby repealed and the corporation established thereunder by the name of the Trustees of the Ministerial Fund in the First Parish in Boxford, hereinafter referred to as the corporation, is hereby dissolved.

SECTION 4. All property of the corporation and of the parish, including all bequests, devises, gifts and transfers of any kind, heretofore and hereafter made for the benefit of the corporation or the parish shall be transferred to and vest in the church without further act or deed, and said property without distinction between principal and interest shall henceforth be used for the general purposes of the church, provided only that property transferred and vested as aforesaid shall be subject to such restrictions, if any, as have been or are imposed by the donors or by operation of law other than any provision set forth in said chapter one hundred and sixteen of said acts of eighteen hundred and twenty-

four; and the church shall be deemed to have assumed and shall be liable for all the liabilities and obligations of the corporation and of the parish. The church may acquire and hold real and personal property necessary for its purposes without limit. At a meeting called for the purpose, the church may enact by-laws for carrying out its purposes, including the management and investment of its funds, and may, in accordance with applicable general laws, amend or repeal by-laws so enacted.

SECTION 5. The name of the church shall, upon the effective date of this act, be First Church, Congregational, of Boxford, but it may at any time change its name in the manner provided by any applicable general laws.

SECTION 6. The provisions of this act shall not take effect:

(a) unless at a meeting called for the purpose, the church shall by a majority of its members present and voting accept the same, and

(b) unless at a meeting called for the purpose, the parish shall by a majority vote of its members present and voting, accept the same, in so far as they relate to the parish, and

(c) unless at a meeting called for the purpose, the corporation shall by a majority vote of its members present and voting accept the same in so far as they relate to the corporation.

Certificates of acceptance, filed respectively by the clerk of the church, by the clerk of the parish, and by the clerk or secretary of the corporation, if any, otherwise by two of the three members of the corporation, in the office of the secretary of state, shall be conclusive evidence of the acceptance of said provisions, and upon such filing the provisions of this act shall become effective. *Approved September 16, 1963.*

Chap. 707. AN ACT INCREASING THE SALARY OF THE JUSTICE OF THE FIRST DISTRICT COURT OF EASTERN WORCESTER AND PROVIDING THAT HE SHALL DEVOTE FULL TIME TO HIS JUDICIAL DUTIES.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 77A of chapter 218 of the General Laws is hereby amended by inserting after the line reading "first district court of southern Worcester," inserted by section 1 of chapter 612 of the acts of 1961, the line: —

first district court of eastern Worcester.

SECTION 2. Section 78 of said chapter 218 is hereby amended by striking out line 35, as appearing in section 2 of chapter 675 of the acts of 1958, reading "first district court of eastern Worcester,".

Approved September 16, 1963.

Chap. 708. AN ACT AUTHORIZING THE TOWN OF AUBURN TO CONSTRUCT AND OPERATE A SYSTEM OF SEWERAGE AND SEWAGE DISPOSAL.

Be it enacted, etc., as follows:

SECTION 1. The town of Auburn, hereinafter called the town, may lay out, construct, maintain and operate a system or systems of common sewers for a part or the whole of its territory, with such connections

and other works as may be required for a system or systems of sewerage and sewage treatment and disposal, and may, in the town of Millbury, lay out, construct, maintain and operate an outfall sewer to conduct and discharge treated sewage into the Blackstone river.

SECTION 2. The town may make and maintain, in any way in the town where common sewers are constructed, such connecting sewers within the limits of such way as may be necessary to connect any estate which abuts upon the way.

SECTION 3. The town may, at the meeting when this act is accepted, or at any subsequent meeting, as hereinafter provided, vote to authorize the board of selectmen to appoint a board of three sewer commissioners, hereinafter called the board, as soon as practicable after acceptance of this act. The board of selectmen shall appoint the board not later than two years after the vote of the town to accept this act. The board shall consist of three members, who shall be citizens of the town, one of whom shall hold office until the next annual town election, one until the second annual town election and one until the third annual town election following their respective appointments and until their successors are qualified, and thereafter at each annual town election one sewer commissioner shall be elected to serve for three years and until his successor is qualified.

Until the appointment of a board of sewer commissioners, but in no event later than two years after the vote of the town to accept this act, the existing sewerage survey committee and its successors shall act as a board of sewer commissioners, and the town may carry on construction work as authorized hereby under the charge of the acting board. The acting board shall have all the powers and authority given to a board of sewer commissioners under this act or under any general law. Whenever the phrase "the board of sewer commissioners" or "the board" hereinafter occurs it shall mean and include the board of sewer commissioners or the existing sewerage survey committee and its successors acting as such, as the case may be.

SECTION 4. The board, acting for and on behalf of the 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 the town, and in the town of Millbury necessary for accomplishing any purpose mentioned in this act, and may, in the town and in the town of Millbury, construct and maintain such sewers under or over any land, bridge, watercourse, railroad, railway, electric transmission line, private way, boulevard or other public way, or within the location of any railroad or electric transmission line and may enter upon and dig up any private land, public land, private way, public way, railroad location or electric transmission line location for the purpose of laying such sewers and of maintaining and repairing the same, and may do any other thing proper or necessary for the purposes of this act; provided, that 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 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; and provided, further, that it shall not take any land or ease-

ments in the town of Millbury or land owned by the city of Worcester in the towns of Millbury or Auburn without the approval of the state department of public health.

SECTION 5. Any person injured in his property by any action of the board under this act may recover damages from the town under said chapter seventy-nine.

SECTION 6. The town shall, by vote, determine what proportion of the cost of said system or systems of sewerage and sewage disposal the town shall pay; provided, that it shall pay not less than one fourth nor more than two thirds of the whole cost of said system or systems of sewerage and sewage disposal. In providing for the payment of the remaining portion of the cost of said system or systems of sewerage and sewage disposal by abutters, 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 applied to the payment of the cost of operation, maintenance and repairs of the system or systems of sewerage and sewage disposal, and to defray the cost or such portion of the cost of the construction of said system or systems as the town shall by vote determine. The charges and assessments shall be paid by every person or institution who enters his or its particular sewer into the system or systems of sewerage and sewage disposal of the town. 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 and annual charges made under this act, and the interest shall be at the rate of four per cent per annum. The collector of taxes of the town shall certify the payment or payments of such assessments or apportionments thereof to the board, who shall preserve a record thereof.

SECTION 7. For the purpose of paying the necessary expenses and liabilities incurred under this act, the town may borrow 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, Auburn Sewerage Loan, Act of 1963. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

SECTION 8. The board may, in its discretion, prescribe such sewer rates and annual rentals or charges as it may deem proper, subject, however, to such rules and regulations as may be fixed by vote of the town. The receipts from sewer assessments and annual charges and from payments made in lieu thereof shall be appropriated for and applied to the payment of charges and expenses incident to the maintenance and operation of said system of sewerage and sewage disposal, to the payment of interest on bonds or notes issued for sewer purposes, or to the payment of redemption of such bonds or notes.

SECTION 9. All contracts made by the board shall be made in the name of the town and shall be signed by the board, but no contracts shall be made or obligation incurred by the board for any purpose in excess of the amount of money appropriated by the town therefor.

SECTION 10. The board may, from time to time, prescribe rules and regulations for the connection of estates and buildings with sewers, and for the inspection of the materials, the construction, alteration and use of all connections entering into such sewers, and any person violating any such rule or regulation shall be punished by a fine of not less than twenty dollars nor more than five hundred dollars for each violation. Such rules and regulations shall be published at least once a week for three successive weeks in some newspaper having general circulation in the town of Auburn and shall not take effect until such publications have been made.

SECTION 11. The board 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 and provide for their remuneration. The board shall have authority to fix the terms of office of said appointees and may remove either of them for cause, and, if such appointee requests a public hearing, after such a hearing.

SECTION 12. No act shall be done under authority of the preceding sections, except in the making of surveys, plans and other preliminary investigations, until the plans for said system of sewerage and sewage disposal have been approved by the state department of public health. Upon application to said department for its approval, it may give a hearing, after due notice to the public, and by writing to the selectmen of the town of Millbury. At such hearing, plans showing the work to be done in constructing said system or systems of sewerage and sewage disposal shall be submitted for the approval of said department.

SECTION 13. This act shall take full effect upon its acceptance by the town of Auburn within five years after its passage, but not otherwise. No expenditure shall be made and no liability incurred hereunder until such acceptance.

SECTION 14. Chapter one hundred and twenty-six of the acts of nineteen hundred and forty-seven is hereby repealed.

Approved September 16, 1963.

Chap. 709. AN ACT PROVIDING LIFE TENURE FOR ROBERT G. DUFF, CHIEF FIRE ENGINEER OF THE TOWN OF TYNGSBOROUGH.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Robert G. Duff, chief fire engineer of the town of Tyngsborough, shall be unlimited, but he may be removed therefrom, lowered in rank or compensation or transferred, 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 Tyngsborough at the annual town meeting to be held in the year nineteen hundred and sixty-four 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-three, entitled 'An Act providing life tenure for Robert G. Duff, chief fire engineer of the town of Tyngsborough', 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 September 16, 1963.*

Chap. 710. AN ACT AUTHORIZING THE NEWTON POLICE BENEFIT ASSOCIATION, INCORPORATED, TO INCREASE THE AMOUNT OF ITS DEATH BENEFITS.

Be it enacted, etc., as follows:

Section 1 of chapter 339 of the acts of 1907, as appearing in section 1 of chapter 151 of the acts of 1930, is hereby amended by striking out, in line 6, the words "five hundred" and inserting in place thereof the words: — one thousand. *Approved September 16, 1963.*

Chap. 711. AN ACT PROVIDING THAT CERTAIN CORPORATIONS SHALL NOT CHANGE THEIR LOCATIONS WITHIN THE COMMONWEALTH WITHOUT THE WRITTEN CONSENT OF THE POLICE COMMISSIONER IN THE CITY OF BOSTON, THE CITY COUNCIL IN OTHER CITIES, OR THE SELECTMEN IN TOWNS.

Be it enacted, etc., as follows:

Chapter 180 of the General Laws is hereby amended by striking out section 26, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 26.* No corporation organized under general laws for the purpose of fostering, encouraging or engaging in athletic exercises or for the establishment and maintenance of places for reading rooms, libraries or social meetings, or organized under this chapter for the purpose of maintaining grounds suitable for exhibitions and trials of the speed or strength of horses, shall change its location from the town where it is located to another town within the commonwealth, nor change its location within any town, until written consent therefore has been obtained from the police commissioner in Boston, the aldermen in any other city or the selectmen in the town where the corporation proposes to acquire a new location. Such consent shall not take effect until a copy thereof, duly attested by the clerk or secretary of the board or officer consenting thereto, has been filed in the office of the state secretary. A change of location by a corporation contrary to this section shall be sufficient cause for the revocation of its charter by the state secretary. *Approved September 17, 1963.*

Chap. 712. AN ACT ESTABLISHING THE CENTRAL BERKSHIRE COUNTY DEVELOPMENT CORPORATION.

Be it enacted, etc., as follows:

SECTION 1. In this act, unless the context otherwise requires, the following words shall have the following meanings:

"Corporation", the Central Berkshire County Development Corporation, created by section two.

"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.

"Members", the persons named in section two, their associates, successors and assigns.

SECTION 2. Gardner L. Brown, John D. Cox, Jr., Arthur E. Crane, Simon England, W. Rankin Furey, Robert L. Gibson, Joseph T. Kelley,

Lawrence K. Miller, Frederick M. Myers, Jr., Peter Van S. Rice, Luke S. Hayden, William A. Whittlesey, III, Henry H. Williams, Jr., Edwin S. Flinn, Daniel B. Dorman, James J. O'Brien, their associates, successors and assigns, are hereby constituted a body corporate under the name of Central Berkshire County Development Corporation. The corporation shall be subject to and have the powers and privileges conferred by the provisions of chapters one hundred and fifty-five and 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 3. The corporation shall be a membership corporation. The original members shall be the persons named in section two. The principal office of the corporation shall be located in the city of Pittsfield. 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 4. The purposes of the corporation shall be to promote, stimulate, develop and advance the business prosperity and economic welfare of central Berkshire county, and the citizens thereof; to encourage and assist, through loans, investments or other business transactions, the location of new business and industry in central Berkshire county; to rehabilitate and assist existing business and industry; and to stimulate and assist in the expansion of all kinds of business activity which will tend to promote the business development and maintain the economic stability of central Berkshire county, provide maximum opportunities for employment, encourage thrift, and improve the standard of living of its citizens; and similarly to endeavor to increase and diversify industry and employment.

In furtherance of such purposes and in addition to the powers conferred on it by the provisions of chapters one hundred and fifty-five and one hundred and eighty of the General Laws, the corporation shall, subject to the restrictions and limitations herein contained, have the following powers: —

(*a*) To purchase, receive, hold, lease, or otherwise acquire, and to develop, improve, sell, convey, exchange, mortgage, lease, rent and otherwise deal or trade in and dispose of real property and any estate interests or rights therein.

(*b*) To loan money on bonds secured by mortgage on real or personal property.

(*c*) To erect, construct, alter, maintain and improve industrial or civic buildings or buildings used for civic or charitable purposes of every description on any lands of the corporation or upon other lands, and to rebuild, alter and improve industrial, civic or charitable buildings or buildings used for civic or charitable purposes thereon.

(*d*) To purchase, subscribe to, acquire, hold and to sell, assign, mortgage, hypothecate or otherwise dispose of the shares of the capital stock or preferred stock, bonds and other evidences of indebtedness of any corporation, domestic or foreign; and while owners or holders thereof to exercise all the rights of powers of ownership including the right to vote thereon for any purpose; and to issue in exchange for such stock, bonds and other evidences of indebtedness, its own bonds and other obligations.

(*e*) To buy, acquire, hold, use, employ, develop, mortgage, convey, lease and dispose of patent rights, letters patent, copyrights, trade names, labels, processes, devices, inventions, trademarks, formulae,

goodwill and other rights, and to pay therefor in cash or property or to issue in exchange therefor bonds and other obligations.

(*f*) To enter into any arrangement for union of interest, co-operation, joint venture, reciprocal concession, or otherwise, with any person engaged in or about to engage in any business or transaction in central Berkshire county, which the corporation is authorized to engage in and to lend money with security to guarantee the contracts or otherwise assist any person, persons or company or corporation when necessary for the accomplishment of the purposes herein provided for.

(*g*) To receive stocks, bonds, donations, gifts and to otherwise raise money for the above outlined purposes.

(*h*) To elect, appoint and employ officers, agents and employees; to make contracts and incur liabilities for any of the purposes of the corporation.

(*i*) To borrow money from any financial institution, and to issue therefor its bonds, debentures, notes or other evidences of indebtedness, whether secured or unsecured, and to secure the same by mortgage, pledge, deed of trust or other lien on its property, franchises, rights and privileges of every kind and nature or any part thereof or interest therein.

(*j*) To co-operate with and avail itself of the facilities of the department of commerce and any similar governmental agencies; and to co-operate with and assist, and otherwise encourage any industrial organization in central Berkshire county in the promotion, assistance and development of the business prosperity and economic welfare of such area.

(*k*) To do all acts and things necessary or convenient to carry out the powers expressly granted in this act.

SECTION 5. 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 the commonwealth, including without implied limitation electric or gas companies 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, subject to approval, if necessary, by a court of competent jurisdiction, trustees, are hereby authorized to acquire, purchase, hold, sell, assign, transfer, or otherwise dispose of any bonds, securities, or other evidences of indebtedness of the corporation and to make contributions to the corporation. 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 6. The corporation shall not be subject to the provisions of chapter sixty-three of the General Laws, nor to any taxes based upon or measured by income. The securities and evidences of indebtedness is-

sued by the corporation, and income therefrom, shall at all times be free from taxation by the commonwealth. Real property owned by the corporation shall not be subject to taxation by the city or town in which it is located until ten years from the date of its acquisition or until such property is leased, rented or otherwise disposed of, whichever is first.

SECTION 7. The provisions of chapter one hundred and ten A of the General Laws shall not apply to the bonds, debentures, notes, evidences of indebtedness, or any other securities of this corporation.

SECTION 8. The period of duration of the corporation shall be seventy-five years, subject, however, to the right of the members to dissolve the corporation prior to the expiration of said period. Upon the dissolution of the corporation all assets shall be paid over to a non-sectarian charitable organization selected by the attorney general.

Approved September 17, 1963.

Chap. 713. AN ACT TO REQUIRE A LEARNER'S PERMIT FOR UNLICENSED DRIVERS LEARNING TO DRIVE.

Be it enacted, etc., as follows:

SECTION 1. Section 10 of chapter 90 of the General Laws is hereby amended by striking out the first sentence, as appearing in chapter 219 of the acts of 1935, and inserting in place thereof the following two sentences: — No person under sixteen years of age shall operate a motor vehicle upon any way. No other person shall so operate unless licensed by the registrar unless he possesses a receipt issued under section eight for persons licensed in another state or country or unless he possesses a valid learner's permit issued under section eight B, except as is otherwise herein provided.

SECTION 2. Said chapter 90 is hereby further amended by inserting after section 8A the following section: —

Section 8B. Any person who is at least sixteen years of age, excepting persons who have been licensed and whose licenses are not in force because of revocation or suspension, and persons whose right to operate is suspended by the registrar, may apply to the registrar for a learner's permit. The registrar in his discretion after the applicant has successfully passed all parts of the examination other than the driving test, may issue to the applicant a learner's permit which shall entitle him, while having such permit in his immediate possession, to drive a motor vehicle upon any way when accompanied by an operator, licensed by the registrar, who is twenty-one years of age or over, who has had at least one year of driving experience and who is occupying a seat beside the driver. Such licensed operator shall be liable for the violation of any provision of this chapter, or of any regulation made in accordance herewith, committed by such person with a learner's permit; provided, that the examiners of operators in the employ of the registrar, when engaged in their official duty, shall not be liable for the acts of any person who is being examined. Any such learner's permit shall be valid for six months from the date of issue or until the holder shall have received a license to operate, whichever first occurs.

If the applicant is under eighteen years of age, said learner's permit shall not entitle him to operate a motor vehicle between the hours of

one o'clock antemeridian and five o'clock antemeridian, unless he is accompanied by his parent or legal guardian who is a licensed operator with at least one year of driving experience and whose license or right to operate is not revoked or suspended.

Each application for a learner's permit shall be made upon a form furnished by the registrar, and shall be accompanied by the fee required by section thirty-three. Each holder of a learner's permit may take not more than three driving tests within the aforesaid period of six months, upon payment of the fee for examination of an applicant for an operator's license, as required in said section, for each such driving test.

SECTION 3. Section 33 of said chapter 90 is hereby amended by inserting after line 2, as appearing in section 1 of chapter 571 of the acts of 1959, the following paragraph: —

For every examination for a learner's permit, two dollars.

SECTION 4. This act shall take effect on January first, nineteen hundred and sixty-four. *Approved September 19, 1963.*

Chap. 714. AN ACT PROVIDING FOR THE ACCELERATED COLLECTION OF CERTAIN WITHHELD TAXES AND CORPORATION EXCISES.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 62B of the General Laws, as appearing in section 1 of chapter 17 of the acts of 1959, is hereby amended by striking out the definition of "Internal Revenue Code" and inserting in place thereof the following definition: —

"Internal Revenue Code", the Internal Revenue Code of the United States, as amended and in effect January first, nineteen hundred and sixty-three;

SECTION 2. Section 5 of said chapter 62B, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: —

Every employer who is required to deduct and withhold taxes under section two and who can reasonably expect that the taxes so withheld will exceed six hundred dollars for the calendar year shall, for each calendar month, on or before the fifteenth day of the month following the close of such calendar month, file a return in such form as the commissioner, with the approval of the commission, may prescribe and pay over to the commissioner or, in the discretion of the commissioner, to a depositary designated by him, the taxes so withheld. Every other employer required to deduct and withhold taxes under section two shall, for each quarterly period, on or before the last day of the month following the close of such quarterly period, file a return in such form as the commissioner, with the approval of the commission, may prescribe and pay over to the commissioner the taxes so withheld. The commissioner may, if he believes such action is necessary for the protection of the revenues, require any employer who is required to deduct and withhold taxes under section two to file a return and pay over to him the taxes so withheld at any time, or from time to time.

SECTION 3. Said section 5 of said chapter 62B is hereby further amended by striking out the fifth paragraph.

SECTION 4. Section 8 of said chapter 62B, as so appearing, is hereby amended by striking out, in line 6, the word "quarterly".

SECTION 5. The General Laws are hereby amended by inserting after chapter 63A the following chapter: —

CHAPTER 63B.

DECLARATION OF ESTIMATED TAX BY CORPORATIONS.

Section 1. The following words as used in this chapter shall, unless the context otherwise requires, have the following meanings: —

"Corporation", every corporation, company or association subject to taxation under the provisions of chapter sixty-three, other than section eleven or seventeen of said chapter, or under any special act which is in lieu of the provisions of said chapter.

"Estimated tax", the amount which the corporation estimates as the taxes required to be paid under chapter sixty-three or any act in lieu thereof, and under any act in addition thereto.

Section 2. Every corporation shall file a declaration of its estimated tax for the taxable year if its estimated tax for such taxable year can reasonably be expected to exceed one thousand dollars. The declaration, sworn to by such officer of the corporation who is required to sign its return under chapter sixty-three, shall contain such pertinent information and be in such form as the commissioner, with the approval of the commission, may prescribe.

Section 3. The declaration of estimated tax required under section two shall be filed on or before the fifteenth day of the sixth month of the taxable year, except that if the requirements of section two are first met after the last day of the fifth month and before the first day of the twelfth month of the taxable year, the declaration shall be filed on or before the fifteenth day of the twelfth month of the taxable year.

A corporation may make amendments of a declaration filed during the taxable year under regulations prescribed by the commission. The commissioner may grant a reasonable extension of time, not to exceed thirty days, for filing a declaration.

Section 4. The estimated tax declared under section two shall be paid as follows:

(*a*) If the declaration is filed on or before the fifteenth day of the sixth month of the taxable year, the estimated tax shall be paid in two equal installments. The first installment shall be paid at the time of the filing of the declaration. The second installment shall be paid on or before the fifteenth day of the twelfth month of the taxable year.

(*b*) If the declaration is filed after the fifteenth day of the sixth month of the taxable year, and is not required by section three to be filed on or before the fifteenth day of the sixth month of the taxable year, the estimated tax shall be paid in full on or before the fifteenth day of the twelfth month of the taxable year.

(*c*) If the declaration is filed after the time prescribed in section three, including cases in which an extension of time for filing the declaration has been granted, paragraph (*b*) shall not apply, and there shall be paid at the time of such filing all installments of estimated tax which would have been payable on or before such time if the declaration had been filed within the time prescribed in section three.

(*d*) If any amendment of a declaration is filed, the installment payable on or before the fifteenth day of the twelfth month, if any, shall be

ratably increased or decreased, as the case may be, to reflect the increase or decrease, as the case may be, in the estimated tax by reason of such amendment.

(*e*) At the election of the corporation, any installment of the estimated tax may be paid prior to the date prescribed for payment.

Section 5. All payments of the estimated tax, or any installment thereof, for any taxable year shall be allowed as a credit to the corporation against the tax imposed upon such corporation for such taxable year under the provisions of chapter sixty-three or any act in lieu thereof, and under any act in addition thereto.

Section 6. (*a*) In case of any underpayment of estimated tax by a corporation, except as provided in paragraph (*b*), there shall be added to the taxes due under chapter sixty-three or any act in lieu thereof, and under any act in addition thereto, for the taxable year an amount determined at the rate of six per cent per annum upon the amount of the underpayment for the period of the underpayment. For the purposes of this paragraph, the "amount of the underpayment" shall be the excess of the amount of the installment which would be required to be paid if the estimated tax were equal to seventy per cent of the tax shown on the return for the taxable year or, if no return was filed, seventy per cent of the tax for such year, over the amount, if any, of the installment paid on or before the last date prescribed for payment. For the purposes of this paragraph, the "period of the underpayment" is the period from the date the installment was required to be paid to the date prescribed under chapter sixty-three for the payment of the tax for such taxable year, or with respect to any portion of the underpayment, the date on which such portion is paid, whichever date is the earlier. A payment of estimated tax on the fifteenth day of the twelfth month of the taxable year shall be considered a payment of any previous underpayment only to the extent that such payment exceeds the amount of the installment due on the fifteenth day of the twelfth month of the taxable year.

(*b*) Notwithstanding the provisions of paragraph (*a*), the addition to the tax with respect to any underpayment of any installment shall not be imposed if the total amount of all payments of estimated tax made on or before the last date prescribed for the payment of such installment equals or exceeds the amount which would have been required to be paid on or before such date if the estimated tax were whichever of the following is the lesser—

(1) The tax shown on the return of the corporation for the preceding taxable year, if a return showing a liability for tax was filed by the corporation for the preceding taxable year and such preceding year was a taxable year of twelve months.

(2) An amount equal to the tax computed at the rates applicable to the taxable year but otherwise on the basis of the facts shown on the return of the corporation for, and the law applicable to, the preceding taxable year.

Section 7. The application of this chapter to taxable years of less than twelve months shall be in accordance with regulations prescribed by the commission.

Section 8. If any corporation is required under this chapter to file a declaration of estimated tax for any taxable year at any time on or before the fifteenth day of the twelfth month of the taxable year and such

corporation fails to file any declaration, although such declaration may be otherwise late, on or before said date, there shall be assessed as a penalty against such corporation an amount equal to five per cent of the tax imposed upon such corporation for said taxable year. The commissioner may waive such penalty, if it is shown to his satisfaction that such failure to file said declaration was due to reasonable cause and not to wilful neglect.

Section 9. Any officer, director or employee of any corporation which is required under this chapter to file a declaration of estimated tax, who shall be wilfully responsible for the failure of said corporation to file said declaration or to pay any installment of estimated tax due thereunder, or both, shall be liable for the amount of tax thereby lost to the commonwealth, and to a penalty of not less than five hundred nor more than five thousand dollars.

Section 10. All provisions of chapter sixty-three relative to the assessment, collection, abatement, verification and administration of taxes, including penalties, applicable to domestic business corporations, as defined in section thirty of said chapter sixty-three, shall, so far as pertinent and consistent, be applicable to the provisions of this chapter. Any addition of tax or penalty imposed by this chapter shall be assessed and collected by the commissioner in the same manner as taxes imposed upon such domestic business corporations under said chapter sixty-three.

Section 11. The commissioner of corporations and taxation shall be charged with the administration of this chapter, and all forms necessary and proper for the enforcement of this chapter shall be prescribed and furnished by him, with the approval of the state tax commission. The state tax commission may prescribe regulations and rulings, not inconsistent with law, to carry into effect the provisions of this chapter. Such regulations and rulings, when reasonably designed to carry out the intent and purposes of this chapter, shall be prima facie evidence of its proper interpretation.

SECTION 6. Section 20 of chapter 58 of the General Laws, as most recently amended by section 2 of chapter 420 of the acts of 1961, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph: —

From the total taxes, including interest and penalties, paid in any period of twelve months beginning December first of any year and ending November thirtieth of the next succeeding year by domestic business and domestic manufacturing corporations and foreign manufacturing and other foreign corporations under sections thirty to fifty-one, inclusive, of chapter sixty-three and from the total payments made on account of such taxes under chapter sixty-three B there shall be deducted such taxes or payments as have been refunded under said chapters or under section twenty-seven of this chapter during said period, together with any interest or costs paid such corporations on account of refunds.

SECTION 7. Total taxes paid, for the purposes of section thirty A of chapter sixty-three of the General Laws, shall include payments made under the provisions of chapter sixty-three B of the General Laws on account of taxes imposed under sections thirty to fifty-one, inclusive, of said chapter sixty-three and any act in amendment thereof or in addition thereto.

SECTION 8. The provisions of section two of chapter six hundred and sixty of the acts of nineteen hundred and sixty-three shall not apply to

such amounts otherwise distributable under sections eighteen and twenty of chapter fifty-eight of the General Laws which the state tax commission determines would not have been collected during the calendar year nineteen hundred and sixty-four except for the passage of this act.

SECTION 9. For taxable years commencing on and after January first, nineteen hundred and sixty-four, but before January first, nineteen hundred and sixty-five, the requirements of section four of chapter sixty-three B of the General Laws notwithstanding, only fifty per cent of the estimated tax declared under section two of said chapter sixty-three B shall be paid in the installments and at the times prescribed in section four of said chapter sixty-three B.

SECTION 10. Sections one to four, inclusive, of this act shall take effect on January first, nineteen hundred and sixty-four and shall apply to all taxes required to be deducted and withheld on and after said date; provided, however, that the provisions of chapter sixty-two B of the General Laws in effect prior to said date shall apply to the filing of returns and the payment of taxes required to be deducted and withheld prior to said date. Sections six and eight of this act shall take effect on January first, nineteen hundred and sixty-four. Section seven of this act shall take effect on July first, nineteen hundred and sixty-four. Sections five and nine of this act shall take effect with respect to taxable years commencing on and after January first, nineteen hundred and sixty-four. 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, for the purposes of this section and section nine, the taxable year of such corporation shall be treated as commencing with the first day of the calendar month beginning nearest to the first day of such taxable year. *Approved September 20, 1963.*

Chap. 715. AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO REIMBURSE FRANCES A. CERAGO FOR CERTAIN LEGAL EXPENSES INCURRED BY HER.

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 Frances A. Cerago, an employee of the city treasurer's office, the sum of one hundred dollars as reimbursement for legal expenses incurred by her in the successful prosecution in the district court of Springfield of a suit for the recovery of sick leave pay withheld from her by said city.

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

Approved September 20, 1963.

Chap. 716. AN ACT INCREASING THE RATES OF SPEED CONSTITUTING PRIMA FACIE EVIDENCE OF SPEEDS GREATER THAN ARE REASONABLE AND PROPER FOR MOTOR VEHICLES ON WAYS.

Be it enacted, etc., as follows:

Section 17 of chapter 90 of the General Laws, as most recently amended by section 1 of chapter 564 of the acts of 1948, is hereby further amended by striking out the second sentence and inserting in place

thereof the following sentence: — Unless a way is otherwise posted in accordance with the provisions of section eighteen, it shall be prima facie evidence of a rate of speed greater than is reasonable and proper as aforesaid (1) if a motor vehicle is operated on any way outside a thickly settled or business district at a rate of speed exceeding fifty miles per hour for a distance of a quarter of a mile during the period from one half an hour before sunrise to one half an hour after sunset and forty-five miles per hour at other times, or (2) inside a thickly settled or business district at a rate of speed exceeding twenty miles per hour for the distance of one eighth of a mile. *Approved September 20, 1963.*

Chap. 717. AN ACT AUTHORIZING THE CITY OF CHICOPEE TO CONSTRUCT AND MAINTAIN A MUNICIPAL GOLF COURSE IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. The city of Chicopee is hereby authorized to construct and maintain a municipal golf course in said city.

SECTION 2. There is hereby established in the city of Chicopee a municipal golf course commission, hereinafter called the commission, for the construction, maintenance, promotion, development and administration of a municipal golf course in said city. The commission may establish such rules and regulations as it deems necessary for the proper operation of said golf course. The commission may appoint such clerks and other employees as it may from time to time require. The commission shall consist of five members to be appointed by the mayor subject to the approval of the board of aldermen. When the commission is first established, the terms of the members shall be for one, two, three, four or five years, and thereafter when the term of a member expires, his successor shall be appointed to serve for a term of five years. Any member of the commission so appointed may, after a public hearing if requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment. Said commission may receive gifts of funds, lands, buildings and other properties in the name of the city, subject to the approval of the board of aldermen in said city. Such gifts shall be held in the name of the city, but may be managed by the commission for the purposes set forth in this section.

SECTION 3. For the purposes of carrying out the provisions of section one, the city of Chicopee 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, three hundred and fifty thousand dollars and may issue bonds or notes therefor which shall bear on their face the words, Chicopee Municipal Golf Course Loan, Act of 1963. 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 4. This act shall take effect upon its acceptance by the city of Chicopee. *Approved September 20, 1963.*

Chap. 718. 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:

The city of Springfield is hereby authorized to appropriate and pay to Morton Electrical Supply Co., Inc., two thousand and sixty-seven dollars, Hampden Electric Supply Co., one hundred and seventy-nine dollars and seventy-two cents, and Grogan Electric Co., five hundred and eighty-five dollars and sixty cents; said sums being in payment of bills for work, labor and materials furnished to the department of public buildings and the park department of said city, which bills are legally unenforceable against said city. *Approved September 20, 1963.*

Chap. 719. AN ACT INCREASING THE MEMBERSHIP AND INCREASING THE TERM AND SALARY OF THE MEMBERS OF THE MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 6 of the General Laws is hereby amended by striking out section 56, as amended by chapter 588 of the acts of 1951, and inserting in place thereof the following section: — *Section 56.* There shall be a commission to be known as the Massachusetts Commission Against Discrimination.

Such commission shall consist of four members, to be known as commissioners, who shall be appointed by the governor, with the advice and consent of the council. The governor may from time to time designate one of the commissioners as chairman. The term of office of each member of the commission shall be four years. Any member chosen to fill a vacancy occurring otherwise than by expiration of term shall be appointed for the unexpired term of the member whom he is to succeed. Two members of the commission shall constitute a quorum for the purpose of conducting the business thereof. One or two vacancies in the commission shall not impair the right of the remaining members to exercise all the powers of the commission.

The chairman of the commission shall receive a salary of nine thousand five hundred dollars per year, and each of the other members shall receive a salary of six thousand dollars per year, and each member shall also be entitled to his expenses actually and necessarily incurred by him in the performance of his duties, and shall be eligible for reappointment. Any member may be removed by the governor, with the consent of the council, for inefficiency, neglect of duty, misconduct or malfeasance in office, after being given a written statement of the charges and an opportunity to be heard thereon.

All employees of the commission, except an executive secretary, field representatives, the heads of divisions, and attorneys, shall be subject to chapter thirty-one and the rules and regulations made thereunder.

SECTION 2. The members of the Massachusetts Commission Against Discrimination holding office on the effective date of this act shall serve the terms for which they were appointed, and any person appointed to fill a vacancy caused by death, removal or retirement or otherwise of any such member shall serve only for the remainder of the unexpired

term of such member. The additional member of the board, authorized under section fifty-six of chapter six of the General Laws, as amended by section one of this act, shall be appointed by the governor, with the advice and consent of the council, for a term ending on August twenty-first, nineteen hundred and sixty-seven. Upon the expiration of the term of any member his successor shall be appointed for a term of four years, as provided by said section fifty-six.

Approved September 23, 1963.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, November 27, 1963.

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

DEAR MR. SECRETARY: — I, Endicott Peabody, 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 719 of the Acts of 1963 entitled "An Act Increasing the Membership and Increasing the Term and Salary of the Members of the Massachusetts Commission Against Discrimination." and the enactment of which received my approval on September 23, 1963, 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 the important functions of this Commission have increased considerably and therefore this act should become effective at once.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, November 27, 1963.

I, Kevin H. White, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at eleven o'clock and forty-five minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter seven hundred and nineteen of the acts of nineteen hundred and sixty-three.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 720. AN ACT PROVIDING FOR THE INSTALLATION OF A CLOSED CIRCUIT TELEVISION SYSTEM AT THE MASSACHUSETTS HOSPITAL SCHOOL IN CANTON.

Be it enacted, etc., as follows:

The trustees of the Massachusetts hospital school at Canton are hereby authorized and directed to install a closed circuit television system at said hospital school with necessary cabling and equipment in teaching areas of said hospital school and in the hospital section in order to provide additional educational, training and vocational rehabilita-

tion services for the handicapped children in said hospital school. Said closed circuit television system shall also be utilized for the professional training of medical and ancillary medical personnel at said hospital school.

For the purposes of this act, said trustees may expend such sums as may be appropriated therefor, and any federal or private funds which may be available therefor. *Approved September 23, 1963.*

Chap. 721. AN ACT PROVIDING FOR THE ENTRY OF THE COMMONWEALTH INTO AN INTERSTATE COMPACT ON VEHICLE EQUIPMENT SAFETY.

Be it enacted, etc., as follows:

SECTION 1. A compact is hereby entered into with all other jurisdictions legally joining therein in substantially the following form: —

VEHICLE EQUIPMENT SAFETY COMPACT.

ARTICLE I. FINDINGS AND PURPOSES.

(*a*) The party states find that:

(1) Accidents and deaths on their streets and highways present a very serious human and economic problem with a major deleterious effect on the public welfare.

(2) There is a vital need for the development of greater interjurisdictional co-operation to achieve the necessary uniformity in the laws, rules, regulations and codes relating to vehicle equipment, and to accomplish this by such means as will minimize the time between the development of demonstrably and scientifically sound safety features and their incorporation into vehicles.

(*b*) The purposes of this compact are to:

(1) Promote uniformity in regulation of and standards for equipment.

(2) Secure uniformity of law and administrative practice in vehicular regulation and related safety standards to permit incorporation of desirable equipment changes in vehicles in the interest of greater traffic safety.

(3) To provide means for the encouragement and utilization of research which will facilitate the achievement of the foregoing purposes, with due regard for the findings set forth in subdivision (*a*) of this Article.

(*c*) It is the intent of this compact to emphasize performance requirements and not to determine the specific detail of engineering in the manufacture of vehicles or equipment except to the extent necessary for the meeting of such performance requirements.

ARTICLE II. DEFINITIONS.

As used in this compact:

(*a*) "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

(*b*) "State" means a state, territory or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

(*c*) "Equipment" means any part of a vehicle or any accessory for use thereon which affects the safety of operation of such vehicle or the safety of the occupants.

ARTICLE III. THE COMMISSION.

(*a*) There is hereby created an agency of the party states to be known as the "Vehicle Equipment Safety Commission" hereinafter called the Commission. The Commission shall be composed of one commissioner from each party state who shall be appointed, serve and be subject to removal in accordance with the laws of the state which he represents. If authorized by the laws of his party state, a commissioner may provide for the discharge of his duties and the performance of his functions on the Commission, either for the duration of his membership or for any lesser period of time, by an alternate. No such alternate shall be entitled to serve unless notification of his identity and appointment shall have been given to the Commission in such form as the Commission may require. Each commissioner, and each alternate, when serving in the place and stead of a commissioner, shall be entitled to be reimbursed by the Commission for expenses actually incurred in attending Commission meetings or while engaged in the business of the Commission.

(*b*) The commissioners shall be entitled to one vote each on the Commission. No action of the Commission shall be binding unless taken at a meeting at which a majority of the total number of votes on the Commission are cast in favor thereof. Action of the Commission shall be only at a meeting at which a majority of the commissioners, or their alternates, are present.

(*c*) The Commission shall have a seal.

(*d*) The Commission shall elect annually, from among its members, a chairman, a vice chairman and a treasurer. The Commission may appoint an Executive Director and fix his duties and compensation. Such Executive Director shall serve at the pleasure of the Commission, and together with the Treasurer shall be bonded in such amount as the Commission shall determine. The Executive Director also shall serve as secretary. If there be no Executive Director, the Commission shall elect a Secretary in addition to the other officers provided by this subdivision.

(*e*) Irrespective of the civil service, personnel or other merit system laws of any of the party states, the Executive Director with the approval of the Commission, or the Commission if there be no Executive Director, shall appoint, remove or discharge such personnel as may be necessary for the performance of the Commission's functions, and shall fix the duties and compensation of such personnel.

(*f*) The Commission may establish and maintain independently or in conjunction with any one or more of the party states, a suitable retirement system for its full time employees. Employees of the Commission shall be eligible for social security coverage in respect of old age and survivor's insurance provided that the Commission takes such steps as may be necessary pursuant to the laws of the United States, to participate in such program of insurance as a governmental agency or unit. The Commission may establish and maintain or participate in such additional programs of employee benefits as may be appropriate.

(*g*) The Commission may borrow, accept or contract for the services of personnel from any party state, the United States, or any subdivision or agency of the aforementioned governments, or from any agency of two or more of the party states or their subdivisions.

(*h*) The Commission may accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials and services, conditional or otherwise, from any state, the United States, or any other governmental agency and may receive, utilize and dispose of the same.

(*i*) The Commission may establish and maintain such facilities as may be necessary for the transacting of its business. The Commission may acquire, hold, and convey real and personal property and any interest therein.

(*j*) The Commission shall adopt by-laws for the conduct of its business and shall have the power to amend and rescind these by-laws. The Commission shall publish its by-laws in convenient form and shall file a copy thereof and a copy of any amendment thereto, with the appropriate agency or officer in each of the party states. The by-laws shall provide for appropriate notice to the commissioners of all Commission meetings and hearings and the business to be transacted at such meetings or hearings. Such notice shall also be given to such agencies or officers of each party state as the laws of such party state may provide.

(*k*) The Commission annually shall make to the governor and legislature of each party state a report covering the activities of the Commission for the preceding year, and embodying such recommendations as may have been issued by the Commission. The Commission may make such additional reports as it may deem desirable.

ARTICLE IV. RESEARCH AND TESTING.

The Commission shall have power to:

(*a*) Collect, correlate, analyze and evaluate information resulting or derivable from research and testing activities in equipment and related fields.

(*b*) Recommend and encourage the undertaking of research and testing in any aspect of equipment or related matters when, in its judgment, appropriate or sufficient research or testing has not been undertaken.

(*c*) Contract for such equipment research and testing as one or more governmental agencies may agree to have contracted for by the Commission, provided that such governmental agency or agencies shall make available the funds necessary for such research and testing.

(*d*) Recommend to the party states changes in law or policy with emphasis on uniformity of laws and administrative rules, regulations or codes which would promote effective governmental action or co-ordination in the prevention of equipment-related highway accidents or the mitigation of equipment-related highway safety problems.

ARTICLE V. VEHICULAR EQUIPMENT.

(*a*) In the interest of vehicular and public safety, the Commission may study the need for or desirability of the establishment of or changes in performance requirements or restrictions for any item of equipment. As a result of such study, the Commission may publish a report relating to any item or items of equipment, and the issuance of such a report shall be a condition precedent to any proceedings or other action provided or authorized by this Article. No less than sixty days after the publication of a report containing the results of such study, the Commission upon due notice shall hold a hearing or hearings at such place or places as it may determine.

(*b*) Following the hearing or hearings provided for in subdivision (*a*) of this Article, and with due regard for standards recommended by appropriate professional and technical associations and agencies, the Commission may issue rules, regulations or codes embodying performance requirements or restrictions for any item or items of equipment covered in the report, which in the opinion of the Commission will be fair and equitable and effectuate the purposes of this compact.

(*c*) Each party state obligates itself to give due consideration to any and all rules, regulations and codes issued by the Commission and hereby declares its policy and intent to be the promotion of uniformity in the laws of the several party states relating to equipment.

(*d*) The Commission shall send prompt notice of its action in issuing any rule, regulation or code pursuant to this Article to the appropriate motor vehicle agency of each party state and such notice shall contain the complete text of the rule, regulation or code.

(*e*) If the constitution of a party state requires, or if its statutes provide, the approval of the legislature by appropriate resolution or act may be made a condition precedent to the taking effect in such party state of any rule, regulation or code. In such event, the commissioner of such party state shall submit any Commission rule, regulation or code to the legislature as promptly as may be in lieu of administrative acceptance or rejection thereof by the party state.

(*f*) Except as otherwise specifically provided in or pursuant to subdivisions (*e*) and (*g*) of this Article, the appropriate motor vehicle agency of a party state shall in accordance with its constitution or procedural laws adopt the rule, regulation or code within six months of the sending of the notice, and, upon such adoption, the rule, regulation or code shall have the force and effect of law therein.

(*g*) The appropriate motor vehicle agency of a party state may decline to adopt a rule, regulation or code issued by the Commission pursuant to this Article if such agency specifically finds, after public hearing on due notice, that a variation from the Commission's rule, regulation or code is necessary to the public safety, and incorporates in such finding the reasons upon which it is based. Any such finding shall be subject to review by such procedure for review of administrative determinations as may be applicable pursuant to the laws of the party state. Upon request, the Commission shall be furnished with a copy of the transcript of any hearings held pursuant to this subdivision.

ARTICLE VI. FINANCE.

(*a*) The Commission shall submit to the executive head or designated officer or officers of each party state a budget of its estimated expenditures for such period as may be required by the laws of that party state for presentation to the legislature thereof.

(*b*) Each of the Commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states. The total amount of appropriations under any such budget shall be apportioned among the party states as follows: one-third in equal shares; and the remainder in proportion to the number of motor vehicles registered in each party state. In determining the number of such registrations, the Commission may employ such source or sources of information as, in its judgment present the

most equitable and accurate comparisons among the party states. Each of the Commission's budgets of estimated expenditures and requests for appropriations shall indicate the source or sources used in obtaining information concerning vehicular registrations.

(*c*) The Commission shall not pledge the credit of any party state. The Commission may meet any of its obligations in whole or in part with funds available to it under Article III (*h*) of this compact, provided that the Commission takes specific action setting aside such funds prior to incurring any obligation to be met in whole or in part in such manner. Except where the Commission makes use of funds available to it under Article III (*h*) hereof, the Commission shall not incur any obligation prior to the allotment of funds by the party states adequate to meet the same.

(*d*) The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to the audit and accounting procedures established under its rules. However, all receipts and disbursements of funds handled by the Commission shall be audited yearly by a qualified public accountant and the report of the audit shall be included in and become part of the annual reports of the Commission.

(*e*) The accounts of the Commission shall be open at any reasonable time for inspection by duly constituted officers of the party states and by any persons authorized by the Commission.

(*f*) Nothing contained herein shall be construed to prevent Commission compliance with laws relating to audit or inspection of accounts by or on behalf of any government contributing to the support of the Commission.

ARTICLE VII. CONFLICT OF INTEREST.

(*a*) The Commission shall adopt rules and regulations with respect to conflict of interest for the commissioners of the party states, and their alternates, if any, and for the staff of the Commission and contractors with the Commission to the end that no member or employee or contractor shall have a pecuniary or other incompatible interest in the manufacture, sale or distribution of motor vehicles or vehicular equipment or in any facility or enterprise employed by the Commission or on its behalf for testing, conduct of investigations or research. In addition to any penalty for violation of such rules and regulations as may be applicable under the laws of the violator's jurisdiction of residence, employment or business, any violation of a Commission rule or regulation adopted pursuant to this Article shall require the immediate discharge of any violating employee and the immediate vacating of membership, or relinquishing of status as a member on the Commission by any commissioner or alternate. In the case of a contractor, any violation of any such rule or regulation shall make any contract of the violator with the Commission subject to cancellation by the Commission.

(*b*) Nothing contained in this Article shall be deemed to prevent a contractor for the Commission from using any facilities subject to his control in the performance of the contract even though such facilities are not devoted solely to work of or done on behalf of the Commission; nor to prevent such a contractor from receiving a remuneration or profit from the use of such facilities.

ARTICLE VIII. ADVISORY AND TECHNICAL COMMITTEES.

The Commission may establish such advisory and technical committees as it may deem necessary, membership on which may include private citizens and public officials, and may co-operate with and use the services of any such committees and the organizations which the members represent in furthering any of its activities.

ARTICLE IX. ENTRY INTO FORCE AND WITHDRAWAL.

(*a*) This compact shall enter into force when enacted into law by any six or more states. Thereafter, this compact shall become effective as to any other state upon its enactment thereof.

(*b*) Any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until one year after the executive head of the withdrawing state has given notice in writing of the withdrawal to the executive heads of all other party states. No withdrawal shall affect any liability already incurred by or chargeable to a party state prior to the time of such withdrawal.

ARTICLE X. CONSTRUCTION AND SEVERABILITY.

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the Constitution of any 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 herein, the compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the state affected as to all severable matters.

SECTION 2. Pursuant to Article V (*e*) of the Vehicle Equipment Safety Compact it is hereby provided that no rule, regulation or code issued by the Vehicle Equipment Safety Commission shall take effect until approved by the general court by the enactment of appropriate legislation; provided, however, that this provision shall not be deemed to affect the statutory authority of the registrar of motor vehicles to make rules and regulations relative to the equipment of motor vehicles in the interest of the safety of operation of such vehicles or the safety of the occupants.

SECTION 3. The registrar of motor vehicles shall be the commissioner for the commonwealth on said commission. He may, in accordance with Article III of said compact, designate an alternate for the discharge of his duties and the performance of his functions on said commission, either for the duration of his membership or for any lesser period of time. Any such alternate shall be designated from among the officers and employees of the registry of motor vehicles.

SECTION 4. Pursuant to Article III (*f*) of said compact the state board of retirement may make an agreement with said commission for the coverage of the employees of said commission. Any such agreement shall, as nearly as may be, provide for arrangements similar to those available to employees of the commonwealth and shall be subject to amendment or termination in accordance with its terms.

SECTION 5. The secretary of the commonwealth shall be the appropriate officer with whom said commission shall file a copy of its by-laws and any amendments thereto, as provided in Article III (*j*) of said compact.

SECTION 6. Pursuant to Article VI (*e*) of said compact, the auditor of the commonwealth is hereby authorized to audit the accounts of said commission.

SECTION 7. The words "executive head" as used in said compact shall, with reference to the commonwealth, mean the governor.

SECTION 8. Notwithstanding the provisions of this act the annual expense of the commonwealth for the purposes thereof shall not exceed two thousand dollars. *Approved September 24, 1963.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, September 24, 1963.

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

DEAR MR. SECRETARY: — I, Endicott Peabody, 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 721 of the Acts of 1963 entitled "An Act Providing for the Entry of the Commonwealth into an Interstate Compact on Vehicle Equipment Safety." and the enactment of which received my approval on September 24, 1963, 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 the participation by the Commonwealth with other states in this important problem will contribute greatly to improve our Highway Safety Program in Massachusetts. It would seem a sufficient emergency exists that this act become effective at once.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, September 24, 1963.

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 fifty-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 twenty-one of the acts of nineteen hundred and sixty-three.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 722. AN ACT RELATIVE TO THE CONVEYANCE BY THE METROPOLITAN DISTRICT COMMISSION OF CERTAIN LAND IN THE CITY OF MEDFORD TO THE MEDFORD HOUSING AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 333 of the acts of 1963 is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

If construction of housing designed specifically for the elderly is not commenced on said parcel of land within five years after the effective date of this act and if there are no bonds, notes or other obligations of the Medford Housing Authority theretofore issued in connection with said housing, title to said land shall revert to the commonwealth.

SECTION 2. This act shall take effect as of April twenty-ninth, nineteen hundred and sixty-three. *Approved September 27, 1963.*

Chap. 723. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO COMPLETE THE HURD BROOK DRAINAGE PROJECT IN THE TOWN OF NEEDHAM.

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 complete the Hurd Brook drainage project begun by said department in the town of Needham.

SECTION 2. No work shall be begun under the provisions of this act until the town of Needham has assumed liability in the manner provided by section twenty-nine of chapter ninety-one of the General Laws for all damages that may be incurred hereunder, nor until there has been paid into the state treasury by said town a sum equal to fifty per cent of the cost of the work to be done under this act, as estimated by said department.

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

Approved September 27, 1963.

Chap. 724. AN ACT EXTENDING THE TIME WITHIN WHICH THE CITY OF NEW BEDFORD MAY BORROW FOR OFF-STREET PARKING FACILITIES.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 242 of the acts of 1958 is hereby amended by striking out the second sentence, as amended by section 1 of chapter 512 of the acts of 1962, and inserting in place thereof the following sentence: — Said city may, for the purposes of this act, borrow from time to time within a period of six 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. This act shall take effect upon its passage.

Approved September 27, 1963.

Chap. 725. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO TRANSFER THE CARE, CONTROL, MAINTENANCE AND POLICING OF HIGHLAND AVENUE IN THE CITY OF MALDEN TO SAID CITY.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized and directed to transfer to the city of Malden so much of Highland avenue, transferred to said commission under the provisions of chapter five

hundred and eighty-one of the acts of nineteen hundred and fifty-six, as is located in said city, and upon such transfer the city of Malden shall have the care, control, maintenance and policing thereof.

Approved September 27, 1963.

Chap. 726. AN ACT REPEALING CERTAIN PROVISIONS OF LAW RELATIVE TO THE LEGAL SETTLEMENT OF A PERSON IN DETERMINING THE LIABILITY OF A CITY OR TOWN FOR GENERAL RELIEF FURNISHED TO SUCH PERSON.

Be it enacted, etc., as follows:

SECTION 1. Chapter 117 of the General Laws is hereby amended by striking out section 1, as amended by chapter 124 of the acts of 1934, and inserting in place thereof the following section: — *Section 1.* Every town shall relieve and support all poor and indigent persons residing or found therein, whenever they stand in need thereof. A person in need of assistance under this chapter, who is a patient in an institution shall be considered to reside in the town in which he last maintained a residence outside an institution.

SECTION 2. Said chapter 117 is hereby further amended by inserting after section 1, the following section: —

Section 1A. The following words as used in this chapter, unless the context otherwise requires, shall have the following meanings: —

(*a*) "Department", the state department of public welfare.

(*b*) "Reside", to occupy an established place of abode with no present intention of definite and early removal, but not necessarily with the intention of remaining permanently.

(*c*) "Institution", any hospital, sanatorium or wayfarer's lodge, boarding or rest home, or convalescent or nursing home, for the operation of which a license is required by law; any facility conducted by an agency incorporated under chapter one hundred and eighty or any special act as a charitable corporation; and any facility operated by municipal, county, state and federal government.

SECTION 3. The last paragraph of section 5 of said chapter 117, added by chapter 395 of the acts of 1958, is hereby amended by adding at the end the following sentence: — Proceeds realized through enforcement of this section shall be apportioned between the commonwealth and the town furnishing the assistance in proportion to the amount of their respective contributions thereto, but in no case for more than the amount contributed, without interest.

SECTION 4. Said chapter 117 is hereby further amended by striking out section 14, as most recently amended by section 1 of chapter 39 of the acts of 1939, and inserting in place thereof the following section: — *Section 14.* Boards of public welfare in their respective towns shall provide for the immediate comfort and relief of all persons residing or found therein who are in need of public assistance. Any such board may require persons receiving such relief to work in return therefor in the infirmary, or in such other manner as the town directs, or otherwise at the discretion of the board.

SECTION 5. Section fifteen of said chapter one hundred and seventeen is hereby repealed.

SECTION 6. Said chapter 117 is hereby further amended by striking out section 17, as most recently amended by chapter 40 of the acts of

1956, and inserting in place thereof the following section: — *Section 17.* The board of public welfare of each town shall also relieve and support all poor persons residing or found therein, and if they die shall decently bury them. They shall also decently bury all deceased persons who, although without means of support while living, did not apply for public relief, and all unknown persons found dead. They shall also provide for the grave of each such deceased person a suitable marker bearing the name and dates of birth and death of such deceased person, if known to said board. The expense thereof may be recovered of their kindred, if any, chargeable by law for their support in the manner provided in this chapter; and if the expense of their funeral and burial is not paid by such kindred, an amount not exceeding one hundred dollars for the funeral expenses of each person over twelve years of age, together with such additional amount, if any, not exceeding fifty dollars, as may be paid by the town as provided in the second paragraph of section eighteen A, and not exceeding forty dollars for the funeral and burial expenses of each person under that age.

SECTION 7. The first sentence of section 18 of said chapter 117, as amended by chapter 394 of the acts of 1954, is hereby further amended by striking out, in line 2, the word "settlements" and inserting in place thereof the word: — residence.

SECTION 8. The sixth sentence of said section 18 of said chapter 117, as appearing in section 9 of chapter 351 of the acts of 1941, is hereby amended by striking out, in line 3, the word "settlement" and inserting in place thereof the word: — residence.

SECTION 9. Said chapter 117 is hereby amended by striking out section 19, as amended by chapter 86 of the acts of 1937, and inserting in place thereof the following section: — *Section 19.* Reasonable compensation for medical attendance or treatment furnished by a town under this chapter or chapter one hundred and twenty-two may be included in the expenses to be paid to such town by the commonwealth, although such attendance or treatment was by a town physician; provided, however, that compensation for such medical treatment shall not exceed the fee schedule established by the department for physician services to public assistance recipients.

SECTION 10. Said chapter 117 is hereby further amended by inserting after section 19 the following section: —

Section 19A. In respect to all sums disbursed under this chapter, the town disbursing the same shall submit, on forms established by the department, statements of sums so disbursed by said town and, if such expenditures have been approved by the department, shall be reimbursed by the commonwealth, for twenty per cent of the total amount of disbursements for assistance; provided, however, that in no event shall the amount of such reimbursement be less than the percentage of the total amount of such disbursements which was received by such town from the commonwealth for the fiscal year ending June thirtieth, nineteen hundred and sixty-two under then existing methods of reimbursement. The approval of accounts by the department under this chapter shall have the effect of a provisional pre-audit of such accounts, and reimbursements based thereon shall be subject to verification and adjustment by the department. Such adjustments shall be made by reducing or increasing any subsequent reimbursement under this chapter by the amount of such adjustment.

SECTION 11. Section twenty-three of said chapter one hundred and seventeen is hereby repealed.

SECTION 12. Sections twenty-five, twenty-six and twenty-seven of said chapter one hundred and seventeen are hereby repealed.

SECTION 13. Said chapter 117 is hereby amended by striking out section 28, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 28.* Whoever brings into and leaves a poor and indigent person in any town in the commonwealth, knowing him to be poor and indigent, and with intent to charge such town with his relief of support, shall forfeit not more than one hundred dollars, to the use of such place.

SECTION 14. Section forty-three of said chapter one hundred and seventeen is hereby repealed.

SECTION 15. All claims against the commonwealth or between cities and towns for assistance granted prior to the effective date of this act shall be enforceable in accordance with the provisions of chapter one hundred and seventeen of the General Laws in effect at the time when such liability was incurred.

SECTION 16. This act shall take effect on January first, nineteen hundred and sixty-four, and shall apply only to assistance rendered after said date. *Approved September 27, 1963.*

Chap. 727. AN ACT RELATIVE TO THE SALARY OF THE DEAN OF THE UNIVERSITY OF MASSACHUSETTS MEDICAL SCHOOL.

Be it enacted, etc., as follows:

Section 35 of chapter 75 of the General Laws, added by section 3 of chapter 787 of the acts of 1962, is hereby amended by adding at the end the following sentence: — Notwithstanding any provision of section fourteen to the contrary, the dean shall receive a salary of not more than thirty thousand dollars, the amount to be determined by the trustees. *Approved Sepiember 27, 1963.*

Chap. 728. AN ACT INCREASING THE AMOUNT OF THE DEATH BENEFIT PAYABLE UNDER THE MALDEN RETIREMENT SYSTEM TO THE WIDOW OF LEONARD G. DUNN WHO DIED OF INJURIES SUSTAINED IN LINE OF DUTY AS DEPUTY CHIEF OF THE MALDEN FIRE DEPARTMENT.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of promoting the public good, and notwithstanding the fact that the city of Malden has not accepted the provisions of section eighty-nine B of chapter thirty-two of the General Laws, said city is hereby authorized to pay to the widow of Leonard G. Dunn, who died on June tenth, nineteen hundred and sixty-three, as a result of injuries sustained on May twenty-first in said year while in the performance of his duty as deputy chief of the Malden fire department, death benefits equal to the accidental death benefit allowance provided for in said section eighty-nine B, subject to the provisions and limitations therein.

SECTION 2. This act shall take effect upon its acceptance by the city of Malden. *Approved September 27, 1963.*

Chap. 729. AN ACT AUTHORIZING THE ESTABLISHMENT OF THE CHERRY VALLEY SEWER DISTRICT WITHIN THE LIMITS OF THE TOWN OF LEICESTER.

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the town of Leicester liable to taxation in said town and residing within the territory comprised within the following lines, to wit: — Beginning at the Southeast corner of the Leicester Water Supply District as shown on the Leicester, Massachusetts Sewerage Plan by William E. Stanley, Sanitary Engineer, Belmont, Mass., dated May 21, 1959 — Scale — one inch equals 1000 feet (original) thence extending approximately one mile in a northerly direction along the eastern boundary of the Leicester Water Supply District to the northeast corner of said Leicester Water Supply District thence in a westerly direction along the north boundary of the Leicester Water Supply District two hundred feet to a point on said boundary; thence proceeding in a northerly direction along a line parallel to and two hundred feet west of the center line of Manville Street to a point two hundred feet north of the junction of Mulberry Street and Chapel Street; thence proceeding in a southeasterly direction to the northern extremity of Woodland Road; thence continuing in a southeasterly direction to the outlet of Lynde Brook Reservoir, then due east crossing Reservoir Street to the Leicester-Worcester line; proceeding in a southeasterly direction along the Leicester-Worcester line approximately nine thousand feet to a bound at the Leicester-Worcester-Auburn town lines; thence proceeding in a southwesterly direction twenty-five hundred feet to the northwest corner of the Leicester-Auburn line; thence proceeding in a southwesterly direction along said Leicester-Auburn line to the intersection of the New England Power Company transmission line with said Leicester-Auburn line approximately eleven hundred feet southwest of Auburn Street; thence proceeding in a northwesterly direction to a point on Stafford Street two hundred feet south of the intersection of Boutillier Street; thence proceeding in a northwesterly direction along a line parallel to and two hundred feet south of Boutillier Street to a point on Henshaw Street two hundred feet west of the intersection of Henshaw Street and Boutillier Street; thence proceeding northerly on a line parallel to and two hundred feet west of Henshaw Street to the point of beginning, shall constitute a sewer district and are hereby made a body corporate by the name of the Cherry Valley Sewer District, hereinafter called the district, for the purpose of laying out, constructing, maintaining and operating a system or systems of common sewers for a part or the whole of the territory herein described with such connections and other works as may be required for a system of sewage disposal and may construct such sewers in said district as may be necessary, and for the purpose 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. The district shall have power to prosecute and defend all actions relating to its property and affairs.

SECTION 2. 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 sewer 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 sewer commissioners, meetings of the district shall be called by warrant under their hands, unless some other method be provided by by-law or vote of the district.

SECTION 3. The district shall elect by ballot at any district meeting not later than the second annual meeting after the commencement of construction hereunder of a system 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 district 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 district meeting, and until their successors are qualified, and thereafter, at each annual district meeting when the term of a member expires, the district shall elect one member of the board to serve for three years and until his successor is qualified.

SECTION 4. Said board of sewer commissioners, acting for and on behalf of said district, 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 district, necessary for accomplishing any purpose mentioned in this act, and may construct such main drains and 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 drains and 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 drain or 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 but not in any event later than the second annual meeting after the commencement of the work of construction authorized hereby, the district may carry on such work by a duly authorized committee of the district. 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, or the committee of the district 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 district under said chapter seventy-nine.

SECTION 7. The district shall, by vote, determine what proportion of the cost of said system or systems of sewerage and sewage disposal the district shall pay; provided, that it shall pay not less than one fourth nor more than two thirds of the whole cost. In providing for the payment of the remaining portion of the cost of said system or systems, or for the use of said system or systems, the district 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 six per cent per annum. At the same meeting at which it determines the proportion of the cost which is to be borne by the district, 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 for apportionments thereof to the sewer commissioners, who shall preserve a record thereof. 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 sewerage under this act, if, in the judgment of the board of sewer commissioners herein provided for, after a hearing, due notice whereof shall have been given, such estate is so situated that it will 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 of sewer 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. For the purpose of paying the necessary expenses and liabilities incurred under this act, the district may, from time to time within five years after the passage of this act, borrow such sums as may be necessary, not exceeding, in the aggregate, five hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their

face the words, Cherry Valley Sewer District Loan, Act of 1963. 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 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 shall annually appoint a clerk and a treasurer 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, treasurer or superintendent at its pleasure. The treasurer shall not be a sewer commissioner, and shall give bond to the district in such amount as may be approved by said sewer commissioners and with a surety company authorized to transact business in the commonwealth as surety. Said board may, in its discretion, prescribe for the users of said sewer system 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 district.

SECTION 11. All contracts made by the board of sewer commissioners shall be made in the name of the district and shall be signed by the board, and the district may enter into agreements and contracts with other districts, sewer departments, municipalities or individuals for the purpose of making connections for the collection, purification and disposal of sewage, 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 12. Said board of sewer commissioners 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 Leicester, if there be any, and if not, then in some newspaper published in the county of Worcester and shall not take effect until such publications have been made.

SECTION 13. No act shall be done under authority of the preceding sections except in the making of surveys and other preliminary investigations, until the plans for said system of sewerage and sewage disposal have been approved by the state department of public health.

SECTION 14. Upon a petition in writing addressed to said board of sewer commissioners requesting that certain real estate, accurately described therein, located in said town and abutting on said district and not otherwise served by a suitable means of sewage disposal be included within the limits thereof, and signed by the owners of such real estate, or a majority thereof, said sewer 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 14A. The provisions of chapters forty-one and forty-four of the General Laws relating to fire, water, light and improvement districts shall, so far as apt, apply to the district.

SECTION 15. This act shall take full effect upon its acceptance by a majority of the voters of said territory voting thereon at a meeting held pursuant to section two of this act within five years of its passage.

Approved September 27, 1963.

Chap. 730. AN ACT REGULATING LIGHTING AND VENTILATION IN CONVALESCENT OR NURSING HOMES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 111 of the General Laws is hereby amended by inserting after section 72B, added by section 1 of chapter 482 of the acts of 1960, the following section: —

Section 72C. All convalescent or nursing homes shall be provided throughout with electric lighting, and shall have an emergency lighting system for the boiler room, exits, stairs, patient corridors and nurses' stations which shall be maintained in proper working order and kept available for use when required, and an emergency generator or battery with a capacity sufficient to supply the emergency lighting system for a period of at least four hours. Lighting of not less than five foot candles shall be provided during the night in all corridors and toilets, and lighting of not less than one foot candle shall be provided during the night in patients' rooms. All rooms or other areas used by patients shall, unless lights are kept on therein continuously, have light switches so located as to be within easy reach of wheel chair patients.

The use of candles, kerosene lamps or lanterns or other open flame methods of illumination in a convalescent or nursing home is prohibited.

All convalescent or nursing homes shall provide each room and space therein which does not have an outside window and which is used by patients or personnel of such home with forced or other ventilation sufficient to change the air therein at least once in six minutes.

The department shall make such rules and regulations as may be necessary to carry out the provisions of this section, and shall establish standards of lighting for convalescent or nursing homes, said standards to be in accordance with the lighting levels of the Illuminating Engineering Society.

SECTION 2. Section 73 of said chapter 111 is hereby amended by inserting after the word "seventy-two", in line 9, as appearing in section 9 of chapter 602 of the acts of 1952, the words: — or seventy-two C.

Approved October 1, 1963.

Chap. 731. AN ACT PROVIDING THAT ORDINANCES RELATIVE TO THE SALARIES OF MAYORS AND CITY COUNCILLORS NEED NOT BE APPROVED BY THE VOTERS.

Be it enacted, etc., as follows:

SECTION 1. Section 17A of chapter 43 of the General Laws is hereby amended by striking out the third and fourth sentences.

SECTION 2. Section 6A of chapter 39 of the General Laws is hereby amended by striking out the third and fourth sentences and inserting in place thereof the following sentence: — Such ordinance shall be subject to the provisions of sections forty-two, forty-three and forty-four of chapter forty-three. *Approved October 1, 1963.*

Chap. 732. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO DREDGE AND FILL THE HARBOR OF THE TOWN OF WINTHROP TO ELIMINATE POLLUTION AND RECLAIM LAND THEREIN.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of abating a nuisance and reclaiming land, the department of public works, acting through its division of waterways, is hereby authorized and directed, subject to appropriation, to dredge and fill solid with borrow to an elevation above mean high water, portions of the intertidal flats inside or northeast of a line extending from the outer end of a wharf at Cottage Park Yacht Club to the outer end of a wharf off Otis Street within the harbor of the town of Winthrop. No expenditure shall be made under this act until said town has acquired title to such land, water rights, rights-of-way, or other easements as said department deems necessary to perform the work authorized under this act, nor until said town assumes liability in the manner provided by section twenty-nine of chapter ninety-one of the General Laws for all damages to property suffered by any person by any taking of land, or of any right, interest or easement therein.

SECTION 2. The town of Winthrop 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, required by said department to perform the work authorized under this act.

SECTION 3. All land reclaimed by filling solid with borrow shall be used solely for public purposes, recreation, public parking, a marina and small boat launching.

SECTION 4. To meet the expenditure necessary to accomplish the work authorized in section one, the state treasurer shall, upon request of the governor and council, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor and council from time to time, but not exceeding, in the aggregate, two and one half million dollars. All bonds issued by the commonwealth, as aforesaid, shall bear on their face the words, Winthrop Harbor Pollution Elimination and Land Reclamation Loan, Act of 1963, 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 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.

Approved October 1, 1963.

Chap. 733. AN ACT RELATIVE TO THE TRANSFER OF CERTAIN PROPERTY OF THE HINGHAM PUBLIC LIBRARY FOR THE BENEFIT OF THE INHABITANTS OF THE TOWN OF HINGHAM.

Be it enacted, etc., as follows:

SECTION 1. The Hingham Public Library, a non-profit corporation located in the town of Hingham and organized under chapter one hundred and seventeen of the acts of eighteen hundred and seventy-two, may, by a vote of its board of trustees and when authorized by decree of the probate court in and for the county of Plymouth, or of any other court of competent jurisdiction, convey and transfer to the town of Hingham all of its property, both real and personal. Upon or at any time after such conveyance and transfer, the town is authorized to reconvey and retransfer the same in trust, and to convey in trust any land owned by the town, 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 library in the town of Hingham to be known as the Hingham Public Library for the benefit of the inhabitants of the town of Hingham. The corporation shall hold all property, both real and personal, and shall use all funds including funds which may thereafter be acquired by it by grant, gift, devise, bequest, public subscription or town appropriation for the purposes of such library.

SECTION 2. Nothing in this act shall be deemed to alter or impair any trust created for the benefit of said Hingham Public Library and existing on the effective date of this act or any devise, bequest, conveyance and gift heretofore made to said Hingham Public Library except as the same may be validly affected by the decree referred to in section one.

SECTION 3. The probate court in and for the county of Plymouth, or any other court of competent jurisdiction, in addition to having jurisdiction hereby conferred to authorize the transfer of the property referred to in section one shall have jurisdiction to determine the effect, if any, of the transfer and retransfer contemplated in section one upon any trust created for the benefit of said Hingham Public Library or upon any devise, bequest, conveyance and gift heretofore made to said Hingham Public Library notwithstanding the fact that questions raised in any such proceedings may be premature and involving no present controversy.

SECTION 4. Said corporation shall be deemed agent of the town of Hingham and the members, the board of trustees and officers of the Hingham Public Library 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. Subject always to the supervision of the general court, the affairs of the corporation including the execution of the trust provided for in section one shall be managed as provided in the by-laws of the corporation as the same may be amended from time to time.

SECTION 5. After the transfer and retransfer of the property provided for in section one and for the purpose of aiding the Hingham Public Library to construct, originally equip and furnish a new library building, the town of Hingham may appropriate, transfer from available funds, or by a two-thirds vote as defined in section one of chapter forty-four of the General Laws, as amended, may borrow from time to time within a period of ten years of the passage of this act, or use any or all said methods, to provide such sums as may be necessary not exceeding, in the aggregate, five hundred and fifty thousand dollars and may issue bonds and notes therefor which shall bear on their face the words, Hingham Public Library Loan, Act of 1963. 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 6. Any property, real or personal, which is owned by the Hingham Public Library at the time when the new library building is completed and which is then no longer needed by the corporation in carrying out its purposes, may be conveyed to the town of Hingham without consideration or may be sold by said corporation, and the proceeds shall be held or used for the purposes of the trust provided in section one.

SECTION 7. This act shall take effect upon its passage.

Approved October 2, 1963.

Chap. 734. AN ACT PROVIDING FOR THE INITIATIVE AND REFERENDUM FOR THE CITY OF CHICOPEE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of chapter one hundred and eighty-nine of the acts of eighteen hundred and ninety, and two hundred and thirty-nine of the acts of eighteen hundred and ninety-seven, and amendments thereto, the provisions of sections thirty-seven to forty-four, inclusive, of chapter forty-three of the General Laws shall apply to the city of Chicopee.

SECTION 2. This act shall be submitted for acceptance to the voters of the city of Chicopee at the regular municipal election to be held in the current year in the form of the following question, which shall be placed upon the official ballot to be used in said city at said election: — "Shall an act passed by the General Court in the year nineteen hundred and sixty-three, entitled 'An Act providing for the initiative and referendum for the city of Chicopee', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved October 2, 1963.

Chap. 735. AN ACT PROVIDING FOR THE PUBLICATION OF LISTS OF LICENSED REAL ESTATE BROKERS AND SALESMEN AND OF OTHER INFORMATION.

Be it enacted, etc., as follows:

SECTION 1. Section 87XX of chapter 112 of the General Laws, as appearing in section 2 of chapter 726 of the acts of 1957, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — The board shall keep a record of all licensed brokers and salesmen which shall be open to inspection by the public and shall, from time to time, cause to be printed a new or revised publication containing an alphabetical list of such brokers and salesmen, together with their addresses, accompanied by such other information relative to the enforcement of the provisions of this chapter as it may deem of interest to the public.

SECTION 2. The board of registration of real estate brokers and salesmen shall cause an initial printing of twenty-five hundred copies of the publication described in section eighty-seven XX of chapter one hundred and twelve of the General Laws, amended by section one of this act, and may sell the same at a price of two dollars per copy.

Approved October 2, 1963.

Chap. 736. AN ACT PERMITTING PAUL A. THOMPSON, RICHARD THOMPSON AND BERYL THOMPSON TO CONNECT A SEWERAGE OUTLET TO THE SEWERAGE SYSTEM OF THE CITY OF BROCKTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the city of Brockton may permit Paul A. Thompson, Richard Thompson and Beryl Thompson, owners of property numbered 20 on North Quincy street in the town of Abington, to connect its sewerage outlet for six stores located on said property to the sanitary sewerage system of the city of Brockton upon such terms, agreements and stipulations as may be agreed upon by said city and said owners.

SECTION 2. The town of Abington may permit said owners of property numbered 20 on North Quincy street in said town to extend its sewerage system in a portion of a way called North Quincy street in said town to connect with the sanitary sewerage system of the city of Brockton.

SECTION 3. All cost of installation of the facilities under the provisions of sections one and two shall be borne in full by said owners of property numbered 20 on North Quincy street in the town of Abington.

SECTION 4. This act shall take effect upon its acceptance by the city of Brockton and the town of Abington. *Approved October 3, 1963.*

Chap. 737. AN ACT PERMITTING THE ROMAN CATHOLIC ARCHBISHOP OF BOSTON, A CORPORATION SOLE, TO CONNECT THE SEWERAGE OUTLET OF SAINT NICHOLAS' CHURCH AND RECTORY IN THE TOWN OF ABINGTON TO THE SEWERAGE SYSTEM OF THE CITY OF BROCKTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the city of Brockton may permit the Roman

Catholic Archbishop of Boston, a corporation sole, to connect the sewerage outlet of Saint Nicholas' Church and the rectory thereof, located on North Quincy street in the town of Abington, to the sanitary sewerage system of the city of Brockton upon such terms and stipulations as may be agreed upon by said city and said corporation.

SECTION 2. The town of Abington may permit said corporation to extend the sewerage system of said Saint Nicholas' Church and rectory in a portion of a way called North Quincy street in said town to connect with the sanitary sewerage system of the city of Brockton.

SECTION 3. All costs of installation of the facilities under the provisions of sections one and two shall be borne in full by said corporation.

SECTION 4. This act shall take effect upon its acceptance by the city of Brockton and the town of Abington. *Approved October 3, 1963.*

Chap. 738. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BERKSHIRE COUNTY TO PAY TO ARTHUR S. MENARD A SUM OF MONEY FOR CERTAIN PROFESSIONAL ENGINEERING SERVICES RENDERED TO SAID COUNTY.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary the county commissioners of Berkshire county are hereby authorized to pay out of available funds to Arthur S. Menard the sum of two hundred fifty-one dollars and seventy-four cents for professional engineering services rendered to said county in the biennial inspection of dams required by law.

(*The foregoing was laid before the governor on the thirtieth day of September, 1963, 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. 739. AN ACT RELATIVE TO THE AMOUNT OF CERTAIN RETIREMENT AND DEATH BENEFITS WHICH MAY BE PAID BY FALL RIVER PERMANENT FIREMEN'S BENEFIT ASSOCIATION, INC.

Be it enacted, etc., as follows:

SECTION 1. Fall River Permanent Firemen's Benefit Association, Inc., a corporation duly established under the laws of the commonwealth, is hereby authorized, upon the retirement of any member in good standing, to pay to such member such sum, not exceeding three hundred dollars, as may be determined by vote of the directors of said corporation. In the event of the death of any member in good standing before his retirement a sum determined by vote as aforesaid shall be paid to his beneficiary.

SECTION 2. This act shall take effect as of March twenty-first, nineteen hundred and sixty-three and shall apply to any member who died or retired on or after said date. *Approved October 7, 1963.*

Chap. 740. AN ACT RELATIVE TO THE SALARIES OF SUPERINTENDENTS OF SCHOOLS IN UNIONS AND REGIONAL SCHOOL DISTRICTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 71 of the General Laws is hereby amended by striking out section 64, as most recently amended by section 1 of chapter 448 of the acts of 1956, and inserting in place thereof the following

section: — *Section 64.* The salary of the superintendent in such a union or in any twelve grade regional school district or the combined salary received by a person serving in a dual capacity as a superintendent in a union and a regional school district or in two or more regional school districts shall be not less than the amounts provided in the following schedule: ninety-five hundred dollars for the first year of service, ten thousand dollars for the second year, ten thousand five hundred dollars for the third year, eleven thousand dollars for the fourth year. If his salary is not in excess of eleven thousand six hundred dollars the union or any twelve grade regional school district or the union and the regional school district or two or more regional school districts, as the case may be, shall, and otherwise may, reimburse him for his actual traveling expenses incurred in the discharge of his duties, but such reimbursement may be limited to six hundred dollars a year.

SECTION 2. Said chapter 71 is hereby further amended by striking out section 65, as most recently amended by section 2 of said chapter 448, and inserting in place thereof the following section: — *Section 65.* When the chairman and secretary of the joint committee or any twelve grade regional school district committee or in the case of a person serving as a superintendent in the dual capacity referred to in section sixty-four, when the chairmen of both the union committee and regional district school committee or two or more regional district school committees shall certify to the comptroller on oath, that the towns unitedly or as members of a regional school district or districts have employed a superintendent of schools for the year ending on June thirtieth and, in the case of a union, have complied with section sixty-three, a warrant shall, upon approval of the department, be drawn upon the state treasurer for the payment of two thirds of the sum of the following amounts: (1) the amount paid the superintendent as salary not including any such amount in excess of ninety-five hundred dollars, and (2) the amount reimbursed to the superintendent for traveling expenses, not including any such amount in excess of six hundred dollars. The amount stated in the warrant shall be apportioned and distributed among the towns forming the union or the regional school district or districts in proportion to the amount expended by them for the salary and traveling expenses of the superintendent; provided, that the reimbursement on account of an individual serving in a dual capacity as superintendent of a school union and regional school district or of two or more regional school districts shall not be in excess of the amount established in this section, and said reimbursement shall be prorated among all the towns contributing to his salary; and provided, further, that the amount proportioned to any town whose valuation then exceeds four million five hundred thousand dollars or to any town whose valuation exceeded two million five hundred thousand dollars at the time of its entry into a union or a regional school district, whichever occurred earlier, shall be retained by the commonwealth. *Approved October 7, 1963.*

Chap. 741. AN ACT INCREASING THE SALARIES OF THE JUSTICES OF THE SUPERIOR COURT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 212 of the General Laws is hereby amended by striking out section 27, as most recently amended by section 2 of

chapter 733 of the acts of 1955, and inserting in place thereof the following section: — *Section 27.* The chief justice shall receive a salary of twenty-five thousand dollars and each associate justice a salary of twenty-four thousand dollars, and the chief justice and each associate justice shall annually receive from the commonwealth, upon the certificate of the chief justice, the amount of the expenses incurred by them in the discharge of their duties. 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 the provisions of section twenty-seven of chapter two hundred and twelve of the General Laws as amended by section one of this act, any person appointed to the office of chief justice or associate justice of the superior court between the effective date of this act and January fifth, nineteen hundred and sixty-five, both dates inclusive, shall receive the salary provided by section twenty-seven of said chapter two hundred and twelve, as in effect immediately prior to said effective date. *Approved October 10, 1963.*

Chap. 742. AN ACT INCREASING THE SALARIES OF THE JUDGES OF THE LAND COURT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 185 of the General Laws is hereby amended by striking out section 14, as most recently amended by section 3 of chapter 733 of the acts of 1955, and inserting in place thereof the following section: — *Section 14.* The judge and associate judges of the land court shall each receive a salary of twenty-four thousand dollars and each shall annually receive, upon the certificate of the judge, the amount of expenses incurred by him in the discharge of his duties, to be paid by the commonwealth. Such judges, the recorder and the deputy recorders 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. The recorder and each deputy recorder shall receive such salary or compensation as shall be fixed by the judge, subject to the approval of the governor and council. Except as provided in section ten A, the compensation and salaries of examiners of title and all assistants and messengers shall be fixed by the governor and council. All salaries and expenses of the court shall be paid by the commonwealth, except the salaries of the assistant recorders and the expenses incurred by them under this chapter and the compensation and expenses of their technical assistants appointed under section ten A, which shall be paid by the respective counties. All fees collected by the assistant recorders, except those received upon the filing of petitions, which shall be transmitted with the petitions to the recorder, shall be paid to their respective counties.

SECTION 2. Notwithstanding the provisions of section fourteen of chapter one hundred and eighty-five of the General Laws as amended by section one of this act, any person appointed to the office of judge or associate judge of the land court between the effective date of this act and January fifth, nineteen hundred and sixty-five, both dates inclusive, shall receive the salary provided by section fourteen of said chapter one hundred and eighty-five, as in effect immediately prior to said effective date. *Approved October 10, 1963.*

Chap. 743. AN ACT INCREASING THE SALARIES OF DISTRICT ATTORNEYS AND ASSISTANT DISTRICT ATTORNEYS FOR THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Chapter 12 of the General Laws is hereby amended by striking out section 15 and inserting in place thereof the following section: — *Section 15.* District attorneys shall receive from the commonwealth salaries as follows: —

For the Suffolk district, twenty thousand dollars.

For the northern district, fourteen thousand four hundred dollars.

For the eastern district, fifteen thousand dollars.

For the middle district, fifteen thousand dollars.

For the Norfolk district, thirteen thousand five hundred dollars.

For the Plymouth district, thirteen thousand dollars.

For the southern district, fifteen thousand dollars.

For the western district, fourteen thousand dollars.

For the northwestern district, nine thousand four hundred dollars.

SECTION 2. Chapter 12 of the General Laws is hereby amended by striking out section 16, as most recently amended by chapter 553 of the acts of the current year, and inserting in place thereof the following section: — *Section 16.* Assistant district attorneys shall receive from the commonwealth salaries as follows: —

For the Suffolk district, one assistant, twelve thousand nine hundred dollars; two assistants, twelve thousand seven hundred dollars; four assistants, ten thousand seven hundred dollars; two assistants, nine thousand six hundred dollars; five assistants, nine thousand dollars; and ten assistants, eight thousand dollars.

For the northern district, one assistant, ten thousand seven hundred dollars; and nine assistants, nine thousand four hundred dollars.

For the eastern district, one assistant, nine thousand five hundred dollars; one assistant, eight thousand five hundred dollars; and four assistants, seven thousand five hundred dollars.

For the middle district, one assistant, nine thousand five hundred dollars; one assistant, eight thousand five hundred dollars; and four assistants, seven thousand five hundred dollars.

For the Norfolk district, one assistant, nine thousand five hundred dollars; one assistant, eight thousand five hundred dollars; and one assistant, seven thousand five hundred dollars.

For the Plymouth district, one assistant, nine thousand five hundred dollars; one assistant, eight thousand five hundred dollars; and one assistant, seven thousand five hundred dollars.

For the southern district, one assistant, nine thousand five hundred dollars; one assistant, eight thousand five hundred dollars; and four assistants, seven thousand five hundred dollars.

For the western district, one assistant, eight thousand four hundred dollars; two assistants, seven thousand dollars; and two assistants, six thousand three hundred dollars.

For the northwestern district, two assistants, five thousand two hundred and fifty dollars.

SECTION 3. Section 20A of said chapter 12, as most recently amended by section 2 of chapter 694 of the acts of 1957, is hereby further amended

by striking out the last sentence and inserting in place thereof the following sentence: — Such special assistants shall have all the powers of an assistant district attorney, and shall receive from the commonwealth such salary not exceeding eight thousand eight hundred dollars as the district attorney may determine.

SECTION 4. Notwithstanding any provision of this act to the contrary, the provisions of sections fifteen, sixteen and twenty A of chapter twelve of the General Laws in effect immediately prior to the effective date of this act shall remain in effect and apply to the salaries of persons appointed between the effective date of this act and January fifth, nineteen hundred and sixty-five, both dates inclusive, to the offices referred to therein. *Approved October 10, 1963.*

Chap. 744. AN ACT INCREASING THE SALARIES OF THE CONSTITUTIONAL OFFICERS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide without delay additional compensation for certain officers of the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 6 of the General Laws, as amended by section 1 of chapter 591 of the acts of 1946, is hereby further amended by striking out, in line 2, the word "twenty" and inserting in place thereof the word: — thirty-five, — so as to read as follows: — *Section 1.* The governor shall receive a salary of thirty-five thousand dollars, and shall not be entitled to any fees or perquisites.

SECTION 2. Section 2 of said chapter 6, as most recently amended by section 1 of chapter 730 of the acts of 1955, is hereby further amended by striking out, in line 2, the word "eleven" and inserting in place thereof the word: — sixteen, — so as to read as follows: — *Section 2.* The lieutenant governor shall receive a salary of sixteen thousand dollars; but if the office of governor shall be vacant for a period of more than thirty days he shall, for the time during which he performs the duties of governor, receive at the rate allowed to the governor.

SECTION 3. Section 1 of chapter 9 of the General Laws is hereby amended by striking out the third sentence, as amended by section 5 of chapter 730 of the acts of 1955, and inserting in place thereof the following sentence: — The state secretary shall receive a salary of sixteen thousand dollars.

SECTION 4. Section 1 of chapter 10 of the General Laws is hereby amended by striking out the second sentence, as amended by section 6 of said chapter 730, and inserting in place thereof the following sentence: — The state treasurer shall receive a salary of sixteen thousand dollars.

SECTION 5. Section 1 of chapter 11 of the General Laws is hereby amended by striking out the second sentence, as amended by section 7 of said chapter 730, and inserting in place thereof the following sentence: — The state auditor shall receive a salary of sixteen thousand dollars and shall give to the state treasurer a bond for the faithful performance of his official duties with sureties approved by the governor and council.

SECTION 6. Section 1 of chapter 12 of the General Laws is hereby amended by striking out the second sentence, as amended by section 8 of said chapter 730, and inserting in place thereof the following sentence: — The attorney general shall receive a salary of twenty thousand dollars.

SECTION 7. Chapter 6 of the General Laws is hereby amended by striking out section 3, as most recently amended by section 1 of chapter 781 of the acts of 1949, and inserting in place thereof the following section: — *Section 3.* Each member of the council shall receive a salary of four thousand dollars.

SECTION 8. Section one of this act shall take effect on January seventh, nineteen hundred and sixty-five; sections two to seven, inclusive, shall take effect as of July first, nineteen hundred and sixty-three.

Approved October 11, 1963.

Chap. 745. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW RELATIVE TO JUNIOR OPERATORS' LICENSES TO OPERATE MOTOR VEHICLES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to correct forthwith certain provisions of law relative to junior operators' licenses to operate motor vehicles, 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 second sentence of section 8 of chapter 90 of the General Laws, as appearing in chapter 687 of the acts of 1962, is hereby amended by inserting after the word "licensee", in line 5, the words: — under eighteen years of age.

Approved October 14, 1963.

Chap. 746. AN ACT AUTHORIZING THE APPOINTMENT OF AN ADDITIONAL ASSISTANT CLERK OF COURTS FOR THE COUNTY OF BRISTOL.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 221 of the General Laws is hereby amended by striking out the second paragraph, as amended by section 1 of chapter 327 of the acts of 1958, and inserting in place thereof the following paragraph: —

Bristol, a third assistant, a fourth assistant and a fifth assistant, subject to removal by the court or by the clerk.

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

Approved October 15, 1963.

Chap. 747. AN ACT REPEALING THE LAW PROVIDING LIFE TENURE FOR WALLACE W. WYMAN, INCUMBENT OF THE OFFICE OF TOWN ENGINEER OF THE TOWN OF WEST SPRINGFIELD.

Be it enacted, etc., as follows:

SECTION 1. Chapter ninety-seven of the acts of nineteen hundred and sixty-three is hereby repealed.

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

Approved October 15, 1963.

Chap. 748. AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO ACQUIRE BY GIFT CERTAIN LAND IN THE CITY OF QUINCY IN THE VICINITY OF THE SITE OF THE FIRST RAILWAY IN AMERICA.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission is hereby authorized to accept the gift of a certain parcel of land located in the city of Quincy and shown as Parcel C on a "Plan of Land in Quincy, Mass." by Ernest W. Branch, Inc., Civil Engineers, dated June 15, 1945 and recorded with Norfolk Deeds, Book 2547, Page 64, and bounded and described as follows: —

Northeasterly on a private way running from Bates avenue over Parcel A on said plan, one hundred and eight (108) feet;

Southeasterly by Parcel A and Parcel B on said plan, two hundred and seventeen (217) feet;

Southwesterly by Parcel B on said plan, one hundred (100) feet; and

Northwesterly by said Parcel B and said Parcel A, two hundred and sixty (260) feet; and containing, according to said plan, 24,100 square feet.

Upon the acquisition of said parcel of land, which is in the vicinity of the site of the first railway in America, the metropolitan district commission shall thereafter preserve and maintain the same.

SECTION 2. The metropolitan district commission is hereby further authorized to acquire by gift or otherwise any real or personal property in the city of Quincy needed for the restoration of the site of said railway and all other works and historical items pertaining thereto and thereafter to preserve and maintain the same. *Approved October 15, 1963.*

Chap. 749. AN ACT ALLOWING CONTINUED EMPLOYMENT AFTER AGE SEVENTY TO CERTAIN SKILLED PERSONS WHETHER OR NOT THEY ARE MEMBERS OF A CONTRIBUTORY RETIREMENT SYSTEM.

Be it enacted, etc., as follows:

SECTION 1. Subdivision (2) of section 3 of chapter 32 of the General Laws is hereby amended by striking out paragraph (*e*), as appearing in section 1 of chapter 658 of the acts of 1945, and inserting in place thereof the following paragraph: —

(*e*) No member and no person who was ineligible for membership because of entering or re-entering the service after attaining age sixty, except as otherwise provided for in subdivision (1) of section five or in section ninety-one, or in section twenty-six of chapter six hundred and seventy of the acts of nineteen hundred and forty-one, or in chapter sixteen of the acts of nineteen hundred and forty-two as amended, shall remain in service after attaining the maximum age for his group or for the group in which he would have been classified had he become a member or after the date any retirement allowance becomes effective for him, whichever event first occurs.

SECTION 2. Section 91 of said chapter 32 is hereby amended by striking out the first sentence, as appearing in chapter 482 of the acts of 1963, and inserting in place thereof the following sentence: — No

person while receiving a pension or retirement allowance from the commonwealth or from any county, city, town or district, shall, after the date of his retirement be paid for any service rendered to the commonwealth or any county, city, town or district, except upon his return and restoration to active service as ordered by the appropriate retirement board after re-examination in case of retirement for disability, for jury service, for service rendered in an emergency under section sixty-eight, sixty-nine or eighty-three, for work as an election officer at a polling place at a primary or election, for service in a public office to which he has thereafter been elected by direct vote of the people, for service rendered as an appointee under section sixteen of chapter two hundred and eight or section fifty-six A of chapter two hundred and fifteen, for service in a confidential capacity under section seven of chapter thirty in the executive department, or in the department of the state secretary, the state treasurer, the state auditor or the attorney general, for contractual service, or service as a non-employee, rendered to the general court, for service as a physician, or as a member of a medical panel or similar board under this chapter, aggregating not more than thirty days in any year, or for emergency service for a period not to exceed one year in any position after certification that an emergency exists, that a vacancy exists, and that no person having the same or similar skill is available for such position, which certification shall, in each instance, be made by the appointing authority and, if the position is subject to the civil service laws, by the director of civil service, and, in the case of a state employee, by the director of personnel and standardization, in the case of a county employee, by the board of county commissioners, in the case of a city employee, by the city manager in a city having a Plan D or Plan E charter and by the mayor in any other city, and in the case of a town employee, by the board of selectmen; provided, that there shall be deducted from the compensation for the services of any person employed in a confidential capacity or for emergency service other than service rendered in an emergency under section sixty-eight, sixty-nine or eighty-three, as aforesaid an amount equal to the retirement allowance or pension received by him.

Approved October 15, 1963.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, October 21, 1963.

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

DEAR MR. SECRETARY: — I, Endicott Peabody, 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 749 of the Acts of 1963 entitled "An Act Allowing Continued Employment after Age Seventy to Certain Skilled Persons whether or not they are Members of a Contributory Retirement System." and the enactment of which received my approval on October 15, 1963, 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 effective date of this act would defeat its purpose, inasmuch as a number of skilled persons are approaching retirement age and qualified replacements are not available at this time. It would seem a sufficient emergency exists that this act become effective at once.

Respectfully submitted,
ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, October 21, 1963.

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 forty-nine of the acts of nineteen hundred and sixty-three.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 750. AN ACT PROVIDING A DEDUCTION UNDER THE STATE INCOME TAX LAW FOR CERTAIN CHILDREN WHO ARE STUDENTS AT EDUCATIONAL INSTITUTIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 6 of chapter 62 of the General Laws is hereby amended by striking out clause (*h*), as most recently amended by section 1 of chapter 510 of the acts of 1958, and inserting in place thereof the following clause: —

(*h*) The sum of five hundred dollars for a spouse who was not the dependent of another taxpayer and whose income from all sources did not exceed two thousand dollars during the year and the sum of four hundred dollars for each dependent.

For the purposes of this chapter, the determination of whether the taxpayer is married shall be made as of the close of the year; except that if his spouse dies during the year such determination shall be made as of the time of such death. An individual legally separated from his spouse under a decree of divorce or of separate maintenance shall not be considered as married.

For the purposes of this clause, the term "dependent" shall mean any of the following individuals who received over half of his support for the year from the taxpayer: —

(1) a son, stepson, daughter or stepdaughter of the taxpayer who had not attained the age of nineteen at the close of the year or who had attained the age of nineteen and was at the close of the year incapable of self-support because of physical or mental disability or who had attained the age of nineteen and was for at least five calendar months during the year either a full-time student at an educational institution or was pursuing a full-time course of institutional or farm training under the supervision of an accredited agent of an educational institution or of a state or political subdivision of a state.

(2) an individual who, for the year, had as his principal place of abode the home of the taxpayer and was a member of the taxpayer's household or who for the year received institutional care required by reason of physical or mental disability and before receiving such institutional care was a member of the same household as the taxpayer.

(3) a parent of the taxpayer.

The aforesaid deduction for each dependent shall not be allowed to both husband and wife, but may be allowed to either as they shall mutually agree, or shall be prorated between them in proportion to the net income of each from professions, employment, trade or business in excess of two thousand dollars.

For the purposes of this clause, the term "educational institution" shall mean an educational institution which maintains a regular faculty and curriculum and has a regularly organized body of students in attendance at the place where its educational activities are carried on.

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

Approved October 15, 1963.

Chap. 751. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO PAY DAMAGES TO JOHN D. CAMMARATA AND FANNIE CAMMARATA FOR CERTAIN LAND TAKEN BY SAID DEPARTMENT.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation of the commonwealth, the department of public works is hereby authorized and directed to certify for payment, and the state treasurer is authorized and directed to pay, to John D. Cammarata and Fannie Cammarata, or to any person or persons claiming through them, the sum of six hundred dollars as damages for the taking by said department of a parcel of land on Sargent street in the city of Revere, described as Parcel 3–167 in Lay-Out 4438 in an Order of Taking dated April tenth, nineteen hundred and fifty-six, which parcel was sold to said John D. Cammarata and Fannie Cammarata by the city of Revere on December eighteenth, nineteen hundred and thirty-nine, the deed for which the treasurer of said city failed to record in the Suffolk Registry of Deeds within sixty days of sale, as provided by law; provided, however, that said city files with said department a waiver of any right it may have to damages as a result of said taking.

SECTION 2. This act shall take effect upon its acceptance by the city of Revere.

Approved October 15, 1963.

Chap. 752. AN ACT AUTHORIZING THE CITY OF BOSTON TO BORROW MONEY OUTSIDE ITS DEBT LIMIT FOR REMODELING, RECONSTRUCTING AND MAKING EXTRAORDINARY IMPROVEMENTS AND REPAIRS TO BUILDINGS OWNED BY SAID CITY AND IN THE CUSTODY OF THE BOARD OF TRUSTEES IN CHARGE OF ITS HOSPITAL DEPARTMENT.

Be it enacted, etc., as follows:

The city of Boston, by a two-thirds vote, as defined in section one of chapter forty-four of the General Laws, may borrow from time to time

such sums as may be necessary, not exceeding, in the aggregate, five million dollars, for remodeling, reconstructing or making extraordinary improvements or repairs to buildings owned by said city and in the custody of the board of trustees in charge of its hospital department. Such bonds or notes shall bear on their face the words, City of Boston, Extraordinary Repairs Loan, Acts of 1963. Each authorized issue shall constitute a separate loan and shall be paid in not more than ten years from the date of issue. Debt incurred from time to time under this act shall not be included in determining the limit of indebtedness of said city as established by law, but shall, except as herein provided, be subject to the provisions, applicable to said city, of chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof. *Approved October 15, 1963.*

Chap. 753. AN ACT INCREASING THE TRAVEL EXPENSES ALLOWED TO POLICE OFFICERS IN CERTAIN CASES FROM SIX TO EIGHT CENTS PER MILE.

Be it enacted, etc., as follows:

Chapter 262 of the General Laws is hereby amended by striking out section 53A, as most recently amended by chapter 217 of the acts of 1961, and inserting in place thereof the following section: — *Section 53A.* Any police officer named in section fifty and section fifty-three who attends as a witness at a place other than his residence in a criminal case pending in a district court, including the municipal court of the city of Boston, or in the superior court shall be paid eight cents a mile for travel out and home for each day's attendance, except that travel allowance shall not be allowed when such travel is made in municipally-owned vehicles. Each officer shall certify in writing the amount of his travel and attendance. Such payments shall be in addition to his other expenses necessarily and actually incurred as provided for in section fifty and shall be paid in the same manner as such expenses are required to be paid by section fifty. *Approved October 15, 1963.*

Chap. 754. AN ACT AUTHORIZING THE CITY OF FALL RIVER TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Fall River 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 nine thousand two hundred ninety-two dollars and sixty-one cents, as set forth in the list on file in the office of the director of accounts in the department of corporations and taxation, as are legally unenforceable against said city, by reason of their being incurred in excess of available appropriations, and as are certified for payment by the following departments wherein the bills were contracted; provided, that the money so appropriated to pay such bills shall be raised by taxation or made available from unappropriated surplus funds of the city: public works department, five thousand one

hundred seven dollars and eighty-three cents; health department, three thousand seven hundred sixty-seven dollars and ninety-seven cents; hospital department, two hundred and eighty-five dollars; and school department, one hundred thirty-one dollars and eighty-one cents.

SECTION 2. No bill shall be approved by the auditor of said city for payment or paid by the treasurer thereof under the authority of this act unless and until certificates have been signed and filed with said city auditor, stating under the penalties of perjury that the goods, materials or services for which said bills have been submitted were ordered by an official or an employee of said city, and that such goods and materials were delivered to and actually received by said city or that such services were rendered to said city, or both.

SECTION 3. Any person who knowingly files a certificate required by section two, which is false and who thereby receives payment for goods, materials, or services which were not received by or rendered to said city, shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both.

SECTION 4. This act shall take effect upon its acceptance by the city of Fall River during the current year. *Approved October 15, 1963.*

Chap. 755. AN ACT INCREASING THE SALARIES OF THE JUSTICES OF THE SUPREME JUDICIAL COURT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 211 of the General Laws is hereby amended by striking out section 22, as most recently amended by section 1 of chapter 733 of the acts of 1955, and inserting in place thereof the following section: — *Section 22.* The chief justice of the court shall receive a salary of twenty-eight thousand dollars and each associate justice a salary of twenty-seven thousand dollars, and the chief justice and each associate justice shall annually receive from the commonwealth, upon certificate of the chief justice, the amount of the expenses incurred by them in the discharge of their duties. 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 1A. Section 3A of said chapter 211 is hereby amended by striking out the second sentence, as appearing in section 2 of chapter 707 of the acts of 1956, and inserting in place thereof the following sentence: — Said executive secretary shall be a member of the Massachusetts bar and his compensation shall be at the rate of eighteen thousand dollars per annum and shall be paid by the commonwealth.

SECTION 2. Notwithstanding the provisions of section twenty-two of chapter two hundred and eleven of the General Laws as amended by section one of this act, any person appointed to the office of chief justice or associate justice of the supreme judicial court between the effective date of this act and January fifth, nineteen hundred and sixty-five, both dates inclusive, shall receive the salary provided by section twenty-two of said chapter two hundred and eleven, as in effect immediately prior to said effective date.

SECTION 3. Section four of chapter seven hundred and thirty-three of the acts of nineteen hundred and fifty-five is hereby repealed.

Approved October 15, 1963.

Chap. 756. AN ACT INCREASING THE SALARIES OF THE JUDGES OF PROBATE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 217 of the General Laws is hereby amended by striking out section 34, as most recently amended by section 1 of chapter 736 of the acts of 1960, and inserting in place thereof the following section: — *Section 34.* The salaries of all judges of probate shall be paid by the commonwealth and are hereby established as follows:

COUNTY.	Salaries.
Suffolk	$21,000
Middlesex	21,000
Norfolk	21,000
Worcester	20,000
Essex	20,000
Hampden	19,000
Bristol	19,000
Barnstable	17,000
Berkshire	17,000
Franklin	17,000
Hampshire	17,000
Plymouth	17,000
Dukes	7,500
Nantucket	7,500

SECTION 1A. Said chapter 217 is hereby further amended by striking out section 6, as amended by chapter 97 of the acts of 1960, and inserting in place thereof the following section: — *Section 6.* No judge of probate shall be interested in, or benefited by, the fees or emoluments which may arise in any matter pending before any probate court or court of insolvency of this commonwealth, or which may arise in any suit or action pending in any court of this commonwealth where the subject matter or cause of action is founded upon or derived from proceedings begun in any of the probate courts or courts of insolvency nor shall he, except as otherwise provided, be appointed or act as executor, administrator, guardian, conservator, trustee under a will, commissioner, appraiser or assignee of or upon an estate within the jurisdiction of any probate court; nor shall he be interested in the fees or emoluments arising from any of said trusts. Judges of probate, except the judges for Dukes and Nantucket counties, shall devote their entire time during ordinary business hours to their duties and shall not, directly or indirectly, engage in the practice of law. The judges of probate of Dukes and Nantucket counties shall not be retained or employed or act as counsel or attorney, either in or out of court, in any suit or matter which may depend on or in any way relate to a decision, warrant, order or decree made or passed by any probate court or court of insolvency; nor for or against an executor, administrator, guardian, conservator or trustee under a will appointed within the jurisdiction of any probate court, in any action or suit brought by or against the executor, administrator, guardian, conservator or trustee under a will as such; nor in any action or suit relating to the official conduct of such a party; nor for or against a

creditor, or debtor or assignee, in a cause or matter arising out of or connected with any proceedings before any probate court or court of insolvency; nor in an appeal in such cause or matter; provided, that nothing in this section shall otherwise prohibit the practice of law by the judges of probate of Dukes and Nantucket counties.

SECTION 1B. Said chapter 217 is hereby further amended by striking out section 3, as most recently amended by chapter 517 of the acts of 1951, and inserting in place thereof the following section: — *Section 3.* There shall be a special judge of probate and insolvency in the county of Hampshire, who may perform the duties of the judge of probate in said county, in cases of vacancy in office, sickness, disability on account of interest of such judge, or whenever the judge in a writing filed with the register requests the special judge to perform his duties; or, in case of the absence of the judge from the county, whenever the register, in a writing certifying such absence, shall so request. The register shall certify upon the records of the court the number of days, the dates upon which, and the occasions for which, the duties of the judge are performed by the special judge; and when the occasion is that of sickness, absence from the county, interest or other legal disqualification, or vacancy in office, he shall certify the same to the comptroller. Said special judge of probate and insolvency may act as a special judge of probate and insolvency in the counties of Hampden, Berkshire and Franklin as well as in Hampshire county, and his compensation while acting as such shall, for each day's services, be at the rate by the day of the salary of the judge of probate and insolvency in the county in which he so acts, to be paid by the commonwealth. In computing such rate by the day Saturdays, Sundays and legal holidays shall be excluded.

SECTION 1C. Section 35A of said chapter 217, as most recently amended by section 2 of chapter 736 of the acts of 1960, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence: — The salaries of the registers of probate in the counties of Dukes and Nantucket shall be six thousand and seventy-five dollars.

SECTION 2. Notwithstanding the provisions of section thirty-four of chapter two hundred and seventeen of the General Laws as amended by section one of this act, any person appointed to the office of judge of probate between the effective date of this act and January fifth, nineteen hundred and sixty-five, both dates inclusive, shall receive the salary provided by section thirty-four of said chapter two hundred and seventeen, as in effect immediately prior to said effective date.

Approved October 15, 1963.

Chap. 757. AN ACT AUTHORIZING THE TRUSTEES OF THE BRISTOL COUNTY HOSPITAL TO BORROW MONEY TO REMODEL, RENOVATE AND ALTER SAID HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. The trustees of the Bristol county hospital are hereby authorized to expend a sum, not exceeding one hundred thousand dollars, to remodel, renovate and alter said hospital.

SECTION 2. For the purposes aforesaid, the treasurer of said county, with the approval of said trustees, may borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, one hundred thousand dollars, and may issue notes of the county therefor, which shall bear on their face the words, Bristol County Hospital Loan, Act of 1963, and such notes shall be payable in not more than five years from their dates. Such notes shall be signed by the treasurer of the county and countersigned by a majority of said trustees. Said securities may be sold at public or private sale upon such terms and conditions as said trustees may deem proper, but not for less than their par value. All money so borrowed shall be deposited in the county treasury and the county treasurer shall pay out the same as ordered by said trustees. The county treasurer shall keep a separate account of all money so borrowed and expended. Indebtedness under this act shall, except as hereinafter provided, be subject to chapter thirty-five of the General Laws. All sums necessary to meet interest payments on notes issued under this act and payments on account of principal as the same mature shall be assessed upon the towns and cities constituting the hospital district, with other assessments made under section eighty-five of chapter one hundred and eleven of the General Laws.

SECTION 3. The treasurer of said county, with the approval of said trustees, may issue temporary notes of the county, payable in not more than one year from their dates, in anticipation of the issue of notes under section two of this act, and may renew the same; but the time within which such notes shall become due and payable shall not, by reason of such temporary notes, be extended beyond the time fixed by said section two. Any notes issued under this section in anticipation of the notes issued under section two shall be paid from the proceeds thereof.

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

Approved October 16, 1963.

Chap. 758. AN ACT PROVIDING FOR THE ANNUAL LICENSING OF NURSING AND CONVALESCENT HOMES.

Be it enacted, etc., as follows:

Section 71 of chapter 111 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 1 of chapter 545 of the acts of 1957, and inserting in place thereof the following sentence: — The department shall issue for a term of two years, and may renew for like terms, a license, subject to revocation by it for cause, to any person whom it deems responsible and suitable to establish or maintain a hospital, sanatorium, infirmary maintained in a town, or rest home which meets the requirements of the department established in accordance with its rules and regulations, and shall issue for a term of one year, and may renew for a like term, a license subject to revocation by it for cause, to any responsible and suitable person to establish or maintain a convalescent or nursing home which meets such requirements.

Approved October 16, 1963.

Chap. 759. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF ESSEX COUNTY TO REIMBURSE THE PARENT OR LEGAL GUARDIAN OF DONALD OLDAKOWSKI, A MINOR, FOR CERTAIN EXPENSES INCURRED BY HIM.

Be it enacted, etc., as follows:

The county commissioners of Essex county are hereby authorized to pay to the parent or legal guardian of Donald Oldakowski, a minor, such sum, not to exceed fifteen hundred dollars, as is necessary to reimburse him for hospital, medical and surgical expenses incurred by him as a result of injuries sustained by said Donald Oldakowski in the year nineteen hundred and sixty-two during a football game in which he participated as a member of the football team of the Essex agricultural and technical institute. *Approved October 16, 1963.*

Chap. 760. AN ACT AUTHORIZING THE ISSUANCE OF CERTAIN LIABILITY INSURANCE POLICIES TO CERTAIN ORGANIZATIONS.

Be it enacted, etc., as follows:

Chapter 175 of the General Laws is hereby amended by inserting after section 111D the following section: —

Section 111E. With the prior written approval of the commissioner of insurance, a group liability insurance policy may be issued by a company affording professional liability coverage for bodily injury and property damage including wanton and reckless assault and battery, but excluding wilful or intentional assault and battery; provided, such policy insures the members of an association formed under the authority of chapter one hundred and eighty consisting of at least twenty-five thousand members of whom not less than seventy-five per cent are insured thereunder. *Approved October 16, 1963.*

Chap. 761. AN ACT INCREASING THE AMOUNT OF THE DEATH BENEFIT PAYABLE UNDER THE STATE-BOSTON RETIREMENT SYSTEM TO THE WIDOW OF JAMES B. O'LEARY 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 James B. O'Leary, who died on August second, nineteen hundred and sixty-three, as a result of injuries sustained when shot on August first in said year 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 which would have been payable to said James B. O'Leary had he continued in service as a police officer of the city of Boston at the grade held by him at the time of his death.

SECTION 2. This act shall take effect upon its acceptance by the city of Boston. *Approved October 16, 1963.*

Chap. 762. AN ACT PROVIDING THAT EACH DAY OF VIOLATION BY A CONVALESCENT OR NURSING HOME OF CERTAIN RULES AND REGULATIONS OF THE DEPARTMENT OF PUBLIC HEALTH CONSTITUTE A SEPARATE OFFENSE.

Be it enacted, etc., as follows:

Section 73 of chapter 111 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 2 of chapter 730 of the acts of 1963, and inserting in place thereof the following three sentences: — Whoever establishes or maintains, or is concerned in establishing or maintaining, a hospital, sanatorium, convalescent or nursing home, infirmary maintained in a town, or a rest home or is engaged in any such business, without a license granted under section seventy-one, or whoever being licensed under said section violates any provision of sections seventy-one to seventy-three, inclusive, shall for a first offense be punished by a fine of not more than five hundred dollars, and for a subsequent offense by a fine of not more than one thousand dollars or by imprisonment for not more than two years. Whoever violates any rule or regulation made under section seventy-two or seventy-two C shall be punished by such fine, not to exceed fifty dollars, as the department may establish. If any person violates any such rule or regulation by allowing a condition to exist which may be corrected or remedied, the department shall order him in writing to correct or remedy such condition, and if such person fails or refuses to comply with such order, each day during which such failure or refusal to comply continues shall constitute a separate offense.

Approved October 17, 1963.

Chap. 763. AN ACT PROVIDING A PROGRAM FOR THE TREATMENT AND REHABILITATION OF DRUG ADDICTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 17 of the General Laws is hereby amended by adding at the end, under the caption DRUG ADDICTION REHABILITATION BOARD, the following section: —

Section 12. There shall be in the department, but in no manner subject to its control, a drug addiction rehabilitation board, hereinafter called the board, consisting of the commissioners of public health, mental health, and correction. The commissioner of public health shall serve as chairman of said board.

The board shall establish a program for the treatment and rehabilitation of drug addicts, shall co-ordinate the services and activities of other agencies of the commonwealth and of its political subdivisions in the treatment and rehabilitation of drug addicts, and shall co-operate with agencies of the federal government in developing and co-ordinating such program.

The board shall appoint an administrator of the drug addiction program, who shall serve at the pleasure of the board. Said administrator shall serve as the executive secretary of the board, shall attend all meetings of the board, and shall, under the supervision of the board, administer the program, and shall plan, stimulate, support and develop educational and research programs on the causes of drug addiction, and

on its prevention, control and diagnosis, and on the treatment and rehabilitation of drug addicts. The administrator shall receive a salary of fourteen thousand dollars. The board may employ, subject to the provisions of chapter thirty-one, such additional personnel as the administrator may recommend and as may be necessary to carry out its program.

The board shall make an annual report and shall file the same with the state secretary.

SECTION 2. The General Laws are hereby amended by inserting after chapter 111 the following new chapter: —

CHAPTER 111A.

DRUG ADDICTION REHABILITATION.

Section 1. The following words as used in this chapter shall, unless the context requires otherwise, have the following meanings: —

"Administrator", the administrator of the drug addiction program.

"Board", the drug addiction rehabilitation board established under section twelve of chapter seventeen.

"Drug addict", a person who is so dependent upon narcotic drugs that he loses his powers of self control and is thereby a danger to himself and to the public.

"Narcotic drug", as defined in section one hundred and ninety-seven of chapter ninety-four.

"Rehabilitation center", a state drug addiction rehabilitation center.

Section 2. The drug addiction rehabilitation board shall establish or provide for the establishment of a state drug addiction rehabilitation center for the treatment, custody, control and rehabilitation of drug addicts, which shall be under the supervision of a director who shall be a physician who is qualified and experienced in the treatment and rehabilitation of drug addicts.

The center may be located in an institution under the general supervision of the department of mental health, the department of public health, except the Tewksbury hospital, or of the commissioner of correction and it shall be operated and staffed as a part of said institution, except that the professional staff shall also be approved for appointment by the board. The board may, however, if it deems it advisable, provide for the establishment of such center in a hospital or institution not within any of the above departments. In such case, the board is authorized to contract annually with a hospital or other institution of a public nature or a non-profit corporation to provide the facilities and services necessary for such a center.

The director of the center and his staff shall co-operate with the administrator and make such records available to him as he shall request. The director of the center shall make an annual report of the activities of the center to the administrator in such form and manner as the administrator may indicate.

The commitment procedures authorized under this chapter shall not become operative until such time as a rehabilitation center is established and in operation to the satisfaction of the board. All existing procedures established for the commitment or admission of drug addicts to hospitals shall remain in full force and effect, and, after the establishment of the center, the courts may utilize such other existing commit-

ment procedures in cases where it is deemed advisable or when because of the lack of facilities at the center hospitalization of such person is not possible therein.

After the establishment of a rehabilitation center, the board may establish or provide for the establishment of such additional centers as it may deem necessary, and may transfer patients from one rehabilitation center to another if it is deemed advisable.

The board may establish or provide for the establishment of facilities for outpatient treatment, including voluntary treatment, of drug addicts at a rehabilitation center or elsewhere. The board may establish regulations relative to eligibility for outpatient treatment and relative to other aspects of its program.

Section 3. The board of health of any city or town, or any member thereof, or any two physicians licensed to practice medicine in the commonwealth, or the commissioners of public health or mental health or their agent, may petition the board for the commitment and rehabilitation of any person who is a drug addict.

On receipt of such petition, the board or its agent shall make an investigation, and, if indicated, shall have a qualified physician make a physical and psychiatric examination of such person to determine whether or not he is a drug addict who would benefit by treatment at a rehabilitation center. If the examining physician finds and reports that the person is a drug addict and would so benefit, the board shall, if facilities are available at a rehabilitation center, file a petition in the district court for the commitment of such person under section four. The report of the examining physician shall accompany such petition and shall be considered a part thereof. If, however, such person refuses to submit to such examination, the board may, if it has reasonable grounds to suspect him of being a drug addict, order him to be hospitalized immediately at a rehabilitation center for an observational period not to exceed fifteen days.

If the examining physician finds and reports to the board that the person is a drug addict and in need of immediate hospitalization for his health and safety, the board may order such person hospitalized immediately at a rehabilitation center for an emergency observational period not to exceed fifteen days. The report of the examining physician shall accompany the order for hospitalization.

The board may call upon the police department of the city or town where the person is present or the state police or other authorities to provide transportation to a rehabilitation center indicated by the board.

If a person is sent to a rehabilitation center for observation or emergency observation under this section, the director of said center shall, during such period or at the expiration of the fifteen days either release the person or, having completed the physical and psychiatric examination and observation of such person, file a petition in the district court for the commitment of such person under section four.

Section 4. A justice of a district court may commit to a rehabilitation center any person found to be a drug addict who resides or is present within the territorial jurisdiction of the court and concerning whom a petition is filed in accordance with the requirements of section three.

The procedure for commitment shall be as follows: —

(1) If the petition for commitment is filed by the board, the district court justice shall examine the petition and the accompanying report of

the examining physician and, if they are in order, shall appoint two other physicians experienced in the field of drug addiction to examine such person and report to the court whether or not such person is a drug addict and if so whether he would benefit by treatment at a rehabilitation center. Neither of the appointed physicians shall be on the staff of a rehabilitation center.

The court shall give the person notice of his right to a hearing on the matter of his commitment. If such person requests a hearing, the justice shall allow him a reasonable time to prepare his case; if he does not request a hearing, the justice may order his commitment on the basis of the physicians' reports.

If the justice finds that the person is a drug addict and would benefit by treatment and rehabilitation at a rehabilitation center, he shall order him committed to the care and custody of such center; provided, however, that he shall first consult with the board relative to the availability of facilities for such person as a patient in such center, and shall not commit the person to a center unless the board indicates that the center can accommodate him. If the person cannot be accommodated in such center, the justice may commit him to other available and appropriate psychiatric facilities in the department of mental health under applicable provisions of chapter one hundred and twenty-three.

A person ordered committed to a rehabilitation center under this section shall be under order of commitment to the care and custody of the center for a period of two years. However, a justice of said court may extend the commitment for one additional year if the director of the center certifies to the court that the person is not recovered and is still in need of care, supervision and control. When the person is ordered committed to a rehabilitation center, he shall be transported thereto by court order and shall be hospitalized in such center for care and custody until such time, during the two-year period, as the director of the center considers necessary. The director may release such person from full-time care and custody to day or night care or to outpatient treatment under the supervision of the center whenever he deems it necessary in the interest of the person. All such day or night care or outpatient treatment shall be under the commitment order and under such conditions as the director of the center may impose in regard to personal conduct, place of residence, periodic visits for treatment and consultation and other matters. Any breach of these conditions shall be grounds for immediate rehospitalization of such person under the commitment order. The police department of the city or town where the person is located or the state police or other authorities shall when requested by the director of the center apprehend and return such person to the center, if he does not return voluntarily. An additional condition of release of such person on day or night care or outpatient treatment may be that the person submit to periodic tests, at the center or by persons designated by the director, to determine, by means of a drug anti-narcotic in action or otherwise, whether or not the person is free of the use of narcotic drugs.

(2) If the petition for commitment is filed by the director of the rehabilitation center where the person was hospitalized for observation or for emergency care, the justice shall give notice to the person of his right to a hearing on the matter of his commitment. If a hearing is requested by such person, it shall be granted and the medical examination and commitment procedure shall be conducted in accordance with

the provisions of this section. If a hearing is not requested, the justice may, on the basis of said petition and on such other evidence as he may require, order the person committed without further hearing or examination.

Section 5. At any time during the two-year period or any extension thereof the director of the rehabilitation center may report to the district court that a patient committed under section four has recovered and is no longer in need of commitment. The court shall then dismiss the commitment order, and the patient shall be removed from the care and custody of the rehabilitation center.

Section 6. Any defendant under arrest on a criminal charge before any court who, while in custody, shows symptoms of being a drug addict, or states that he is a drug addict, or any defendant who is charged with a violation of any law involving the illegal use or sale of narcotic drugs or the illegal possession of narcotic drugs or hypodermic syringe, needle or other instruments adapted for such use, and who either requests or does not object to a medical examination to determine if he is a drug addict, shall be given such examination upon order of the court. A defendant in any crime involving narcotic drugs shall, upon being brought before the court on such charges, be informed of his right to request such examination; provided, however, that such defendant must request the examination within five days of being so informed and while still in continuous custody. If such defendant is placed on bail or otherwise released from custody he shall not be allowed such examination unless he furnishes the court a good and sufficient reason why such request was not timely made, nor shall he be allowed such examination if while out of custody he took drugs to defraud the court into finding him a drug addict.

Medical examination of such a defendant may be conducted by a physician appointed by the court while the defendant is in custody or it may be conducted in a facility of the department of mental health or at a rehabilitation center. Such examination shall not take place at a rehabilitation center unless the director of the center indicates to the court that facilities are available for such defendant. An examination ordered by the court shall be conducted with all reasonable speed, not to exceed ten days from the time of such order. During said period, the criminal proceedings shall be delayed. In no event shall the defendant's request for such examination or any statement made by him to the physician conducting such examination, or any findings of such physician be used against the defendant in any criminal proceedings.

If the physician conducting the examination reports that the defendant is not a drug addict, the criminal proceedings shall continue; if, however, the physician reports that the defendant is a drug addict and that he would benefit by treatment at a rehabilitation center, the defendant may request the court to commit him to such center for the period and under the conditions specified in section four and, if the defendant has not previously been convicted of a crime other than a traffic violation the court may, subject to the other limitations imposed by section seven, so commit him, and the criminal charges against him shall be placed on file pending his completion of the program of rehabilitation under such commitment. In all other cases, the defendant shall not be considered for such commitment unless and until he is convicted on such charges, at which time the court may, subject to the limitations

imposed by said section seven, so commit him to a rehabilitation center. Before committing any defendant under this section, the court shall consult the board relative to the availability of facilities for the defendant as a patient and shall not commit any defendant to a rehabilitation center unless the board indicates to the court that facilities are available at such center.

Each defendant committed under this section shall be under order of commitment to the care and custody of the rehabilitation center for a period of two years, and, if a request is made to such court for an extension, the court may extend the commitment for an additional year. However, the defendant may be placed on day or night care or outpatient treatment by the director of the center as in the case of any other patient of the center. If at any time during his commitment a defendant does not co-operate with the center, or does not make an adequate effort to rehabilitate himself or to conduct himself in accordance with the orders and conditions of his commitment, the director of the center may order him returned to the court to be held on the criminal charges. The police department of the city or town where the defendant is located or the state police shall, when requested by the director of the center or by the board, apprehend and return such defendant to the court in which the charges against him are pending.

At the end of the commitment period, the board shall report to the court on whether the defendant completed the program of rehabilitation and whether he co-operated with the center and obeyed the orders and conditions imposed on him during his commitment. The court shall thereupon dispose of the criminal charges and, in so doing, may consider the report of the board.

Section 7. The court shall not entertain a request for the commitment of a defendant on a criminal charge who is a drug addict nor commit such defendant under section six, if he was previously committed to a rehabilitation center on three or more occasions arising out of three separate criminal arrests; or was convicted on two or more occasions of a felony, or he is charged with any crime allegedly committed while on bail pending trial on a felony; or if the amount of drugs alleged in the charges pending against the defendant is so substantially greater than would be necessary to supply the defendant's own narcotic habit that he appears to be primarily involved in illegally trafficking in drugs for profit rather than seeking money solely to help support his own narcotic habit; or if the court is of the opinion that it is not in the interest of justice to so commit the defendant.

Section 8. Any district or superior court justice may in placing a defendant on probation impose as a condition of probation that the defendant be committed to the care and custody of a rehabilitation center for such period and under such conditions as the court may impose; provided, however, that said justice shall not impose such conditions of probation unless he consults with the board relative to the availability of facilities for the defendant in a rehabilitation center or for outpatient treatment under supervision of the director of a center, and the board indicates that such facilities are available for said defendant. The conditions for care and custody of said probationer by the rehabilitation center shall be agreed upon between the court and the board before such commitment as a condition of probation shall be made. During any such commitment on probation, the defendant shall continue to be

under the supervision of the probation department of such court. The probation department and the director of the center shall co-operate and exchange necessary information in order to provide the most effective use of this method of rehabilitation. If at any time during the commitment the defendant does not co-operate with the center or the probation department, or does not make an adequate effort to rehabilitate himself or to conduct himself in accordance with the order or conditions of his commitment or probation, the director of the rehabilitation center or the probation department may make a report thereon to the court which placed him on probation, and such conduct may be considered by a justice of said court as a breach of probation.

Section 9. The facilities of the state drug addiction rehabilitation program shall be available to persons on parole from a criminal sentence. Parolees shall be eligible for commitment to a rehabilitation center or for voluntary outpatient care under this chapter. Treatment and supervision at such center may be made a condition of parole. Such conditions may include administration of periodic tests to determine by means of a drug anti-narcotic in action or otherwise whether or not the parolee is free of the use of narcotic drugs.

Section 10. The board may make regulations relating to the form and content of the petition made to it under section three for the commitment and rehabilitation of a drug addict, and relating to the operation and management of rehabilitation centers, including day or night care, and such other regulations as may be necessary to carry out its drug addiction program, and the provisions of this chapter.

Approved October 17, 1963.

Chap. 764. AN ACT RELATING TO THE FALL RIVER STATE PIER LEASE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to permit forthwith the department of public works to amend and extend a lease of the state pier in the city of Fall River, or to enter into a new lease of said pier, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The department of public works, on behalf of the commonwealth, may amend and extend the lease now in effect with the Fall River Line Pier, Inc., or enter into a new lease with said corporation so as to provide for the reduction of the payments to the commonwealth and the extension of such payments over a longer period of time, notwithstanding the provisions of section four of chapter six hundred and sixty-five of the acts of nineteen hundred and forty-five; provided, however, that the terms of any such amendment, extension or new lease shall provide (1) for an annual audit of the books of the lessee by the state auditor, (2) for the approval by the department of any salaries to be paid and other expenses incurred by the lessee that are to be met from income derived either directly or indirectly from the leased facilities, (3) that no net profits may be retained by the lessee, (4) that the lessee maintain the leased facilities at all times in a condition satisfactory to the department, and (5) for the termination of the lease at any time upon twelve-months notice by the department for failure to comply with the terms of the lease.

Approved October 22, 1963.

Chap. 765. AN ACT AUTHORIZING MARRIED WOMEN TO CONTRACT WITH THEIR HUSBANDS AND PERMITTING HUSBANDS AND WIVES TO SUE EACH OTHER IN CONNECTION WITH SUCH CONTRACTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 209 of the General Laws is hereby amended by striking out section 2, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 2.* A married woman may make contracts, oral and written, sealed and unsealed, in the same manner as if she were sole, and may make such contracts with her husband.

SECTION 2. Said chapter 209 is hereby further amended by striking out section 6, as so appearing, and inserting in place thereof the following section: — *Section 6.* A married woman may sue and be sued in the same manner as if she were sole; but this section shall not authorize suits between husband and wife except in connection with contracts entered into pursuant to the authority contained in section two.

SECTION 3. Section 20 of chapter 233 of the General Laws is hereby amended by striking out the second paragraph, as amended by section 3 of chapter 657 of the acts of 1951, and inserting in place thereof the following paragraph: —

First, Except in a proceeding arising out of or involving a contract made by a married woman with her husband and except in a proceeding under chapter two hundred and seventy-three A and in a prosecution begun under sections one to ten, inclusive, of chapter two hundred and seventy-three, neither husband nor wife shall testify as to private conversations with the other. *Approved October 22, 1963.*

Chap. 766. AN ACT INCREASING THE SALARIES OF COURT OFFICERS IN ATTENDANCE UPON THE SUPERIOR COURT IN SUFFOLK COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 221 of the General Laws is hereby amended by striking out section 73, as most recently amended by chapter 596 of the acts of 1961, and inserting in place thereof the following section: — *Section 73.* Each officer in attendance upon the supreme judicial court in the county of Suffolk shall receive in full for all services performed by him such salary as shall be fixed by the justices of the supreme judicial court, of which salary eight hundred and fifty dollars shall be paid by the commonwealth and the remainder by said county. The officer in attendance upon the land court in said county shall receive in full for all services performed by him such salary as shall be fixed by the judges of said court. Each officer in attendance upon the probate court in said county shall receive in full for all services performed by him such salary as shall be fixed by the judges of said court.

SECTION 2. Each officer in attendance upon the superior court in Suffolk county who is appointed under section seventy of chapter two hundred and twenty-one of the General Laws shall receive from said county in full for all services performed by him a salary of seven thousand six hundred and eleven dollars, except that such officer designated to act as chief deputy sheriff shall receive a salary of nine thousand and

nineteen dollars; the officer designated as assistant chief deputy sheriff shall receive a salary of eight thousand seven hundred and ninety-nine dollars; the officer in charge of jurors' assembly rooms shall receive a salary of eight thousand four hundred and sixty-nine dollars; the assistant to the officer in charge of the jurors' assembly rooms shall receive a salary of eight thousand three hundred and thirty-seven dollars; and the officer commissioned as deputy sheriff to supervise the work of other officers and perform other related matters in the disposition session of the criminal court shall receive a salary of eight thousand four hundred and sixty-nine dollars.

SECTION 3. This act shall take effect upon its acceptance by the city of Boston in the current year. *Approved October 22, 1963.*

Chap. 767. AN ACT INCREASING THE AMOUNT OF THE DEATH BENEFIT PAYABLE TO THE WIDOW OF EDWARD C. CALLAHAN WHO DIED OF INJURIES SUSTAINED IN LINE OF DUTY AS A POLICE OFFICER OF THE CITY OF MALDEN.

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 Edward C. Callahan, who died on September sixteenth, nineteen hundred and sixty-three as a result of injuries sustained when shot on September fourteenth in said year while in the performance of his duty as a police officer of the city of Malden 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 which would have been payable to said Edward C. Callahan had he continued in service as a police officer of the city of Malden at the grade held by him at the time of his death.

SECTION 2. This act shall take effect upon its acceptance by the city of Malden. *Approved October 22, 1963.*

Chap. 768. AN ACT INCREASING THE SALARY OF THE JUSTICE OF THE FOURTH DISTRICT COURT OF EASTERN MIDDLESEX AND PROVIDING THAT HE SHALL DEVOTE FULL TIME TO HIS JUDICIAL DUTIES.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 77A of chapter 218 of the General Laws is hereby amended by inserting after the line reading "third district court of eastern Middlesex", as appearing in section 1 of chapter 675 of the acts of 1958, the following line: — fourth district court of eastern Middlesex.

SECTION 2. Section 78 of said chapter 218 is hereby amended by striking out the second sentence, as appearing in section 2 of said chapter 675. *Approved October 25, 1963.*

Chap. 769. AN ACT PROVIDING FOR THE SUSPENSION OF CERTIFICATES OF REGISTRATION OF MOTOR VEHICLES OWNED BY CORPORATIONS WHEN CERTAIN JUDGMENTS FOR PROPERTY DAMAGE AGAINST SUCH CORPORATIONS ARE NOT SATISFIED.

Be it enacted, etc., as follows:

The first paragraph of section 22A of chapter 90 of the General Laws, as appearing in section 1 of chapter 304 of the acts of 1932, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The registrar, if he is satisfied by such evidence as he may require that the defendant in an action brought in the commonwealth to recover damages for injury to property arising out of the use, operation or maintenance on the ways of the commonwealth of a motor vehicle or trailer has failed, for sixty days after the rendition thereof, to satisfy in full a judgment against him in such action, shall suspend any license to operate motor vehicles issued to him under this chapter, or his right to operate such vehicles or, if the defendant is a corporation, shall suspend all certificates of registration issued to it under this chapter; and the registrar shall not terminate any such suspension, or renew or issue any such license to any such person, or renew or issue such certificates of registration to such corporation, until he is satisfied as aforesaid that said judgment has been fully satisfied or that the judgment creditor has released or discharged the judgment debt.

Approved October 28, 1963.

Chap. 770. AN ACT AUTHORIZING THE CITY OF PITTSFIELD TO GRANT RIGHTS AND EASEMENTS IN AND UPON CERTAIN LAND HELD BY SAID CITY FOR PARK PURPOSES TO THE ROMAN CATHOLIC BISHOP OF SPRINGFIELD, A CORPORATION SOLE.

Be it enacted, etc., as follows:

SECTION 1. The city of Pittsfield is hereby authorized to grant to the Roman Catholic Bishop of Springfield, a corporation sole, upon such terms and conditions and subject to such restrictions as the city council of said city shall determine, rights and easements in and upon a certain parcel of land in said city held by said city for park purposes and bounded and described as follows: —

Beginning at a point where the northerly line of the extension westerly of Columbus Avenue intersects the easterly line of land conveyed to the Roman Catholic Bishop of Springfield, a corporation sole, by The Berkshire County Society for the Care of Crippled and Deformed Children by deed dated December 11, 1961 and recorded in the Berkshire Middle District Registry of Deeds in Book 736, Page 361 et seq.; thence easterly along the northerly line of Columbus Avenue and of the extension westerly of Columbus Avenue a distance of four hundred forty six (446) feet, more or less, to the southeasterly corner of land of the city of Pittsfield, being also the southwesterly corner of land conveyed by Mary G. Colt by Trustee to Gotthart Taubert by deed dated January 7, 1927 and recorded in said Registry of Deeds in Book 433, Page 144, which point is approximately two hundred sixty-four (264) feet westerly from the westerly line of Onota Street; thence northerly along the westerly line of said land so conveyed to said Taubert a dis-

tance of ninety (90) feet to a point; thence northwesterly in a straight line a distance of four hundred sixty (460) feet, more or less, to the northeasterly corner of said land conveyed to the Roman Catholic Bishop of Springfield, a corporation sole, by said deed of The Berkshire County Society for the Care of Crippled and Deformed Children; thence southerly along the easterly line of said land so conveyed to the Roman Catholic Bishop of Springfield, a corporation sole, a distance of two hundred nineteen (219) feet, more or less, to the place of beginning. Being the southerly portion of the premises conveyed to the city of Pittsfield by The Agricultural National Bank of Pittsfield by deed dated September 22, 1941 and recorded in said Registry of Deeds in Book 506, Page 235 et seq.

SECTION 2. This act shall take effect upon its acceptance by the city of Pittsfield. *Approved October 28, 1963.*

Chap. 771. AN ACT REVIVING THE EPICUREAN CLUB OF BOSTON AND VICINITY.

Be it enacted, etc., as follows:

The Epicurean Club of Boston and Vicinity, a non-profit corporation dissolved on December twelfth, nineteen hundred and fifty-one, by decree of the supreme judicial court, is hereby revived with the same powers, duties and obligations as if said decree had not been entered, and all acts and proceedings of the members, directors and officers of said corporation, acting as such, which would be legal and valid but for said decree of dissolution, are hereby ratified and confirmed.

Approved October 29, 1963.

Chap. 772. AN ACT INCREASING THE COMPENSATION OF DISTRICT COURT JUDGES SITTING IN THE SUPERIOR COURT.

Be it enacted, etc., as follows:

SECTION 1. Section 14E of chapter 212 of the General Laws is hereby amended by striking out the first sentence, as amended by chapter 477 of the acts of 1952, and inserting in place thereof the following sentence: — A justice of a district court when sitting in the superior court, as provided by section fourteen B, shall receive from the commonwealth, in addition to his regular salary, upon certificate of the chief justice of the superior court, the amount of expense incurred by him in the discharge of his duties in connection with such sessions and also such compensation for each court day, while so sitting, as will, when added to the per diem rate of his regular salary, computed as provided in section eighty-four of chapter two hundred and eighteen, amount to seventy-five dollars a day.

SECTION 2. Section 5 of chapter 535 of the acts of 1961 is hereby amended by striking out, in line 8, the word "fifty" and inserting in place thereof the word: — seventy-five.

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

Approved October 31, 1963.

Chap. 773. AN ACT ESTABLISHING A CONSUMERS' COUNCIL.

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 consumers' council.

SECTION 2. Said chapter 6 is hereby further amended by adding after section 114 the following section, under the caption CONSUMERS' COUNCIL: —

Section 115. There shall be a consumers' council, hereinafter called the council, consisting of eight members to be appointed by the governor, with the advice and consent of the executive council, for terms concurrent with that of the governor, one of whom shall be a member of the Massachusetts State Labor Council, AFL–CIO and no more than five of whom shall be members of the same major political party, and ex officiis, the attorney general, the chairman of the public utilities commission, the commissioner of banks, the commissioner of insurance and the commissioner of labor and industries. The chairman of the council shall be designated by the governor from time to time. Said members shall serve without compensation, but shall receive their expenses necessarily incurred in the performance of their duties. The council shall meet monthly and at other times at the call of the chairman.

The council shall conduct studies, investigations and research and advise the executive and legislative branches in matters affecting consumer interests, co-ordinate consumers' services carried on by departments and agencies, further consumer education, inform the public, through appearances before federal and state committee, commission or department hearings, or otherwise, of such policies, decisions or legislation as are beneficial or detrimental to consumers, inform the governor and the attorney general and other law enforcement agencies of such violations of laws or regulations affecting consumers as its investigations or studies may reveal, and study and report all matters referred to it by the general court or the governor. The council may appear, through its chairman or a member or person designated by him, or through the attorney general, for and in behalf of the people of the commonwealth before boards, commissioners, commissions, departments or agencies of the commonwealth in any hearing or matter affecting the rights of the consuming public or in any proceeding seeking the curtailment of railroad services or an increase of rates or costs of services or commodities, and shall be deemed an aggrieved party for the purpose of judicial or administrative review of any decision or ruling in any such proceedings in which it has so appeared, any other provision of law to the contrary notwithstanding. The council may appoint an executive secretary who shall not be subject to chapter thirty-one, and shall with the approval of the governor and executive council fix his salary. The council may appoint such other assistants, consultants, investigators and experts as it deems necessary to carry out the provisions of this section. Said council shall be provided with offices in the state house or elsewhere in the city of Boston. It may call upon any department, board, commission or officer of the commonwealth or of any political subdivision of the

commonwealth for such information as it may desire in the course of its duties.

The council may hold public hearings and 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. The governor may request of the attorney general such legal assistance as may be necessary in carrying out the duties and functions of the council. *Approved October 31, 1963.*

Chap. 774. AN ACT ESTABLISHING THE SALARIES OF THE CLERKS AND ASSISTANT CLERKS 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 75A, as most recently amended by section 2 of chapter 749 of the acts of 1951, and inserting in place thereof the following section: — *Section 75A.* The salary of the clerk of the municipal court of the city of Boston for civil business and the salary of the clerk of said court for criminal business shall each be fourteen thousand three hundred and fifty dollars. The salary of the first assistant clerks of said court shall be ten thousand seven hundred and ten dollars. The salary of the other assistant clerks of said court shall be nine thousand five hundred and seventy dollars.

SECTION 2. Notwithstanding the provisions of section seventy-five A of chapter two hundred and eighteen of the General Laws, as amended by section one of this act, any person appointed between the effective date of this act and January fifth, nineteen hundred and sixty-five, both dates inclusive, to any office referred to in said section shall receive the salary which was in effect and applicable to said office immediately prior to the said effective date.

SECTION 3. This act shall take effect as of July first, nineteen hundred and sixty-three. *Approved October 31, 1963.*

Chap. 775. AN ACT PROVIDING SALARY INCREASES FOR CERTAIN EMPLOYEES OF THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide without delay additional compensation for certain employees of the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (1) of section 46 of chapter 30 of the General Laws is hereby amended by striking out the salary schedule, as most

recently amended by section 2 of chapter 782 of the acts of 1960, and inserting in place thereof the following: —

GENERAL SALARY SCHEDULE.

Weekly Rates (on total cash basis).

JOB GROUP.	Step 1 Minimum.	Step 2.	Step 3.	Step 4.	Step 5.	Step 6.	Step 7 Maximum.
I	$59.15	$61.65	$64.15	$66.65	$69.15	$71.65	$74.15
II	61.35	63.85	66.35	68.85	71.35	73.85	76.35
III	63.80	66.55	69.30	72.05	74.80	77.55	80.30
IV	67.10	69.85	72.60	75.35	78.10	80.85	83.60
V	69.60	72.65	75.70	78.75	81.80	84.85	87.90
VI	74.00	77.05	80.10	83.15	86.20	89.25	92.30
VII	77.85	81.15	84.45	87.75	91.05	94.35	97.65
VIII	81.40	85.00	88.60	92.20	95.80	99.40	103.00
IX	87.20	91.05	94.90	98.75	102.60	106.45	110.30
X	92.95	97.10	101.25	105.40	109.55	113.70	117.85
XI	98.75	103.15	107.55	111.95	116.35	120.75	125.15
XII	105.60	110.30	115.00	119.70	124.40	129.10	133.80
XIII	114.70	119.65	124.60	129.55	134.50	139.45	144.40
XIV	122.95	128.45	133.95	139.45	144.95	150.45	155.95
XV	132.00	137.80	143.60	149.40	155.20	161.00	166.80
XVI	141.35	147.70	154.05	160.40	166.75	173.10	179.45
XVII	151.55	158.15	164.75	171.35	177.95	184.55	191.15
XVIII	159.80	166.95	174.10	181.25	188.40	195.55	202.70
XIX	169.15	176.85	184.55	192.25	199.95	207.65	215.35
XX	179.30	187.30	195.30	203.30	211.30	219.30	227.30
XXI	188.65	197.20	205.75	214.30	222.85	231.40	239.95
XXII	199.10	208.20	217.30	226.40	235.50	244.60	253.70
XXIII	210.40	219.75	229.10	238.45	247.80	257.15	266.50
XXIV	220.85	230.75	240.65	250.55	260.45	270.35	280.25
XXV	231.30	241.75	252.20	262.65	273.10	283.55	294.00
XXVI	240.65	251.65	262.65	273.65	284.65	295.65	306.65
XXVII	251.90	263.20	274.50	285.80	297.10	308.40	319.70
XXVIII	262.35	274.20	286.05	297.90	309.75	321.60	333.45
XXIX	273.90	286.30	298.70	311.10	323.50	335.90	348.30
XXX	286.55	299.50	312.45	325.40	338.35	351.30	364.25
XXXI	298.10	311.60	325.10	338.60	352.10	365.60	379.10
XXXII	310.75	324.80	338.85	352.90	366.95	381.00	395.05
XXXIII	323.40	338.00	352.60	367.20	381.80	396.40	411.00

SECTION 2. Paragraph (4) of section 45 of said chapter 30 is hereby further amended by inserting after the word "forty-six", in line 4, the words: — or the professional salary schedule set forth in section forty-six B.

SECTION 3. Said chapter 30 is hereby further amended by inserting after section 46 the following section: —

Section 46B. The following shall be the salary schedule for the professional positions in the pay plan of the commonwealth; and all provisions of law applicable to administration of the general salary schedule set forth in section forty-six shall apply in like manner to administration of the following schedule: —

PROFESSIONAL SALARY SCHEDULE.

Weekly Rates (on total cash basis).

JOB GROUP.	Step 1 Minimum.	Step 2.	Step 3.	Step 4.	Step 5.	Step 6.	Step 7 Maximum.
I-P	$64.50	$67.20	$69.90	$72.60	$75.30	$78.00	$80.70
II-P	66.90	69.60	72.30	75.00	77.70	80.40	83.10
III-P	69.60	72.60	75.60	78.60	81.60	84.60	87.60
IV-P	73.20	76.20	79.20	82.20	85.20	88.20	91.20
V-P	75.90	79.20	82.50	85.80	89.10	92.40	95.70
VI-P	80.70	84.00	87.30	90.60	93.90	97.20	100.50
VII-P	84.90	88.50	92.10	95.70	99.30	102.90	106.50
VIII-P	88.80	92.70	96.60	100.50	104.40	108.30	112.20
IX-P	95.10	99.30	103.50	107.70	111.90	116.10	120.30
X-P	101.40	105.90	110.40	114.90	119.40	123.90	128.40
XI-P	107.70	112.50	117.30	122.10	126.90	131.70	136.50
XII-P	115.20	120.30	125.40	130.50	135.60	140.70	145.80
XIII-P	125.10	130.50	135.90	141.30	146.70	152.10	157.50
XIV-P	134.10	140.10	146.10	152.10	158.10	164.10	170.10
XV-P	144.00	150.30	156.60	162.90	169.20	175.50	181.80
XVI-P	154.20	161.10	168.00	174.90	181.80	188.70	195.60
XVII-P	165.30	172.50	179.70	186.90	194.10	201.30	208.50
XVIII-P	174.30	182.10	189.90	197.70	205.50	213.30	221.10
XIX-P	184.50	192.90	201.30	209.70	218.10	226.50	234.90
XX-P	195.60	204.30	213.00	221.70	230.40	239.10	247.80
XXI-P	205.80	215.10	224.40	233.70	243.00	252.30	261.60
XXII-P	217.20	227.10	237.00	246.90	256.80	266.70	276.60
XXIII-P	229.50	239.70	249.90	260.10	270.30	280.50	290.70
XXIV-P	240.90	251.70	262.50	273.30	284.10	294.90	305.70
XXV-P	252.30	263.70	275.10	286.50	297.90	309.30	320.70
XXVI-P	262.50	274.50	286.50	298.50	310.50	322.50	334.50
XXVII-P	274.80	287.10	299.40	311.70	324.00	336.30	348.60
XXVIII-P	286.20	299.10	312.00	324.90	337.80	350.70	363.60
XXIX-P	298.80	312.30	325.80	339.30	352.80	366.30	379.80
XXX-P	312.60	326.70	340.80	354.90	369.00	383.10	397.20
XXXI-P	325.20	339.90	354.60	369.30	384.00	398.70	413.40
XXXII-P	339.00	354.30	369.60	384.90	400.20	415.50	430.80
XXXIII-P	352.80	368.70	384.60	400.50	416.40	432.30	448.20

For the purposes of this section, the words "professional position" shall mean any title in the office and position classification plan of the commonwealth (1) the specifications for which require (*a*) a consistent exercise of discretion and judgment in a formal and well-organized field of knowledge, and (*b*) academic study, training, or experience of a scope and character commensurate with the duties of the office or position, and (2) the duties of which are described under a title classified as a professional occupation under code numbers 0–00 to and including 0–39.99 in the "Dictionary of Occupational Titles", prepared by the Employment Service in the United States Department of Labor, a copy of which is on file in the bureau of personnel.

SECTION 4. Each professional position, as defined in section forty-six B of chapter thirty of the General Laws, is hereby allocated to the same job group in the professional salary schedule established under said section forty-six B as such position was, immediately prior to the

effective date of this section, allocated in the general salary schedule established under section forty-six of said chapter; and nothing in this section shall retard any step increase due any employee.

SECTION 5. All employees of the commonwealth whose positions are allocated in the general salary schedule in effect immediately prior to the effective date of this section, shall be placed in the same job group and step in the general salary schedule amended by section one of this act. Nothing in this section shall retard a step increase due such employees so placed.

SECTION 6. The rate of compensation for each position in a public institution of higher education operated by the commonwealth which, immediately prior to the effective date of this section, was allocated to the salary schedule established by section five of chapter seven hundred and eighty-two of the acts of nineteen hundred and sixty shall be placed in the same job group and step in the salary schedule established by this section. Nothing in this section shall retard a step increase due such employees so placed, or affect the salary of the professional staff, fixed in accordance with the provisions of section fourteen of chapter seventy-five of the General Laws.

For teachers and supervisors affected by section thirty-one of chapter twenty-nine of the General Laws, whose regular services are rendered from September first to June thirtieth, this section shall take effect on the first day of September, nineteen hundred and sixty-three.

"E"

Weekly Rates (on total cash basis).

JOB GROUP.	Step 1 Minimum.	Step 2.	Step 3.	Step 4.	Step 5.	Step 6.	Step 7 Maximum.
13E	$107.25	$112.20	$117.15	$122.10	$127.05	$132.00	$136.95
14E	115.50	121.00	126.50	132.00	137.50	143.00	148.50
15E	124.60	130.40	136.20	142.00	147.80	153.60	159.40
16E	133.95	140.30	146.65	153.00	159.35	165.70	172.05
17E	144.10	150.70	157.30	163.90	170.50	177.10	183.70
18E	152.35	159.50	166.65	173.80	180.95	188.10	195.25
19E	161.70	169.40	177.10	184.80	192.50	200.20	207.90
20E	171.90	179.90	187.90	195.90	203.90	211.90	219.90
21E	181.25	189.80	198.35	206.90	215.45	224.00	232.55
22E	191.70	200.80	209.90	219.00	228.10	237.20	246.30
23E	202.95	212.30	221.65	231.00	240.35	249.70	259.05
24E	213.40	223.30	233.20	243.10	253.00	262.90	272.80
25E	223.85	234.30	244.75	255.20	265.65	276.10	286.55
26E	233.20	244.20	255.20	266.20	277.20	288.20	299.20
27E	244.50	255.80	267.10	278.40	289.70	301.00	312.30
28E	254.95	266.80	278.65	290.50	302.35	314.20	326.05
29E	266.50	278.90	291.30	303.70	316.10	328.50	340.90
30E	279.15	292.10	305.05	318.00	330.95	343.90	356.85
31E	290.70	304.20	317.70	331.20	344.70	358.20	371.70
32E	303.35	317.40	331.45	345.50	359.55	373.60	387.65
33E	316.00	330.60	345.20	359.80	374.40	389.00	403.60

SECTION 7. In addition to the salary increases authorized by any other section of this act, each member of the professional staff of the

University of Massachusetts and of each other public institution of higher education operated by the commonwealth, except a regional community college, shall receive such salary adjustment as the trustees of each such institution shall approve, provided, however, that the total sum of such additional increases shall not exceed ten per cent of the total salaries received by such members in each such institution prior to July first, nineteen hundred and sixty-three.

Each position title in the professional staff under the board of regional community colleges is hereby allocated to the same job group in the professional salary schedule established under section forty-six B of chapter thirty of the General Laws as said title was, immediately prior to the effective date of this section, allocated in the general salary schedule established under section forty-six of said chapter, and nothing in this act shall retard any step increase due any employee; provided, however, that the words "professional staff", as used in this paragraph, shall be limited to the positions of president, executive director, assistant to the executive director, director, assistant to the director, professor, associate professor, assistant professor, and instructor.

SECTION 8. The wages paid to blind workers by the division of the blind in the department of education, as provided by section fourteen of chapter sixty-nine of the General Laws, shall be increased by ten per cent beginning July first, nineteen hundred and sixty-three.

SECTION 9. The salary of each employee in the service of the commonwealth and paid from the treasury thereof, other than an employee with a salary specifically fixed by statute or an employee whose salary is increased under the provisions of section one or six of this act, shall be increased over the rate paid June thirtieth, nineteen hundred and sixty-three, by ten per cent for the period beginning July first, nineteen hundred and sixty-three.

In the case of persons employed and compensated on a full-time basis by a county, city or town, and receiving a fixed additional annual payment from the commonwealth, such annual payment shall be increased by ten per cent.

SECTION 10. Sections one, five, six, eight and nine of this act shall take effect as of July first, nineteen hundred and sixty-three; sections two, three and seven shall take effect on February first, nineteen hundred and sixty-four; and section four shall take effect on April first, nineteen hundred and sixty-four. *Approved October 31, 1963.*

Chap. 776. AN ACT RELATIVE TO THE POSITION OF A RETIREMENT ADMINISTRATOR IN THE DEPARTMENT OF THE STATE TREASURER.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the employment by the state treasurer of a retirement administrator to assist the said treasurer in the performance of his duties in connection with the board of retirement, 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 5 of chapter 10 of the General Laws is hereby amended by inserting after the third sentence, as appearing in the Tercentenary Edi-

tion, the following sentence: — Said treasurer may, however, employ a retirement administrator to assist him in the performance of his duties in connection with the board of retirement.

Approved October 31, 1963.

Chap. 777. AN ACT MAKING A CERTAIN CORRECTIVE CHANGE IN THE LAW AUTHORIZING MASSACHUSETTS UNIVERSALIST CONVENTION TO MERGE WITH UNITARIAN UNIVERSALIST ASSOCIATION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 205 of the acts of 1963 is hereby amended by striking out section 1 and inserting in place thereof the following section: — *Section 1.* Massachusetts Universalist Convention, a corporation established by chapter sixty-six of the acts of eighteen hundred and fifty-nine, 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 2. This act shall take effect as of April first, nineteen hundred and sixty-three. Any action taken by Massachusetts Universalist Convention or Unitarian Universalist Association under the provisions of chapter two hundred and five of the acts of nineteen hundred and sixty-three, shall be as valid and effective as though this act had been in full force and effect at the time such action was taken.

Approved October 31, 1963.

Chap. 778. AN ACT PROVIDING FOR A FOURTH ASSISTANT CLERK FOR THE CENTRAL DISTRICT COURT OF WORCESTER.

Be it enacted, etc., as follows:

Section 10 of chapter 218 of the General Laws is hereby amended by inserting after the second paragraph the following paragraph: —

A fourth assistant clerk with salary payable by the county may be appointed, subject to the approval of the county commissioners, in the central district court of Worcester. *Approved October 31, 1963.*

Chap. 779. AN ACT INCREASING THE AMOUNT OF MONEY WHICH MAY BE BORROWED BY THE TOWN OF MARSHFIELD AND THE COUNTY OF PLYMOUTH FOR THE REPAIR OR RECONSTRUCTION OF CERTAIN TIDE GATES IN THE GREEN HARBOR DISTRICT OF THE TOWN OF MARSHFIELD.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 464 of the acts of 1962 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — 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 thirty-three thousand seven hundred and fifty dollars, and may issue bonds or notes therefor which shall bear on their face the words Marshfield Tide Gate Loan, Act of 1962.

SECTION 2. Section 3 of said chapter 464 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — 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 thirty-three thousand seven hundred and fifty dollars, and may issue bonds or notes therefor which shall bear on their face the words Plymouth County Shore Protection Loan, Act of 1962.

Approved October 31, 1963.

Chap. 780. AN ACT RELATIVE TO THE PRACTICE OF MEDICINE BY REGISTERED ASSISTANTS IN MEDICINE.

Be it enacted, etc., as follows:

Section 9A of chapter 112 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 18 to 21, the words ", or the use of any instruments whatsoever in the treatment of any cases, except instruments normally used for the purpose of diagnosis and then for such purpose only", — so that the third sentence will read as follows: — Registration under this section shall not authorize the signing of certificates of births or deaths; nor shall it authorize the prescribing or dispensing of any narcotic drug as defined in section one hundred and ninety-seven of chapter ninety-four.

Approved October 31, 1963.

Chap. 781. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF MIDDLESEX COUNTY TO CONSTRUCT NEW BUILDINGS FOR THE COURTS AND THE VARIOUS DEPARTMENTS OF THE COUNTY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of providing new and adequate accommodations and facilities for the superior court and various county departments, the county commissioners of Middlesex county are hereby authorized to construct on land of said county, which land is bounded by Spring, Second, Thorndike and Third streets in the city of Cambridge, and on which is located the old jail and house of correction, an eighteen story building to be known as the superior court and county office building, and shall furnish and equip the same. Said building shall contain court rooms and facilities for the superior court, shall house the offices of the clerk of the courts, the district attorney, the probation office, the maintenance department, the county engineers, the county treasurer and the county commissioners, and shall contain the law library and a jail and house of correction with quarters for male and female prisoners.

After the demolition of the existing jail and house of correction and the erection of said building and the removal thereto of the superior court and certain county offices, as set forth in the preceding paragraph, the county commissioners are hereby authorized, for the purpose of providing new and adequate facilities for the probate court and for the registry of probate and the registry of deeds, to demolish the existing county court house building, located on land bounded by Thorndike, Second, Otis and Third streets in the city of Cambridge, and to erect at said location a three story structure and to equip and furnish the same, and a two level underground parking area with accommodations for over four hundred motor vehicles.

Upon the completion of the new building for the probate court and for the registry of probate and the registry of deeds, as set forth in the preceding paragraph, the county commissioners are hereby authorized to demolish the registry of deeds and probate court building on Cambridge street in the city of Cambridge and to construct thereon a plaza, appropriately landscaped, which shall provide a fitting approach and entrance to the buildings erected under the authority of this act.

SECTION 2. For the purposes set forth in section one, the treasurer of Middlesex county, with the approval of the county commissioners, may borrow from time to time on the credit of the county such sums as may be necessary, not exceeding, in the aggregate, sixteen million dollars, and may issue bonds or notes of the county therefor which shall bear on their face the words, Middlesex County Court House Buildings Loan, Act of 1963. Each authorized issue shall constitute a separate loan, and such loans shall be payable not more than thirty years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws. The county treasurer, with the approval of the county commissioners, may issue temporary notes of the county, payable in not more than one year from their date, in anticipation of the issue of serial bonds or notes under this act, but the time within which such serial bonds or notes shall become due and payable shall not, by reason of such temporary notes, be extended beyond the time fixed by this act. Any notes issued in anticipation of the serial bonds or notes shall be paid from the proceeds thereof.

SECTION 3. Whenever in carrying out the provisions of section one the demolition of said old jail and house of correction becomes necessary, the sheriff of Middlesex county shall remove therefrom and transport to the house of correction at Billerica all persons held in custody therein awaiting trial or under sentence; thereafter, until the new jail and house of correction is completed and ready for use, all commitments which would otherwise be made to the jail in Cambridge shall be made to the house of correction at Billerica. Provision shall be made in the house of correction at Billerica for the separation of persons held in custody therein awaiting trial from those under sentence.

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

Approved November 1, 1963.

Chap. 782. AN ACT RELATIVE TO THE ISSUANCE OF LICENSES TO SELL ALCOHOLIC BEVERAGES IN THE TOWN OF STURBRIDGE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section twenty-nine of chapter one hundred and thirty-eight of the General Laws, the license issued in the town of Sturbridge under section fifteen of said chapter one hundred and thirty-eight to a registered pharmacist for the sale of all alcoholic beverages shall not be included in computing the number of licenses that may be granted in said town as provided in section seventeen of said chapter one hundred and thirty-eight; provided, however, that when there is an increase in population in said town sufficient to authorize the issuance of additional licenses as provided in said section seventeen, the licenses issued to registered pharmacists shall be included in determining the quota to be established for said town under said section seventeen.

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

Approved November 1, 1963.

Chap. 783. AN ACT PROVIDING THAT A PROVISIONAL LICENSE ISSUED BY THE DEPARTMENT OF PUBLIC HEALTH TO ESTABLISH OR MAINTAIN A HOSPITAL, SANATORIUM, CONVALESCENT OR NURSING HOME, INFIRMARY OR REST HOME BE VALID FOR A PERIOD OF SIX MONTHS.

Be it enacted, etc., as follows:

Section 71 of chapter 111 of the General Laws is hereby amended by striking out the ninth sentence, as appearing in section 1 of chapter 545 of the acts of 1957, and inserting in place thereof the following sentence: — When such an inspector, acting under section twenty-nine of chapter one hundred and forty-three, issues to an applicant for a license to maintain a hospital, sanatorium, nursing or convalescent home, or infirmary maintained in a town, an acknowledgment of an application for such a certificate, it shall have the same effect as the certificate, and the department shall issue a provisional approval for temporary operation for a period of six months. *Approved November 1, 1963.*

Chap. 784. AN ACT PROVIDING THAT CERTAIN LICENSES AND AUTHORIZATIONS FOR PLACING AND MAINTAINING FILL OR ERECTING AND MAINTAINING STRUCTURES ON CERTAIN LAND, NOW OR FORMERLY IN TIDEWATER, 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, any and all licenses or other authorizations issued or granted pursuant to law by the department of public works or by any predecessor or other authority having jurisdiction in the matter to place and maintain fill or erect and maintain structures now existing on the following described parcels of land: —

Four certain parcels of land situated on or near the northeasterly side of Massachusetts Avenue in the Dorchester district of the City of Bos-

ton consisting of Parcel #1, containing 1,426,000 square feet; Parcel #2, containing 80,000 square feet; Parcel #3, containing 23,400 square feet, and Parcel #5, containing 4,700 square feet, all as shown on a plan entitled "New York, New Haven and Hartford Railroad Office of Engineer-Real Estate, Boston, Mass., Plan of Land Easterly of Midland Division Between Massachusetts Ave. and Southampton St." dated December, 1961, recorded with Suffolk County Registry of Deeds, Book 7614, End, to the extent that the same may be subject to revocation are hereby made irrevocable, subject, however, to the conditions contained in clauses (4) and (8) as hereinafter provided. Any license hereafter issued by said department or any successor authority to fill or maintain fill or to erect or maintain structures on said parcels, provided no tidewater land belonging to the commonwealth is involved, shall, upon compliance with the following conditions, be deemed to be irrevocable: —

(1) Application therefor, pursuant to the provisions of section fourteen of chapter ninety-one of the General Laws;

(2) Recording thereof with accompanying plan within one year after the date thereof in the Registry of Deeds for Suffolk County, pursuant to the provisions of section eighteen of said chapter;

(3) Payment to the commonwealth of such compensation, if any, as may properly be assessed by said department for tidewater displacement, pursuant to the provisions of section twenty-one of said chapter;

(4) Payment to the commonwealth of such compensation, if any, as may be determined by the governor and council to be properly due to the commonwealth for occupation of Commonwealth flats, so called, pursuant to the provisions of section twenty-two of said chapter;

(5) Performance of any work authorized by any such license in accordance with plans submitted to and approved by said department, pursuant to the provisions of section twenty of said chapter;

(6) Completion of said authorized work within five years after the date of any such license, or of any extension or extensions thereof, pursuant to the provisions of section fifteen of said chapter; and

(7) The actual building or making in good faith of valuable structures, fillings or enclosures under the authority of any such license and during the term thereof, or of any extension or extensions thereof, pursuant to the provisions of section fifteen of said chapter.

(8) In the event of a taking of such land or any part thereof by the commonwealth or any of its political subdivisions within ten years after the effective date of this act, the damages recoverable by reason of such taking shall in no case exceed the actual cost of acquisition of said land by the owner from whom said taking is made together with the cost to such owner of any buildings or improvements thereon, with interest at four per cent annually from the date of such acquisition.

Approved November 1, 1963.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, November 1, 1963.

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

DEAR MR. SECRETARY: — I, Endicott Peabody, 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 784 of the Acts of 1963 entitled "An Act Providing that Certain Licenses and Authorizations for Placing and Maintaining Fill or Erecting and Maintaining Structures on Certain Land, Now or Formerly in Tidewater, in the Dorchester District of the City of Boston be irrevocable." and the enactment of which received my approval on November 1, 1963, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act for ninety days would defeat its purpose, which is to allow the land included to be fully utilized immediately.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, November 4, 1963.

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 twelve 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 seven hundred and eighty-four of the acts of nineteen hundred and sixty-three.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 785. AN ACT PROVIDING THAT CERTAIN LICENSES FOR PLACING AND MAINTAINING FILL AND STRUCTURES OVER CERTAIN TIDEWATERS OF MYSTIC RIVER IN THE CITY OF EVERETT AND ISLAND END RIVER IN SAID CITY AND THE CITY OF CHELSEA BE IRREVOCABLE.

Be it enacted, etc., as follows:

Any provision of general or special law to the contrary notwithstanding, the licenses granted by the harbor and land commissioners to New England Gas and Coke Company on December tenth, eighteen hundred and ninety-seven, being license No. 2083, the license granted by said commissioners to said company on December thirteenth, eighteen hundred and ninety-seven, being license No. 2087, the license granted by said commissioners to said company on July nineteenth, eighteen hundred and ninety-eight, being license No. 2162, the license granted by said commissioners to said company on December twenty-eighth, eighteen hundred and ninety-eight, being license No. 2207, the license granted by said commissioners to said company on June nineteenth, eighteen hundred and ninety-nine, being license No. 2250, the license granted by said commissioners to Massachusetts Pipe Line Gas Company on March thirteenth, nineteen hundred and one, being license No. 2457, the license granted by said commissioners to New England Structural Company on December thirtieth, nineteen hundred and one, being license No. 2559, the license granted by the directors of the port of Boston to New England Gas and Coke Company on March twenty-eighth,

nineteen hundred and twelve, being license No. 18, the license granted by said directors to New England Gas and Coke Company on March twenty-ninth, nineteen hundred and sixteen, being license No. 196, the license granted by the commission of waterways and public lands to New England Structural Company on January tenth, nineteen hundred and eighteen, being license No. 158, the license granted by the department of public works to New England Fuel & Transportation Company on May twenty-ninth, nineteen hundred and twenty-four, being license No. 434, the license granted by said department to Mystic Iron Works on October thirtieth, nineteen hundred and twenty-four, being license No. 474, the license granted by said department to Boston Consolidated Gas Company on July second, nineteen hundred and twenty-nine, being license No. 1039, the license granted by said department to New England Fuel & Transportation Company on November twenty-fourth, nineteen hundred and thirty-one, being license No. 1373, the license granted by said department to New England Fuel & Transportation Company on May thirty-first, nineteen hundred and thirty-three, being license No. 1490, the license granted by said department to Mystic Iron Works on January ninth, nineteen hundred and thirty-five, being license No. 1645, the license granted by said department to Eastern Gas and Fuel Associates on June twenty-third, nineteen hundred and thirty-seven, being license No. 1869, the license granted by said department to said Associates on September twenty-eighth, nineteen hundred and thirty-seven, being license No. 1895, the license granted by said department to said Associates on October twenty-eighth, nineteen hundred and thirty-seven, being license No. 1908, the license granted by said department to said Associates on August fourteenth, nineteen hundred and forty, being license No. 2224, the license granted by said department to said Associates on March ninth, nineteen hundred and forty-three, being license No. 2581, the license granted by said department to said Associates on August fourteenth, nineteen hundred and forty-five, being license No. 2790, the license granted by the Port of Boston Authority to said Associates on November fourth, nineteen hundred and forty-seven, being license No. 50, the license granted by said Authority to Boston Consolidated Gas Company on June twenty-ninth, nineteen hundred and forty-eight, being license No. 78, the license granted by said Authority to said Associates on February seventh, nineteen hundred and fifty, being license No. 127, the license granted by said Authority to said Associates on August fifteenth, nineteen hundred and fifty, being license No. 162, the license granted by said Authority to said Associates on September twentieth, nineteen hundred and fifty-one, being license No. 187, the license granted by the department of public works to said Associates on June twentieth, nineteen hundred and sixty, being license No. 4339, the license granted by said department to Freeport Sulphur Company on May eighth, nineteen hundred and sixty-one, being license No. 4455, and the license granted by said department to said Associates on September twenty-fifth, nineteen hundred and sixty-two, being license No. 4622, shall be irrevocable 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 or the south-

ern registry district of Middlesex county as the case may be, 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 for rights granted in any land the title to which is in the commonwealth, pursuant to the provisions of section twenty-two of said chapter;

5. Performance of any work authorized by any such license in accordance with plans submitted to and approved by said department, pursuant to the provisions of section twenty of said chapter;

6. Completion of said authorized work within five years after the date of any such license, or of any extension or extensions thereof, pursuant to the provisions of section fifteen of said chapter; and

7. The actual building or making in good faith of valuable structures, fillings or enclosures under the authority of any such license and during the term thereof, or of any extension or extensions thereof, pursuant to the provisions of section fifteen of said chapter.

8. In the event of a taking of such land or any part thereof by the commonwealth or any of its political subdivisions within ten years after the effective date of this act, the damages claimed by reason of such taking shall in no case exceed the actual cost of acquisition of said land together with the cost of any buildings or improvements thereon, with interest at four per cent annually from the date of such acquisition.

9. Payment to the commonwealth of such compensation as may be determined by the governor and council for making irrevocable the rights granted in any land the title to which is in the commonwealth.

Approved November 1, 1963.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, November 1, 1963.

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

DEAR MR. SECRETARY: — I, Endicott Peabody, 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 preservations of the public convenience requires that the law being Chapter 785 of the Acts of 1963 entitled "An Act Providing that Certain Licenses for Placing and Maintaining Fill and Structures over Certain Tidewaters of Mystic River in the City of Everett and Island End River in Said City and the City of Chelsea be irrevocable." and the enactment of which received my approval on November 1, 1963, 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 it intends to allow the land involved to be fully utilized immediately.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, November 4, 1963.

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 twelve o'clock and twenty-six 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 eighty-five of the acts of nineteen hundred and sixty-three.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 786. AN ACT RELATIVE TO APPROPRIATIONS FOR SCHOOL PURPOSES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 224 of the acts of 1936, as amended by section 1 of chapter 117 of the acts of 1949, is hereby further amended by striking out, in lines 2 and 3, the words "annually, beginning with the financial year nineteen hundred and forty-nine," and inserting in place thereof the words: — each year.

SECTION 2. Said section 2 of said chapter 224 is hereby further amended by striking out clause (*c*), as amended by section 2 of said chapter 117, and inserting in place thereof the following clause: —

(*c*) For all other school purposes, a sum which shall not exceed the amount certified by the city auditor of the city of Boston under section two B as available for appropriation under this clause in such year.

SECTION 3. Said chapter 224 is hereby amended by inserting after section 2A, inserted by section 1 of chapter 334 of the acts of 1948, the following section: —

Section 2B. Before the first Monday in March in each year, the city auditor of the city of Boston shall determine: — (*i*) the amount of money estimated by the school committee to be given, and the income to be collected, for school purposes in such year, (*ii*) the total amount appropriated in the preceding year by the school committee under, or for the purposes of, clause (*c*) of section one from taxes, estimated income and unexpended balances, (*iii*) the amount appropriated in the preceding year for the purposes of said clause (*c*) by the city council with the approval of the mayor, (*iv*) the total amount appropriated in the preceding year under, or for the purposes of, said clause (*c*) remaining unexpended at the end of such year, and (*v*) the amount which is twice the total expended during the last four months of the preceding year for salary increases effective on September first of such year. Not later than the first Monday of March in each year, said city auditor shall certify to the school committee as the amount available for appropriation by the school committee in such year under clause (*c*) of section one the amount by which the aggregate of the amounts determined under clauses (*ii*), (*iii*) and (*v*) of this section exceed the aggregate of the amounts determined under clauses (*i*) and (*iv*) of this section.

SECTION 4. Section 5 of chapter 241 of the acts of 1875, as amended by section 2 of chapter 121 of the acts of 1933, is hereby further amended by striking out the last sentence and inserting in place thereof

the following sentence: — The school committee shall at no time increase the salary of any person in the service of the school department or of any vacant office or position therein unless such increase is to be operative for at least four months in the financial year in which it is granted and a general appropriation for salary increases is available for the payment of such increase in such year.

SECTION 5. Chapter three hundred and forty-six of the acts of nineteen hundred and fifty-seven is hereby repealed.

SECTION 6. This act, except sections one, two and three, shall take effect upon its passage. Sections one, two and three shall take effect on January first, nineteen hundred and sixty-four.

Approved November 4, 1963.

Chap. 787. AN ACT PROVIDING FOR AN ADMINISTRATIVE ASSISTANT TO THE CHIEF JUSTICE OF THE SUPERIOR COURT.

Be it enacted, etc., as follows:

Chapter 212 of the General Laws is hereby amended by striking out section 28, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 28.* There may annually be expended out of the treasury of the commonwealth, under the direction of the chief justice, such sums as may be appropriated for printing, for transportation of papers and documents, for clerical work, for inspection of the records and doings of persons authorized to admit to bail, for an administrative assistant to said chief justice, for an executive clerk to said chief justice, who may be an assistant clerk, and for certain other expenses incident to the work of the court. Said chief justice may appoint and remove the administrative assistant and the executive clerk and define their duties. *Approved November 5, 1963.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, November 5, 1963.

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

DEAR MR. SECRETARY: — I, Endicott Peabody, 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 787 of the Acts of 1963 entitled "An Act Providing for an Administrative Assistant to the Chief Justice of the Superior Court." and the enactment of which received my approval on November 5, 1963, 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 relieve immediately the Chief Justice of the Superior Court of much of the administrative detail work of his office.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, November 5, 1963.

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-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 eighty-seven of the acts of nineteen hundred and sixty-three.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 788. AN ACT ESTABLISHING THE HOLMES PARK WATER DISTRICT IN THE TOWN OF WESTMINSTER.

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the town of Westminster, liable to taxation in said town and residing within the territory comprised within the following boundary lines, to wit: — Beginning at the most northwesterly corner of the area to be included in said District said point being on the southerly side of State Highway Route #2 at the boundary line between the City of Gardner and the Town of Westminster; thence Easterly North 81° – 50′ East along said Highway to a point at the Easterly side of Ridge Street East and the Southerly side of said Highway; thence South 46° – 28′ East 1570.55 feet to a drill hole; thence South 36° – 56′ West 686.75 feet to a drill hole; thence South 52° – 20′ East 525.34 feet to a drill hole; thence South 34° – 12′ West 1114.02 feet to a point; thence North 47° - 40′ West 1200.20 feet to a point, said point being on the boundary line between the City of Gardner and the Town of Westminster; thence along the line of said boundary line North 47° – 45′ West 1185.23 feet to a drill hole; thence North 7° – 52′ East to a point where said course crosses the said boundary line between the City of Gardner and Westminster; thence along said boundary line to the place of beginning, containing 95 acres more or less, shall constitute a water district, and are hereby made a body corporate by the name of the Holmes Park Water 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, 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 the 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 other-

wise, 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 limits of the district 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, 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 Westminster. 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 of 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. The district shall, at the time of authorizing any loan or loans, provide for the payment thereof 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 Westminster annually thereafter until the debt incurred by said loan or loans is extinguished.

SECTION 5. 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 eight.

SECTION 6. 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 it will 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. 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 7. 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-law or vote of the district.

SECTION 8. 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 the 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 section four, 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 the 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 9. 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 any surplus remaining after providing for the aforesaid charges, it may be appropriated for such new construction as said water commissioners may recommend, 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 10. 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 seven. 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 11. 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 12. 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 the 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 13. Chapter 485 of the acts of 1963 is hereby amended by striking out section 1 and inserting in place thereof the following section: — *Section 1.* The city of Gardner is authorized to sell water to the town of Westminster or the Holmes Park Water District, and said town or said district, acting by and through their respective boards of water commissioners, may purchase said water in order to supply water to not more than fifty services, none having a size greater than three quarter inch, in said district.

SECTION 14. Said chapter 485 is hereby further amended by striking out section 3 and inserting in place thereof the following section: — *Section 3.* The cost of pipes and other materials and the cost of labor necessary to enable the city of Gardner to deliver any water to said town or the Holmes Park Water District shall be at the expense of either said town or said district, and said city shall deliver such water to said town or said district at a point at a boundary line between the city of Gardner and said town, or at such other point as may be agreed upon.

SECTION 15. This act shall take effect upon its acceptance by a majority vote of the voters of the territory included within the district established 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 seven, within four years after its passage.

Approved November 5, 1963.

Chap. 789. AN ACT AUTHORIZING THE CITY OF FITCHBURG TO CONSTRUCT A NEW BUILDING OR MAKE AN ADDITION TO THE SO CALLED LOWE HOUSE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any law to the contrary and for the purpose of promoting the public good, the city of Fitchburg is hereby authorized to appropriate and expend the sum of one hundred and fifty thousand dollars for the construction of a new building or the building of an addition to the so called Lowe House to

provide recreational and club facilities for the use of the Golden Age Club as long as it shall exist as an organization and also for the use of the general public.

SECTION 2. This act shall take effect upon its acceptance by the city of Fitchburg. *Approved November 5, 1963.*

Chap. 790. AN ACT ESTABLISHING THE SALARY 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 line under the caption SUPERIOR COURT FOR CRIMINAL BUSINESS IN THE COUNTY OF SUFFOLK, as appearing in section 1 of chapter 781 of the acts of 1962, and inserting in place thereof the following: —

Clerk. — Eighteen thousand fifty 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 amended by section 2 of said chapter 781, and inserting in place thereof the following: —

Clerk. — Eighteen thousand fifty 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 twenty-five 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 — Eighteen thousand fifty dollars
Essex — Sixteen thousand eight hundred and fifty dollars
Worcester — Sixteen thousand eight hundred and fifty dollars
Hampden — Fifteen thousand six hundred and fifty dollars
Bristol — Fifteen thousand six hundred and fifty dollars
Norfolk — Fourteen thousand four hundred and fifty dollars
Plymouth — Thirteen thousand two hundred and fifty dollars
Berkshire — Ten thousand eight hundred and fifty dollars
Hampshire — Nine thousand six hundred and fifty dollars
Barnstable — Nine thousand six hundred and fifty dollars
Franklin — Nine thousand six hundred and fifty dollars
Dukes — Four thousand eight hundred and fifty dollars
Nantucket — Four thousand eight hundred and fifty 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. Notwithstanding any provision of this act to the contrary, the provisions of section ninety-four of chapter two hundred and twenty-one of the General Laws in effect immediately prior to the effective date of this act shall remain in effect and apply to the salaries of persons appointed to the offices referred to therein between the effective date of this act and January fifth, nineteen hundred and sixty-five, both dates inclusive.

SECTION 4. This act shall take effect as of July first, nineteen hundred and sixty-three. *Approved November 6, 1963.*

Chap. 791. AN ACT REVOKING CERTAIN LICENSES AND AUTHORITIES IN CONNECTION WITH THE CONSTRUCTION OF THE INNER BELT UNDER THE ACCELERATED HIGHWAY PROGRAM.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to aid forthwith in the construction of the Inner Belt, under the accelerated highway program, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. Pursuant to the provisions of section fifteen of chapter ninety-one of the General Laws, every license and authority granted since eighteen hundred and sixty-eight by the commonwealth to the Boston and Maine Railroad or to any other person, firm or corporation or to its or their predecessors in interest or to any other person to whose rights in connection with any such license or authority the said Boston and Maine Railroad or such other person, firm or corporation has succeeded, to build a structure or structures or to do other work upon certain land in Boston harbor and the Charles river over which the tide ebbs and flows or formerly ebbed and flowed and to fill up or to enclose the same or any portion thereof, is hereby revoked. Said land is shown on a preliminary plan entitled "Plan of Road in the City of Boston, Suffolk County, Scale 20 feet to the inch, 4 sheets, (Inner Belt Contract F)" on file with the department of public works, a copy of which is on file in the office of the secretary of state. Said land is presently being used by said Boston and Maine Railroad and others and by persons claiming by, through or under it or them.

So much of the following described licenses as applies to said land is also revoked: — (*a*) Harbor and Land Commissioners licenses numbered 21, 39, 40, 81, 84, 86, 90, 122, 127, 132, 179, 210, 300, 316, 316a, 344, 359, 402, 419, 531, 574, 734, 1145, 1546, 1561, 1587, 1940, 3116, 3150; (*b*) Directors of the Port of Boston license numbered 179; and (*c*) Massachusetts Department of Public Works licenses numbered 181, 281, 283, 341, 341a, 968, 2618, 2683, 2719 and 3386.

SECTION 2. Any compensation which has been paid to the commonwealth under the provisions of section twenty-two of said chapter ninety-one of the General Laws or under any similar provision of law shall be repaid to the Boston and Maine Railroad and to any other person, firm or corporation lawfully entitled thereto to the extent that

the rights and privileges for which it has been paid are terminated by the revocation of the licenses and authorities as provided in section one. Such repayment shall be made from funds authorized to be expended for right of way land damages and construction of the Inner Belt (Contract F). In the event of a disagreement as to the amount of compensation to be paid hereunder, the Boston and Maine Railroad or any other person, firm or corporation lawfully entitled thereto, or the commissioner of public works, may, within two years from the effective date of this act, petition the superior court of the county of Suffolk for a determination thereof. *Approved November 6, 1963.*

Chap. 792. AN ACT VALIDATING CERTAIN ACTION TAKEN BY THE CITY COUNCIL OF THE CITY OF MALDEN AND THE PAYMENT OF SALARIES TO CERTAIN FORMER MEMBERS THEREOF.

Be it enacted, etc., as follows:

SECTION 1. No action taken by the city council of the city of Malden from September fifth, nineteen hundred and sixty-one to July fifteenth, nineteen hundred and sixty-three, both dates inclusive, shall be deemed invalid by reason of the fact that said council consisted in part of certain persons who were chosen to fill vacancies in said council in accordance with the provisions of chapter five hundred and fifty of the acts of nineteen hundred and fifty-five, were sworn in as members of said council, and in good faith purported to act as and to discharge the duties of members, but had not been duly elected by the people to fill said vacancies as required by the provisions of chapter two hundred and eighty-six of the acts of nineteen hundred and fifty-eight.

SECTION 2. The payment to Herbert L. Jackson, James J. Murphy, Lawrence J. Brescia and Harold E. Bucci of salaries for the period of their services as members of the city council, all of whom in good faith purported to act as members of said council between said dates by reason of having been chosen in accordance with the provisions of said chapter five hundred and fifty of the acts of nineteen hundred and fifty-five to fill vacancies on said council instead of being elected thereto by the people as required by said chapter two hundred and eighty-six, is hereby validated and confirmed.

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

Approved November 6, 1963.

Chap. 793. AN ACT INCREASING THE RATE OF INTEREST ON DAMAGES FOR TAKINGS BY EMINENT DOMAIN AND ON REFUNDS THEREOF.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to increase forthwith the rate of interest on damages for takings by eminent domain and on refunds thereof, 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 37 of chapter 79 of the General Laws, as most recently amended by section 1 of chapter 298 of the acts of 1960, is

hereby further amended by striking out, in line 3, the word "four" and inserting in place thereof the word: — six, — so that the first sentence will read as follows: — Damages under this chapter shall bear interest at the rate of six per cent per annum from the date as of which they are assessed until paid, except as herein otherwise provided.

SECTION 2. The second paragraph of section 8A of said chapter 79, as appearing in section 3 of chapter 626 of the acts of 1959, is hereby amended by striking out, in line 6, the word "four" and inserting in place thereof the word: — six, — so as to read as follows: — In the event that a payment pro tanto shall prove to be in excess of damages subsequently assessed by an appropriate tribunal, the petitioner shall be ordered by a proper decree to refund to the body politic or corporate an amount equal to the difference between the payment pro tanto and the damages subsequently assessed, plus costs and interest at the rate of six per cent per annum from the date as of which damages were assessed.

SECTION 3. Notwithstanding any provisions to the contrary of section thirty-seven of chapter seventy-nine of the General Laws as amended by section one of this act or of section eight A of said chapter seventy-nine as amended by section two of this act the provisions of said sections thirty-seven and eight A in effect immediately prior to the effective date of this act shall remain in effect with respect to interest on damages or on refunds thereof by reason of takings made prior to said effective date. *Approved November 6, 1963.*

Chap. 794. AN ACT REQUIRING SPARK ARRESTERS ON CERTAIN LOCOMOTIVES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 160 of the General Laws is hereby amended by striking out section 235 and inserting in place thereof the following two sections: — *Section 235.* Every corporation operating a railroad shall install and maintain on locomotives in its service spark arresters or other suitable devices capable of preventing the discharge of sparks or other material which could start a fire. Said spark arresters or other suitable devices shall be subject to the approval and inspection of the department. *Section 235A.* Every railroad corporation shall, between April first and December first in each year, keep the full width of all its locations, to a point two hundred feet distant from the center line on each side thereof, clear of dead leaves, dead grass, dry brush or other inflammable material, and shall not at any time leave any deposit of fire, hot ashes or live coals upon its locations in the immediate vicinity of woodlands or grass lands, and shall post in stations and other conspicuous places within its location and right of way such notices and warning placards as are furnished to it for the purpose by the director of the division of forests and parks in the department of natural resources; provided, that this section shall not prohibit any railroad corporation from piling or keeping upon its location or right of way cross-ties or other material necessary for the maintenance and operation of its railroad.

SECTION 2. This act shall take effect on July first, nineteen hundred and sixty-four. *Approved November 6, 1963.*

Chap. 795. AN ACT REGULATING THE CONSTRUCTION OF CERTAIN BUILDINGS ON LAND ABUTTING ON THE JAMAICAWAY IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of section thirteen of chapter six hundred and fifty-two of the acts of nineteen hundred and sixty or any other provision of law to the contrary, no building which exceeds sixty-five feet in height shall be constructed on land abutting on the Jamaicaway in the city of Boston.

SECTION 2. This act shall take effect upon its acceptance by the city of Boston. *Approved November 6, 1963.*

Chap. 796. AN ACT REGULATING THE CANCELLATION OF CERTAIN INSURANCE DURING A PERIOD OF STRIKE OF INSURANCE AGENTS.

Be it enacted, etc., as follows:

Chapter 175 of the General Laws is hereby amended by inserting after section 187E the following section: —

Section 187F. 1. No life insurance policy, non-cancellable disability insurance contract, hospital expense or hospital and surgical expense contract, now or hereafter in force in the commonwealth, premiums for which are normally collected by insurance agents employed by the insurer, shall terminate or lapse by reason of default in payment of any premium, installment or interest on any policy loan payable to said insurer during the period that said insurer's agents are on strike.

2. The insured or premium payer of any policy or contract of insurance set forth in paragraph 1 shall be entitled to a grace period of thirty-one days immediately following the authorized termination of such strike, within which the payment of any premium, installment or interest on any policy loan may be made, during which period of grace the policy or contract of insurance shall continue in full force and effect.

3. If a claim arises under the policy or contract of insurance during a strike period as set forth in paragraph 1, or during the grace period as set forth in paragraph 2, before the overdue premium, or installment or interest on a policy loan, if any, are paid, the amount of such overdue premium or installment together with interest not to exceed six per cent per annum and the amount of any loan with interest due, may be deducted from the amount payable under the policy or contract in settlement. *Approved November 7, 1963.*

Chap. 797. AN ACT PROHIBITING CERTAIN LIE DETECTOR TESTS.

Be it enacted, etc., as follows:

Chapter 149 of the General Laws is hereby amended by striking out section 19B, inserted by chapter 255 of the acts of 1959, and inserting in place thereof the following section: — *Section 19B.* Any employer who subjects any person employed by him, or any person applying for employment, to a lie detector test, or causes, directly or indirectly, any such employee or applicant to take a lie detector test, shall be punished by a fine of not more than two hundred dollars. This section shall not

apply to lie detector tests administered by law enforcement agencies in the performance of their official duties.

(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, November 5, 1963, and, in concurrence, by the Senate, November 8, 1963, the objections of the governor, notwithstanding, in the manner prescribed by the constitution; and thereby has "the force of a law".)

Chap. 798. AN ACT REALLOCATING CERTAIN JOB GROUPS OF THE METROPOLITAN POLICE AND THE CAPITOL POLICE IN THE GENERAL SALARY SCHEDULE, GIVING THE CAPITOL POLICE ADDITIONAL DUTIES, AND PROVIDING THAT THE CAPITOL POLICE SHALL NOT RECEIVE OVERTIME PAY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary the director of personnel and standardization shall change the job groups of the following titles in the general salary schedule of the commonwealth as follows:

	FROM JOB GROUP	TO JOB GROUP
Capitol police officer	XI	XII
Capitol police traffic officer	XI	XII
Metropolitan police patrolman	XI	XII
Metropolitan police patrolman (radio operator)	XI	XII
Metropolitan police patrolman (head clerk)	XII	XIII
Metropolitan police patrolman (radio technician)	XII	XIII
Metropolitan police patrolman (headquarters dispatcher)	XII	XIII
Metropolitan police sergeant	XIII	XIV
Metropolitan police sergeant (detective)	XIV	XV
Capitol police captain	XIV	XVI
Metropolitan police lieutenant	XV	XVI
Chief of capitol police	XVI	XVIII
Metropolitan police captain	XVII	XVIII
Metropolitan police deputy superintendent	XIX	XX
Metropolitan police superintendent	XXI	XXII

SECTION 2. The first paragraph of section 12 of chapter 8 of the General Laws, amended by chapter 66 of the acts of 1947, is hereby further amended by adding at the end the following sentence: —

The capitol police shall have such additional duties as may be from time to time assigned by the commissioner of administration, and shall have, when so assigned, all the powers of state police officers.

SECTION 3. Section 4 of chapter 147 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following two paragraphs: —

The commissioner may, when in his opinion the need exists, with the approval of the governor, call upon the commissioner of administration for assistance in performing the duties imposed upon him by law; and the said commissioner of administration shall, when so called upon, assign to duty under said commissioner of public safety such of the capitol police as the said commissioners shall determine.

The members of the metropolitan district commission police and the capitol police shall, when assigned under this section, have all the powers of state police officers.

SECTION 4. Section 30A of chapter 149 of the General Laws is hereby amended by inserting after the word "police", in line 13, as appearing in section 1 of chapter 430 of the acts of 1960, the words: —, capitol police.

SECTION 5. Section 30B of said chapter 149 is hereby amended by inserting after the word "police", in line 6, as appearing in section 1 of chapter 762 of the acts of 1960, the words: —, capitol police.

Approved November 8, 1963.

Chap. 799. AN ACT AUTHORIZING THE CITY OF BOSTON TO CONVEY TO THE METROPOLITAN DISTRICT COMMISSION CERTAIN LANDS AND A CERTAIN PLAYGROUND IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provisions of general or special law, the city of Boston, by its mayor, may convey without consideration to the metropolitan district commission a certain parcel of land held by said city for playground purposes and certain parcels of land acquired by said city through foreclosure of tax titles, said lands being located in the block bounded by Rutherford avenue, Union street, Washington street and Austin street in the Charlestown district of said city, for the purposes set forth in chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-two.

SECTION 2. Notwithstanding any contrary provisions of general or special law, the city of Boston, by its mayor, may convey without consideration to the metropolitan district commission a certain parcel of land held by said city for park purposes, said parcel being bounded easterly by the Jamaicaway, northeasterly by Willow Pond Road, westerly by the boundary line between the city of Boston and the town of Brookline and southwesterly by an extension of the center line of Parkwood terrace projected to the said boundary line, and located in the Jamaica Plain district of said city, for the purposes set forth in chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-two.

SECTION 2A. Notwithstanding any contrary provisions of general or special law, the city of Boston, by its mayor, may convey without consideration to the metropolitan district commission, for the purposes set forth in chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-two, the William Eustis playground located on Norfolk avenue in the Roxbury district of the city of Boston.

SECTION 3. The conveyance provided for in section one shall be made only with the assent of the parks and recreation commission and the real property board of said city expressed in each case by vote at a regular or special meeting. The conveyance provided for in section two shall be made only with the assent of said parks and recreation commission expressed by vote at a regular or special meeting. The conveyance provided for in section two A shall be made only with the consent of said parks and recreation commission expressed by vote at a regular or special meeting.

SECTION 4. This act shall take effect upon its acceptance by a majority vote of the city council of the city of Boston.

Approved November 8, 1963.

Chap. 800. AN ACT AUTHORIZING THE TOWN OF MILLBURY TO CONSTRUCT AND OPERATE A SYSTEM OR SYSTEMS OF SEWERAGE AND SEWAGE DISPOSAL.

Be it enacted, etc., as follows:

SECTION 1. The town of Millbury, hereinafter called the town, may lay out, construct, maintain and operate a system or systems of common sewers for a part or the whole of its territory, with such connections and other works as may be required for a system or systems of sewerage and sewage treatment and disposal, and may construct such sewers in said town as may be necessary.

SECTION 2. The town may make and maintain, in any way therein where common sewers are constructed, such connecting sewers within the limits of such way as may be necessary to connect any estate which abuts upon the way.

SECTION 3. The town may, at the meeting when this act is accepted, vote that the selectmen shall act as a board of sewer commissioners. If the town does not so vote at said meeting, the town shall elect by ballot, at any town meeting not later than the second annual meeting after the commencement of construction hereunder of a system or systems of sewerage and sewage disposal, a board of three sewer commissioners, who shall be citizens of the town, to hold office, if elected at an annual meeting, one until the expiration of one year, one until the expiration of two years, and one until the expiration of three years, from such annual town meeting, and until their successors are qualified, or, if elected at a special meeting, one until the expiration of one year, one until the expiration of two years, and one until the expiration of three years from the next succeeding annual town meeting, and until their successors are qualified, and thereafter, at each annual town meeting when the term of a member expires, the town shall elect one member of the board to serve for three years and until his successor is qualified. Any selectman shall be eligible to election to said board. In either case, whether the town votes that its selectmen shall act as a board of sewer commissioners, or elects a board of sewer commissioners, the town may at any time thereafter, by any or all the methods permitted by general law, provide for the election of a board of three sewer commissioners, or that the selectmen may act as a board of sewer commissioners, as the case may be.

SECTION 4. Said board of sewer commissioners, acting for and on behalf of said town, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, water rights, rights of way or easements, public or private, in said town, necessary for accomplishing any purpose mentioned in this act, and may construct such sewers under or over any bridge, railroad, railway, boulevard or other public way, or within the location of any railroad, and may enter upon and dig up any private land, public way or railroad location, for the purpose of laying such sewers and of maintaining and repairing the same, and may do any other thing proper or necessary for the purposes of this act; provided, that they shall not take in fee any land of a railroad corporation, and that they shall not enter upon or construct any sewer within the location of any railroad corporation except at such time and in such manner as they may agree

upon with such corporation, or, in case of failure to agree, as may be approved by the department of public utilities.

SECTION 5. Until the board of sewer commissioners has first been elected as provided in this act or the selectmen have first been authorized by vote to act as such board, as the case may be, but not in any event later than the second annual meeting after the commencement of the work of construction authorized hereby, the town may carry on such work by a duly authorized committee of the town. The committee shall serve without pay and shall have all the powers and authority given to the board of sewer commissioners in this act or by general law. Whenever the phrase "said board of sewer commissioners" or "said board" hereinafter occurs, it shall mean and include the board of sewer commissioners, the selectmen acting as such or the committee of the town provided for in this section, as the case may be.

SECTION 6. Any person injured in his property by any action of said board of sewer commissioners under this act may recover damages from said town under said chapter seventy-nine.

SECTION 7. The town shall, by vote, determine whether it shall pay the whole or a portion of the cost of said system or systems of sewerage and sewage disposal and if a portion, what proportion. If the town votes to pay less than the whole cost, in providing for the payment of the remaining portion of the cost of said system or systems the town may avail itself of any or all of the methods permitted by General Laws, and the provisions of said General Laws relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments, to liens therefor and to interest thereon, shall apply to assessments made under this act, except that interest shall be at the rate of four per cent per annum. At the same meeting at which it determines that any portion of the cost is to be borne by the town, it may by vote determine by which of such methods the remaining portion of said cost shall be provided for. The collector of taxes of said town shall certify the payment or payments of such assessments, or apportionments thereof to the sewer commissioners, or to the selectmen acting as such, who shall preserve a record thereof.

SECTION 8. For the purpose of paying the necessary expenses and liabilities incurred under this act, the town may from time to time, within five years after the passage of this act, borrow such sums as may be necessary, not exceeding, in the aggregate, one million five hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words Millbury Sewerage Loan, Act of 1963. 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 Millbury, if there be any, and if not, then in some newspaper published in the county of Worcester, and shall not take effect until such publications have been made.

SECTION 13. No act shall be done under authority of the preceding sections except in the making of surveys and other preliminary investigations, until the plan for said system or systems of sewerage and sewage disposal has been approved by the state department of public health.

SECTION 14. This act shall take effect upon its acceptance by the town of Millbury within four years after its passage, but not otherwise. No expenditure shall be made and no liability incurred hereunder until such acceptance. *Approved November 9, 1963.*

Chap. 801. AN ACT REVISING STATUTORY SALARIES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide without delay additional compensation for certain employees of the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 22 of chapter 6 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 236 of the acts of 1958, and inserting in place thereof the following sentence: — There shall be an officer to be known as the commissioner of veterans' services, who shall be appointed by the governor, with the advice and consent of the council, for five years, at such salary, not exceeding twelve thousand dollars, as the governor and council shall determine, and shall devote his full time during business hours to the duties of his office.

SECTION 2. The last paragraph of said section 22 of said chapter 6, added by section 2 of chapter 753 of the acts of 1951, is hereby amended by striking out the second sentence and inserting in place thereof the

following sentence: — She shall be appointed by the governor, with the advice and consent of the council, for a term of three years at such salary, not exceeding twenty-five hundred dollars, as the governor and council shall determine.

SECTION 3. Section 31 of said chapter 6, as most recently amended by chapter 569 of the acts of 1948, is hereby further amended by striking out, in line 3, the words "one thousand" and inserting in place thereof the words: — twelve hundred and fifty, — so as to read as follows: — *Section 31.* The members of said commission shall each be paid such compensation for their services, not exceeding twelve hundred and fifty dollars annually, as the governor and council may determine; and shall be allowed for expenses such sum, not exceeding one thousand dollars, as may be determined by the governor and council.

SECTION 4. Section 43 of said chapter 6 is hereby amended by striking out the next to the last sentence, as amended by chapter 785 of the acts of 1950, and inserting in place thereof the following sentence: — The chairman shall receive a salary of ten thousand dollars and each other member shall receive a salary of eighty-five hundred dollars per annum.

SECTION 5. The third paragraph of section 48 of said chapter 6 is hereby amended by striking out the first sentence, as amended by section 2 of chapter 730 of the acts of 1955, and inserting in place thereof the following sentence: — The chairman shall receive a salary of eight thousand dollars and each other member shall receive a salary of sixty-seven hundred and fifty dollars.

SECTION 6. Section 57 of said chapter 6, inserted by section 1 of chapter 583 of the acts of 1946, is hereby amended by striking out the last sentence of the first paragraph and inserting in place thereof the following sentence: — Each member of the commission shall receive the sum of twenty-five dollars for each day or part thereof of service as a commissioner; provided, that no member shall receive in any fiscal year for such service a sum in excess of twenty-five hundred dollars.

SECTION 7. The first paragraph of section 64 of said chapter 6 is hereby amended by striking out the fifth sentence, as appearing in section 3 of chapter 260 of the acts of 1948, and inserting in place thereof the following sentence: — The chairman shall receive, subject to appropriation, such salary, not exceeding eleven thousand dollars, as the governor and council may determine, and shall devote his whole time to the duties of his office.

SECTION 8. Said first paragraph of said section 64 of said chapter 6 is hereby further amended by striking out the sixth sentence, as amended by chapter 577 of the acts of 1949, and inserting in place thereof the following sentence: — The remaining four members shall each receive, subject to appropriation, thirty-seven dollars and fifty cents a day while attending meetings of the board, or while performing any duties of his office required of him by the chairman, or by this chapter, but not more than twenty-five hundred dollars shall be paid to any member of the board other than the chairman in any fiscal year.

SECTION 9. Section 66 of said chapter 6 is hereby amended by striking out the second sentence, as amended by section 2A of chapter 730 of the acts of 1955, and inserting in place thereof the following sentence: — The chairman shall receive a salary of sixteen thousand dollars, and each of the other members shall receive a salary of thirteen thousand dollars, and each member shall devote his full time during business

hours to the duties of his office; and each member shall also be reimbursed for his expenses actually and necessarily incurred by him in the performance of his official duties.

SECTION 10. Section 75 of said chapter 6, inserted by section 2 of chapter 602 of the acts of 1956, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence: — He shall receive such salary, not exceeding thirteen thousand dollars, as the governor and council may determine, and shall devote his full time during business hours to the duties of his office.

SECTION 11. Section 4 of chapter 7 of the General Laws, as most recently amended by section 4 of chapter 757 of the acts of 1962, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence: — He shall serve at the pleasure of the governor, shall receive such salary not exceeding twenty thousand dollars per year as the governor may determine, and shall devote his full time during business hours to the duties of his office.

SECTION 12. Section 4A of said chapter 7, inserted by section 4 of chapter 757 of the acts of 1962, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — 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, and shall receive such salary not exceeding sixteen thousand dollars, as the governor and council may determine; 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, and shall receive such salary not exceeding sixteen thousand dollars, as the governor and council may determine; 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.

SECTION 13. The second paragraph of section 2 of chapter 13 of the General Laws is hereby amended by striking out the last sentence, as most recently amended by chapter 699 of the acts of 1957, and inserting in place thereof the following sentence: — The said director shall receive such salary, not exceeding sixteen thousand dollars, as the governor and council may determine, and shall devote his full time during business hours to the duties of his office.

SECTION 14. Section 2A of said chapter 13 is hereby amended by striking out the fourth sentence, as most recently amended by chapter 735 of the acts of 1960, and inserting in place thereof the following sentence: — The chairman shall receive fifty dollars a day, and each other commissioner shall receive forty-five dollars a day, while attending meetings of the commission or while performing any duties of his office required of him by the chairman or by this chapter or chapter thirty-one, but in any state fiscal year, not more than nine thousand dollars shall be paid to the chairman and not more than eight thousand dollars shall be paid to any other commissioner.

SECTION 15. Section 8 of said chapter 13 is hereby amended by striking out the first sentence, as most recently amended by section 11 of chapter 730 of the acts of 1955, and inserting in place thereof the following sentence: — The division of registration shall be under the

supervision of a director, to be known as the director of registration, at such salary, not exceeding eight thousand dollars, as the governor and council may determine, and shall devote his full time during business hours to the duties of his office.

SECTION 16. Section 11 of said chapter 13 is hereby amended by striking out the last sentence, as most recently amended by section 12 of said chapter 730, and inserting in place thereof the following sentence: — There shall be paid by the commonwealth to the secretary of the board a salary of fifty-six hundred and twenty-five dollars, to the chairman of the board a salary of twelve hundred and fifty dollars and to each of the other members thereof a salary of one thousand dollars, and to each member thereof his necessary traveling expenses actually incurred in attending the meetings of the board.

SECTION 17. Said chapter 13 is hereby further amended by striking out section 12C, as amended by section 13 of said chapter 730, and inserting in place thereof the following section: — *Section 12C.* There shall be paid by the commonwealth to the secretary of the board a salary of five hundred dollars, and his necessary expenses incurred in the discharge of his official duties, and to each of the other members thereof a salary of two hundred and fifty dollars, and his necessary expenses so incurred; provided, that the salaries and expenses of the members of the board, and the expenses of the board, shall not be in excess of the receipts for registration.

SECTION 18. Said chapter 13 is hereby further amended by striking out section 15, as most recently amended by section 3 of chapter 693 of the acts of 1960, and inserting in place thereof the following section: — *Section 15.* Each member of the board shall receive as compensation five hundred dollars a year for the performance of his duties, and also his necessary traveling expenses actually incurred in attending the meetings of the board, but subject to section fifteen D.

SECTION 19. Said chapter 13 is hereby further amended by striking out section 18, as most recently amended by section 1 of chapter 494 of the acts of 1958, and inserting in place thereof the following section: — *Section 18.* There shall be paid by the commonwealth to the secretary of the board a salary of seven hundred and fifty dollars, and to each other member thereof a salary of five hundred and seventy-five dollars, and to each member thereof his necessary traveling expenses actually incurred in attending the meetings of the board and such other expenses of the board as are incurred under section sixteen or seventeen or under sections sixty-six to seventy-three, inclusive, of chapter one hundred and twelve.

SECTION 20. Section 21 of said chapter 13 is hereby amended by striking out the first sentence, as amended by section 17 of chapter 730 of the acts of 1955, and inserting in place thereof the following sentence: — There shall be paid by the commonwealth to the chairman of the board a salary of twelve hundred and fifty dollars, to the secretary thereof eighteen hundred and seventy-five dollars, and to the other members thereof one thousand dollars each, and to each member thereof his necessary traveling expenses actually incurred in attending meetings of the board.

SECTION 21. Said chapter 13 is hereby further amended by striking out section 24, as most recently amended by section 2 of chapter 280 of the acts of 1953, and inserting in place thereof the following section: —

Section 24. There shall be paid by the commonwealth to the secretary of the board a salary of twenty-two hundred and fifty dollars, to each of the other members thereof a salary of one thousand and fifty dollars, and to each member thereof his necessary traveling expenses actually incurred in attending the meetings of the board.

SECTION 22. Said chapter 13 is hereby further amended by striking out section 28, as amended by chapter 647 of the acts of 1948, and inserting in place thereof the following section: — *Section 28.* There shall be paid by the commonwealth to the secretary a salary of six hundred and twenty-five dollars and his necessary traveling and contingent expenses, not exceeding three hundred dollars, actually incurred in attending to the necessary work of the board, and to each of the other members of the board a salary of two hundred and fifty dollars and his necessary traveling and contingent expenses actually incurred in attending the meetings thereof.

SECTION 23. Section 31 of said chapter 13, as most recently amended by section 1 of chapter 653 of the acts of 1954, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — There shall be paid by the commonwealth to the chairman of said board the sum of twenty-five hundred dollars annually, to the secretary of said board the sum of eighteen hundred and seventy-five dollars, and to each of the other members of said board the sum of twelve hundred and fifty dollars, and to all members of the board their necessary traveling and other expenses actually expended in attending meetings thereof.

SECTION 24. Section 32 of said chapter 13 is hereby amended by striking out the fifth sentence, as amended by section 18 of chapter 730 of the acts of 1955, and inserting in place thereof the following sentence: — The members, ex officiis, shall receive no compensation for their services under chapter one hundred and forty-one, but the appointive members shall each receive for their services thereunder a salary of seven hundred and fifty dollars.

SECTION 25. Section 38 of said chapter 13 is hereby amended by striking out the first sentence, as amended by section 19 of chapter 730 of the acts of 1955, and inserting in place thereof the following sentence: — There shall be paid by the commonwealth to the chairman of the examiners a salary of seven hundred and fifty dollars and to each other member thereof a salary of five hundred dollars, and to each member thereof his necessary traveling expenses actually incurred in attending meetings of the examiners.

SECTION 26. Said chapter 13 is hereby amended by striking out section 41, as most recently amended by section 2 of chapter 676 of the acts of 1957, and inserting in place thereof the following section: — *Section 41.* The members of the board shall devote their full time to the duties of their offices and they shall receive from the commonwealth the following salaries: — the chairman, fifty-six hundred and twenty-five dollars and his necessary expenses incurred in the discharge of his official duties, and each of the other two members, five thousand dollars and his necessary expenses so incurred; provided, that the salaries and expenses of the members of the board shall not be in excess of the receipts for registration and from other sources received by the state treasurer from the board. The secretary of the board shall receive from the commonwealth a salary of five thousand dollars.

SECTION 27. Said chapter 13 is hereby amended by striking out section 44, as most recently amended by chapter 777 of the acts of 1960, and inserting in place thereof the following section: — *Section 44.* The members of the board shall devote their full time to the duties of their offices, and they shall receive from the commonwealth the following salaries: — the chairman, sixty-eight hundred and seventy-five dollars and his necessary expenses incurred in the discharge of his official duties, and each of the other two members, sixty-two hundred and fifty dollars and his necessary expenses so incurred; provided, that the salaries and expenses of the members of the board, and the expenses of the board, shall not be in excess of the receipts for registration and from other sources received by the state treasurer from the board.

SECTION 28. Section 44D of said chapter 13 is hereby amended by striking out the first sentence, as amended by section 21 of chapter 730 of the acts of 1955, and inserting in place thereof the following sentence: — Each member of the board shall receive eighteen dollars and seventy-five cents for each day or portion thereof spent in the performance of his official duties; provided, that the total sum paid to any member thereof shall not exceed seven hundred and fifty dollars in any one year; and, in addition, all proper traveling and incidental expenses actually incurred by him in connection with said duties.

SECTION 29. Said chapter 13 is hereby amended by striking out section 50, inserted by section 1 of chapter 688 of the acts of 1955, and inserting in place thereof the following section: — *Section 50.* There shall be paid annually by the commonwealth to the secretary of the board a salary of three hundred and seventy-five dollars and to each other member thereof an annual salary of one hundred and twenty-five dollars and to each member the necessary traveling expenses actually incurred in attending the meetings of the board and such other expenses as shall be incurred in the discharge of his duties.

SECTION 30. Section 53 of said chapter 13, inserted by section 1 of chapter 673 of the acts of 1957, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Each member of the board, other than the employee of the department of public health, shall receive from the commonwealth twelve dollars and fifty cents for each day or portion thereof spent in attending board meetings; and each member shall be paid the necessary traveling expenses actually incurred by him in attending said meetings; provided, that such compensation and expenses shall not in any one year exceed the receipts from registrations and licenses paid to the commonwealth by the board.

SECTION 31. Said chapter 13 is hereby further amended by striking out section 60, as amended by chapter 288 of the acts of 1960, and inserting in place thereof the following section: — *Section 60.* There shall be paid by the commonwealth to the secretary of said board a salary of six hundred and twenty-five dollars and his necessary traveling expenses actually incurred in attending to the necessary work of the board, and to each of the other members of the board a salary of two hundred and fifty dollars, and his necessary traveling expenses actually incurred in attending the meetings thereof, and such other expenses of the board as are incurred under section fifty-nine and under sections eighty-seven FFF to eighty-seven OOO, inclusive, of chapter one hundred and twelve.

SECTION 32. The third paragraph of section 2 of chapter 14 of the General Laws, as appearing in section 1 of chapter 654 of the acts of 1953, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — The commissioner shall receive such salary not exceeding twenty thousand dollars, and each associate commissioner such salary not exceeding sixteen thousand dollars, as the governor and council shall determine.

SECTION 33. Section 1B of chapter 15 of the General Laws is hereby amended by striking out the second sentence, as most recently amended by chapter 585 of the acts of 1960, and inserting in place thereof the following sentence: — The commissioner shall receive a salary of not less than twenty-five thousand dollars nor more than twenty-seven thousand five hundred dollars, the amount to be determined by the board, and shall devote his full time during business hours to the duties of his office.

SECTION 34. Section 5 of said chapter 16 is hereby amended by striking out the third sentence, as most recently amended by section 23 of chapter 730 of the acts of 1955, and inserting in place thereof the following sentence: — The registrar shall receive such salary, not exceeding sixteen thousand dollars, as the governor and council may determine, and shall devote his full time during business hours to the duties of his office.

SECTION 35. Section 5D of said chapter 16, inserted by section 3 of chapter 584 of the acts of 1955, is hereby amended by striking out the ninth sentence and inserting in place thereof the following sentence: — The chairman of the board shall receive from the commonwealth as compensation the sum of sixty-two dollars and fifty cents for each day spent in the performance of his official duties, but not exceeding forty-three hundred and seventy-five dollars in any one year, and the other member appointed by the governor shall receive the sum of fifty dollars for each such day, but not exceeding thirty-five hundred dollars in any one year.

SECTION 36. Section 12 of said chapter 16, added by section 1 of chapter 275 of the acts of 1960, is hereby amended by striking out the third sentence of the first paragraph and inserting in place thereof the following sentence: — The director shall receive such salary not exceeding eleven thousand dollars, as the governor and council may determine, which shall be paid out of the recreational boating fund, and shall devote his full time during business hours to the duties of his office.

SECTION 37. Section 2 of chapter 17 of the General Laws is hereby amended by striking out the third sentence, as most recently amended by section 1 of chapter 570 of the acts of 1959, and inserting in place thereof the following sentence: — The commissioner shall receive a salary of twenty-three thousand dollars, and shall devote his full time during business hours to the duties of his office.

SECTION 38. Section 3 of said chapter 17, as most recently amended by section 22 of chapter 591 of the acts of 1946, is hereby further amended by striking out the fourth sentence and inserting in place thereof the following sentence: — The appointive members shall receive twenty-five dollars a day while in conference, and their necessary traveling expenses while in the performance of their official duties.

SECTION 39. Section 2 of chapter 18 of the General Laws is hereby amended by striking out the sentence amended by section 25 of chap-

ter 730 of the acts of 1955, and inserting in place thereof the following sentence: — The commissioner shall receive such salary, not exceeding eighteen thousand dollars, as the governor and council may determine, and shall devote his full time during business hours to the duties of his office.

SECTION 40. Section 2 of chapter 19 of the General Laws is hereby amended by striking out the first sentence, as amended by chapter 489 of the acts of 1960, and inserting in place thereof the following sentence: — Upon the expiration of the term of office of the commissioner, his successor shall be appointed for six years by the governor, with the advice and consent of the council; and the commissioner shall receive such salary, not exceeding twenty-three thousand dollars, as the governor and council may determine, and shall devote his full time during business hours to the duties of his office and may be permitted such professional affiliations as he desires.

SECTION 41. Section 2 of chapter 20 of the General Laws is hereby amended by striking out the second sentence, as amended by section 26 of chapter 730 of the acts of 1955, and inserting in place thereof the following sentence: — The commissioner shall receive such salary, not exceeding eleven thousand dollars, as the governor and council may determine, and traveling expenses incurred in his official duties, and shall devote his full time during business hours to the duties of his office.

SECTION 42. Said chapter 20 is hereby amended by striking out section 5, as appearing in section 1 of chapter 674 of the acts of 1954, and inserting in place thereof the following section: — *Section 5.* The assistant commissioner shall receive such salary not exceeding eighty-two hundred and fifty dollars, as the governor and council may determine, and traveling expenses incurred in the performance of his official duties, and shall devote his full time during business hours to the duties of his office.

SECTION 43. Section 7 of said chapter 20 is hereby amended by striking out the third paragraph, as amended by chapter 484 of the acts of 1954, and inserting in place thereof the following paragraph: —

The chairman of the commission shall be a person qualified by training and experience for the duties of his office. He shall receive an annual salary of forty-five hundred dollars and his actual expenses for travel between his home and the office of the commission and for all other necessary travel in the performance of his duties. The other two members of the commission shall each receive as compensation the sum of twenty-two hundred and fifty dollars per annum and their actual expenses for travel between their homes and the office of the commission and for all other necessary travel incurred in the performance of their official duties.

SECTION 44. Section 3A of chapter 21 of the General Laws, as appearing in section 1 of chapter 631 of the acts of 1953, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — The commissioner shall receive such salary, not exceeding thirteen thousand dollars as the board of natural resources may determine, and shall devote his full time during business hours to the duties of his office.

SECTION 45. Section 10 of said chapter 21, inserted by section 3 of chapter 620 of the acts of 1956, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: —

The members of the commission may be reimbursed for expenses incurred in connection with their duties and the three appointive members of the commission shall, in addition to their expenses, receive eighteen dollars and seventy-five cents per day for each day of service to said commission, but the total amount payable to such appointive member shall not exceed four hundred and fifty dollars in any calendar year.

SECTION 46. Section 2 of chapter 22 of the General Laws is hereby amended by striking out the second sentence, as amended by section 27 of chapter 730 of the acts of 1955, and inserting in place thereof the following sentence: — The commissioner shall receive such salary, not exceeding sixteen thousand dollars, as the governor and council may determine, and shall devote his full time during business hours to the duties of his office.

SECTION 47. Section 10 of said chapter 22 is hereby amended by striking out the third sentence, as amended by section 28 of said chapter 730, and inserting in place thereof the following sentence: — The associate members shall receive as compensation for service and reimbursement for expenses such sums as the governor and council may determine, not exceeding, in all, fifteen hundred dollars a year.

SECTION 48. Section 11 of said chapter 22 is hereby amended by striking out the fourth paragraph, as amended by section 29 of said chapter 730, and inserting in place thereof the following paragraph: —

Each member of said board shall be paid thirty-one dollars and twenty-five cents for each day while in the actual performance of his duties as such, but not exceeding twelve hundred and fifty dollars in any fiscal year, and shall also receive from the commonwealth all expenses necessarily incurred by him in connection with his official duties.

SECTION 49. Section 11A of said chapter 22, inserted by section 1 of chapter 439 of the acts of 1959, is hereby amended by striking out the fourth paragraph and inserting in place thereof the following paragraph: —

Each appointive member of said board shall be paid thirty-one dollars and twenty-five cents for each day while in the actual performance of his duties as such, but not exceeding twelve hundred and fifty dollars in any fiscal year, and shall also receive from the commonwealth all expenses necessarily incurred by him in connection with his official duties.

SECTION 50. Section 12 of said chapter 22, as amended by chapter 639 of the acts of 1957, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence: — The members shall receive such salaries, not exceeding forty-three hundred and seventy-five dollars each, as the governor and council may determine.

SECTION 51. Section 13 of said chapter 22 is hereby amended by striking out the fourth paragraph, as amended by section 30 of chapter 730 of the acts of 1955, and inserting in place thereof the following paragraph: —

Each member of said board shall be paid thirty-one dollars and twenty-five cents for each day while in the actual performance of his duties as such, but not exceeding twelve hundred and fifty dollars in any fiscal year, and shall also receive from the commonwealth all expenses necessarily incurred by him in connection with his official duties.

SECTION 52. Section 14 of said chapter 22 is hereby amended by striking out the fourth paragraph, as amended by section 31 of said chapter 730, and inserting in place thereof the following paragraph: —

Each member of said board shall be paid thirty-one dollars and twenty-five cents for each day while in the actual performance of his duties as such, but not exceeding twelve hundred and fifty dollars in any fiscal year, and shall also receive from the commonwealth all expenses necessarily incurred by him in connection with his official duties.

SECTION 53. Section 2 of chapter 23 of the General Laws is hereby amended by striking out the second sentence, as amended by section 32 of said chapter 730, and inserting in place thereof the following sentence: — The commissioner shall receive such salary not exceeding fifteen thousand dollars, and the assistant commissioner and the associate commissioner such salaries not exceeding ninety-five hundred dollars, as the governor and council may determine, and each shall devote his full time during business hours to the duties of his office.

SECTION 54. Section 9I of said chapter 23 is hereby amended by striking out paragraph (*b*), as most recently amended by chapter 730 of the acts of 1960, and inserting in place thereof the following paragraph:—

(*b*) The director shall receive a salary of seventeen thousand dollars, and shall devote his full time during business hours to the duties of his office.

SECTION 55. Paragraph (*a*) of section 9N of said chapter 23, as amended by section 2 of chapter 610 of the acts of 1947, is hereby further amended by striking out the seventh sentence and inserting in place thereof the following sentence: — Each of the members of the council shall receive the sum of forty dollars as compensation for each day's attendance at meetings of the council; provided, that the total amount paid hereunder to any such member shall not exceed twenty-four hundred dollars in any period of twelve months.

SECTION 56. Paragraph (*b*) of said section 9N of said chapter 23 is hereby amended by striking out the eighth sentence, as most recently amended by chapter 739 of the acts of 1962, and inserting in place thereof the following sentence: — The chairman of the board shall receive a salary of twelve thousand dollars per annum, and each of the other members shall receive a salary of eleven thousand dollars per annum, and each shall devote his full time during business hours to the duties of his office.

SECTION 57. Section 9P of said chapter 23 is hereby amended by striking out the first sentence, as most recently amended by section 34 of chapter 730 of the acts of 1955, and inserting in place thereof the following sentence: — The chairman of the commission shall receive a salary of ten thousand dollars, and each of the other members shall receive a salary of nine thousand dollars a year; each shall devote his full time during business hours to the duties of his office, and each member shall be eligible for reappointment.

SECTION 58. Section 11E of said chapter 23 is hereby amended by striking out the sixth sentence, as amended by section 35 of said chapter 730, and inserting in place thereof the following sentence: — Each member of the council not otherwise compensated by the commonwealth shall be reimbursed for transportation and other necessary expenses, and shall be paid not more than eighteen dollars and seventy-five cents per day for each day spent in attendance at meetings of the apprenticeship council.

SECTION 59. Section 15 of said chapter 23, as most recently amended by section 1 of chapter 611 of the acts of 1961, is hereby further amended

by striking out the first paragraph and inserting in place thereof the following paragraph: —

The industrial accident board shall consist of twelve members, at least one of whom shall be a woman, at such salaries not exceeding fifteen thousand dollars each, as the governor and council determine, except that the chairman shall receive such salary, not exceeding sixteen thousand dollars, as the governor and council determine, and each shall devote his full time during business hours to the duties of his office.

SECTION 60. The second paragraph of section 24 of said chapter 23, as appearing in section 5 of chapter 602 of the acts of 1956, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — Each member of said board, except the members ex officiis, shall receive thirty-one dollars and twenty-five cents for each day or portion thereof spent at meetings of the board; provided, that the total sum paid to any member shall not exceed sixteen hundred and twenty-five dollars in any fiscal year.

SECTION 61. Section 2 of chapter 23A of the General Laws is hereby amended by striking out the second sentence, as amended by section 37 of chapter 730 of the acts of 1955, and inserting in place thereof the following sentence: — The commissioner shall receive a salary not exceeding fourteen thousand dollars, as the governor and council determine, and shall devote his full time during business hours to the duties of his office.

SECTION 62. Section 2 of chapter 25 of the General Laws is hereby amended by striking out the fifth sentence, as appearing in section 1 of chapter 557 of the acts of 1958, and inserting in place thereof the following sentence: — The chairman shall receive such salary, not exceeding fifteen thousand dollars, and each of the other commissioners such salary, not exceeding eleven thousand five hundred dollars, as the governor and council may determine.

SECTION 63. Section 2 of chapter 26 of the General Laws is hereby amended by striking out the second sentence, as amended by section 39 of chapter 730 of the acts of 1955, and inserting in place thereof the following sentence: — The commissioner shall receive such salary, not exceeding fifteen thousand dollars, as the governor and council determine, and shall devote his full time during business hours to the duties of his office.

SECTION 64. Section 5A of said chapter 26, inserted by section 3 of chapter 689 of the acts of 1956, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence: — Members of the board, except elective or appointive officials of the state, shall be paid thirty-one dollars and seventy-five cents and expenses for each day spent in the performance of their duties, which, in the first instance, shall be paid by the commonwealth, but which shall be assessed against and collected from licensees under sections ninety-six to one hundred and thirteen, inclusive, of chapter one hundred and forty in proportion to the amount of loans coming within the purview of said sections which are shown as accounts receivable in the latest annual report filed with the commissioner by such licensees.

SECTION 65. Section 6 of said chapter 26 is hereby amended by striking out the second sentence, as amended by section 40 of chapter 730 of the acts of 1955, and inserting in place thereof the following sentence: — The commissioner shall receive such salary, not exceeding fifteen thou-

sand dollars, as the governor and council determine, and shall devote his full time during business hours to the duties of his office.

SECTION 66. Section 1 of chapter 27 of the General Laws, as appearing in section 1 of chapter 770 of the acts of 1955, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence: — He shall receive such salary, not exceeding eighteen thousand dollars, as the governor and council may determine, and shall devote his full time during business hours to the duties of his office.

SECTION 67. Section 2 of said chapter 27 is hereby amended by striking out the first sentence, as so appearing, and inserting in place thereof the following sentence: — The commissioner shall, with the approval of the governor and council, appoint and may, with like approval, remove a deputy commissioner for institutional services, a deputy commissioner for classification and treatment, and a deputy commissioner for personnel and training, each of whom shall receive such salary, not exceeding twelve thousand dollars, as the governor and council may determine, and each shall devote his full time during business hours to the duties of his office.

SECTION 68. Section 4 of said chapter 27, as amended by section 1 of chapter 765 of the acts of 1960, is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

The chairman shall receive a salary of sixteen thousand dollars and each of the other members a salary of thirteen thousand five hundred dollars, and each shall devote his full time during business hours to the duties of his office.

SECTION 69. Chapter 28 of the General Laws is hereby amended by striking out section 2, as most recently amended by chapter 795 of the acts of 1949, and inserting in place thereof the following section: — *Section 2.* The commissioner shall receive such salary, not exceeding twenty thousand dollars, and each associate commissioner such salary, not exceeding sixty-five hundred dollars, as the governor and council determine, and the commissioner shall devote his full time during business hours to the duties of his office.

SECTION 70. Section 55 of chapter 30 of the General Laws, as amended by section 1 of chapter 615 of the acts of 1958, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — The chairman of the board shall receive compensation at the rate of forty-five dollars per day for each day of service, and the other members shall receive compensation at the rate of thirty-seven dollars and fifty cents per day for each day of service, but in any fiscal year not more than twenty-seven hundred and fifty dollars shall be paid to the chairman, and not more than twenty-two hundred and fifty dollars shall be paid to any other member.

SECTION 71. Section 15 of chapter 33 of the General Laws is hereby amended by striking out subsection (*j*), as appearing in chapter 395 of the acts of 1963, and inserting in place thereof the following subsection: —

(*j*) Except when ordered on duty under section thirty-eight, forty, forty-one, forty-two or sixty of this chapter, the officers of the state staff shall respectively receive the following salaries: — the assistant adjutants general, the same pay as an officer of the regular service of corresponding grade with corresponding length of service but not ex-

ceeding that of colonel; provided, however, that the assistant adjutant general who is designated executive officer shall hold the grade of brigadier general and shall receive the same pay as an officer of the regular service of corresponding grade with corresponding length of service, but not exceeding that of brigadier general; the state quarter master, the same pay as an officer of the regular service of corresponding grade with corresponding length of service but not exceeding that of colonel; the state surgeon, twenty-seven hundred and fifty dollars; provided, however, that for services rendered to the commissioner of veterans' services in cases of state or military aid and soldiers' relief he may receive such additional compensation, not exceeding thirteen hundred and twenty-six dollars per annum, as said commissioner shall approve; the state judge advocate, twenty-seven hundred and fifty dollars; the state property officer eleven hundred dollars; the state engineer officer, twenty-seven hundred and fifty dollars; the state inspector and the state ordnance officer, sixteen hundred and fifty dollars each.

SECTION 72. Paragraph (*f*) of section 43 of chapter 31 of the General Laws, as appearing in section 1 of chapter 373 of the acts of 1947, is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence: — Whenever any hearing is held by a member of the commission or some disinterested person designated by the chairman of the commission, as authorized by paragraph (*b*) of this section, such person shall be paid a sum not to exceed twenty-five dollars per day; and such compensation shall be in addition to any compensation provided for in section two A of chapter thirteen.

SECTION 73. The first paragraph of section 48 of chapter 35 of the General Laws is hereby amended by striking out the last sentence, as amended by chapter 538 of the acts of 1949, and inserting in place thereof the following sentence: — Each member of the board shall receive as compensation the sum of twenty-five dollars for each day's attendance at board meetings, in addition to his salary as county commissioner, and shall be reimbursed for expenses actually incurred in the transaction of the business of the board; provided, that the total amount paid for compensation as aforesaid shall not exceed twelve hundred and fifty dollars annually.

SECTION 74. The first paragraph of section 1 of chapter 58A of the General Laws is hereby amended by striking out the fourth sentence, as amended by chapter 732 of the acts of 1957, and inserting in place thereof the following sentence: — The chairman of said board shall receive a salary of sixteen thousand dollars and each other member shall receive a salary of fourteen thousand dollars, and each shall devote his full time during business hours to the duties of his office.

SECTION 75. The second paragraph of section 14 of chapter 75 of the General Laws, as appearing in section 1 of chapter 648 of the acts of 1962, is hereby amended by striking out the second sentence and inserting in place thereof the following two sentences: — The president shall receive a salary of not more than twenty-seven thousand five hundred dollars, the amount to be determined by the trustees. He shall devote his full time during business hours to the duties of his office.

SECTION 76. The first paragraph of section 12 of chapter 75A of the General Laws is hereby amended by striking out the last sentence, as amended by chapter 563 of the acts of 1960, and inserting in place

thereof the following sentence: — The president shall be paid a salary of eighteen thousand dollars, and shall devote his full time during business hours to the duties of his office.

SECTION 77. Section 12 of chapter 75B of the General Laws, as appearing in section 3 of chapter 543 of the acts of 1960, is hereby amended by adding at the end the following two sentences: — The president shall receive a salary of not more than eighteen thousand dollars, the amount to be determined by the trustees. He shall devote his full time during business hours to the duties of his office.

SECTION 78. Section 71A of chapter 143 of the General Laws, as amended by section 1 of chapter 637 of the acts of 1957, is hereby further amended by striking out the fourth sentence and inserting in place thereof the following sentence: — The chairman shall be paid by the commonwealth as compensation the sum of thirty-one dollars and twenty-five cents for each day's service performed in connection with his duties as such chairman, but not to exceed one thousand dollars in any fiscal year.

SECTION 79. The first paragraph of section 98 of chapter 276 of the General Laws, as appearing in section 19 of chapter 731 of the acts of 1956, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — He shall be paid by the commonwealth a salary of fifteen thousand dollars, and shall devote his full time during business hours to the duties of his office.

SECTION 80. The second paragraph of said section 98 of said chapter 276, as so appearing, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — The deputy commissioner shall be paid by the commonwealth a salary of eleven thousand dollars, and shall devote his full time during business hours to the duties of his office:

SECTION 81. Section 4 of chapter 421 of the acts of 1947 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Each commissioner designated or appointed by the governor, who, while such commissioner, holds no salaried state office, shall be paid by the commonwealth as compensation the sum of thirty-seven dollars and fifty cents for each day's service performed in connection with his duties as such commissioner, but not to exceed seven hundred and fifty dollars in any fiscal year.

SECTION 82. Section 3 of chapter 544 of the acts of 1947 is hereby amended by striking out the first sentence, as amended by section 1 of chapter 572 of the acts of 1949, and inserting in place thereof the following sentence: — The chairman of the board of trustees established by section two shall receive an annual salary of ten thousand five hundred dollars, and the other trustees shall each receive an annual salary of seventy-five hundred dollars.

SECTION 83. Section 5 of chapter 692 of the acts of 1951 is hereby amended by striking out, in line 4, the words "thirty dollars" and inserting in place thereof the words: — thirty-seven dollars and fifty cents, — so as to read as follows: — *Section 5.* The member of said commission appointed by the Commonwealth of Massachusetts who does not hold a salaried state office shall receive as compensation for his services the sum of thirty-seven dollars and fifty cents a day for each day's service performed in connection with his duties as such member.

SECTION 84. The last paragraph of section 3 of chapter 354 of the acts of 1952 is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — In addition to the salary provided in the last paragraph of section four of chapter five hundred and ninety-eight of the acts of nineteen hundred and fifty-eight, the chairman of the Authority shall receive an annual salary of twenty thousand dollars and the other members shall each receive an annual salary of twelve thousand dollars.

SECTION 85. Section 4 of chapter 589 of the acts of 1954 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Each member designated or appointed by the governor who, while such member, holds no salaried state office, shall be paid by the commonwealth as compensation, the sum of thirty-seven dollars and fifty cents for each day's service performed in connection with his duties as such member, but not to exceed twenty-five hundred dollars in any fiscal year.

SECTION 86. Section 1 of chapter 675 of the acts of 1955 is hereby amended by striking out the fourth paragraph and inserting in place thereof the following paragraph: —

Each appointive member of said board shall be paid twenty-five dollars for each day while in the actual performance of his duties as such, but not exceeding twelve hundred and fifty dollars in any fiscal year, and each member shall receive from the commonwealth all expenses necessarily incurred by him in connection with his official duties.

SECTION 87. On and after the effective date of this act each appointive member of the emergency finance board, established under section one of chapter forty-nine of the acts of nineteen hundred and thirty-three, shall receive from the commonwealth as compensation for each day's attendance at board meetings, when acting as a member of the board as provided by law, the sum of forty dollars; provided, that the total amount paid to any member for such compensation shall not exceed thirty-seven hundred and fifty dollars in any period of twelve months.

On or after July first, nineteen hundred and sixty-three, the state treasurer and the director of the division of accounts, ex officiis, and the assistant shall each receive from the commonwealth as compensation for each day's attendance at board meetings, when acting as a member of the emergency finance board as provided by law, the sum of thirty-seven dollars and fifty cents; provided, that the total amount paid to each of them for such compensation shall not exceed twenty-five hundred dollars in any period of twelve months.

SECTION 88. Section 5 of chapter 608 of the acts of 1956 is hereby amended by striking out, in line 4, the word "thirty" and inserting in place thereof the words: — thirty-seven dollars and fifty cents, — so as to read as follows: — *Section 5.* The member of said commission appointed by the governor of Massachusetts who does not hold a salaried state office shall receive as compensation for his services the sum of thirty-seven dollars and fifty cents a day for each day's service performed in connection with his duties as such member.

SECTION 89. Section 5 of chapter 616 of the acts of 1957 is hereby amended by striking out, in line 4, the word "thirty" and inserting in place thereof the words: — thirty-seven dollars and fifty cents, — so as to read as follows: — *Section 5.* The member of said commission appointed by the governor of Massachusetts who does not hold a salaried

state office shall receive as compensation for his services the sum of thirty-seven dollars and fifty cents a day for each day's service performed in connection with his duties as such member.

SECTION 90. Chapter 635 of the acts of 1960 is hereby amended by striking out section 2 and inserting in place thereof the following section: — *Section 2.* The chairman of the commission shall receive an annual salary of ninety-four hundred dollars and the other members an annual salary of sixty-three hundred dollars each. Each member shall be reimbursed for his actual expenses necessarily incurred in the performance of his duties.

SECTION 91. Section 3 of said chapter 635 is hereby amended by striking out the third sentence and inserting in place thereof the following sentence: — The commission shall appoint an executive secretary who shall receive an annual salary of not less than twelve thousand five hundred dollars nor more than seventeen thousand dollars as the commission may determine.

SECTION 92. This act shall take effect as of July first, nineteen hundred and sixty-three. *Approved November 12, 1963.*

Chap. 802. AN ACT REQUIRING LESSORS OF MOTORCYCLES TO BE LICENSED BY THE REGISTRAR OF MOTOR VEHICLES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide immediately for supervision of the rental of motorcycles to the public, in order to control the leasing of such vehicles to inexperienced or unqualified operators, 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 90 of the General Laws is hereby amended by inserting after section 32G the following section: —

Section 32H. No person shall engage in the business of leasing motorcycles without being licensed by the registrar for such purpose. No such license shall be issued unless the registrar is satisfied from an investigation of the facts that the applicant is a proper person to engage in such business and that he has a place of business suitable for such purpose. A separate license shall be secured for each place of business where a person conducts a business of leasing motorcycles. Application for a license under this section may be filed with the registrar and contain such information as he shall prescribe. Each such application shall be accompanied by an application fee of ten dollars which shall in no event be refunded. If an application is approved by the registrar, the applicant upon the payment of an additional fee of fifteen dollars shall be granted a license, which shall be valid for a period of one year from the date of its issuance. The annual fee for renewal thereof shall be twenty-five dollars. The registrar shall issue a license certificate to each licensee, which certificate shall be conspicuously displayed in the place of business of the licensee.

Any original license may be suspended or revoked by the registrar for cause and any renewed license may be so suspended or revoked for cause occurring during the two years next preceding the date of such renewed license, after a hearing, due notice of which shall be mailed to

the licensee at his last known address at least ten days prior to the date of said hearing.

The registrar may prescribe such rules and regulations as he may deem necessary to carry out the provisions of this section, and may provide that any violation thereof shall be punishable by a fine not to exceed twenty-five dollars.

Every licensee shall keep such records as the registrar may by regulation require, and he shall keep the records required by and be subject to the provisions of sections thirty-two C, thirty-two D and thirty-two E, and lessees of motorcycles shall be subject to the provisions of sections thirty-two C, thirty-two E and thirty-two F.

The commissioner of public safety, the police commissioner in Boston, the chief of police of any other city, the selectmen of a town or any police officer authorized by any of said officials, or any person having police powers under section twenty-nine may at any time enter upon any premises used as the place of business of a licensee under this section, to ascertain how he conducts the same, and examine all records and vehicles used in connection with the licensed business.

Whoever engages in the business of leasing motorcycles without being licensed, shall be punished by a fine of not less than twenty-five dollars nor more than two hundred fifty dollars, or by imprisonment for not less than thirty days nor more than six months, or both.

Approved November 12, 1963.

Chap. 803. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE COMMONWEALTH MAY BORROW TO MEET THE NON-FEDERAL COST OF THE THREE RIVERS, MASSACHUSETTS, LOCAL FLOOD PROTECTION PROJECT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for an increase in the amount of money which may be borrowed by the commonwealth to meet the non-federal cost of the Three Rivers, Massachusetts, Local Flood Protection Project, 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 meeting the non-federal cost of the project for the construction of the Three Rivers, Massachusetts, Local Flood Protection Project, as authorized by chapter six hundred and ninety-two of the acts of nineteen hundred and sixty-two, the state treasurer shall, upon request of the governor and council, issue and sell, in addition to the bonds authorized by said chapter six hundred and ninety-two, at public or private sale, bonds of the commonwealth registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor and council, from time to time, but not exceeding in the aggregate the sum of one hundred and eighty-five 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 1963, 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 pur-

suant 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 2. 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 the Flood Control Act of 1960, if considered in the best interest of the commonwealth.

SECTION 3. 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 one of this act and the annual payment, if any, made to the federal government under the provisions of section two of this act with the assessments to be paid to the commonwealth by the following May first.

SECTION 4. This act shall take effect upon its acceptance by the town of Palmer. *Approved November 12, 1963.*

Chap. 804. AN ACT REGULATING THE TWO METHODS OF SUBMITTING PLANS TO THE PLANNING BOARD UNDER THE SUBDIVISION CONTROL LAW.

Be it enacted, etc., as follows:

Section 81O of chapter 41 of the General Laws, as appearing in section 7 of chapter 674 of the acts of 1953, is hereby amended by adding at the end the following paragraph: —

A plan shall be submitted under this section when delivered at a meeting of the board or when sent by registered mail to the planning board, care of the city or town clerk. If so mailed, the date of mailing shall be the date of submission of the plan. *Approved November 12, 1963.*

Chap. 805. AN ACT FURTHER REGULATING THE LICENSING OF RACING MEETINGS AT STATE OR COUNTY FAIRS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 128A of the General Laws is hereby amended by striking out the definition of "State or county fair", added by section 1 of chapter 208 of the acts of 1958, and inserting in place thereof the following definition: —

"State or county fair" shall mean an agricultural fair or exhibition, the main purpose of which is the encouragement, improvement or extension of agriculture by competitive exhibits of agricultural products, including exhibits described in paragraph (*f*) of section two of chapter one hundred and twenty-eight, and of varied types of available livestock, with youth participation therein, and the display of agricultural machinery, implements and other improvements of interest to dairy and produce farmers and horticulturists.

SECTION 2. Section 3 of said chapter 128A is hereby amended by striking out the first paragraph, as most recently amended by section 2 of chapter 295 of the acts of 1959, and inserting in place thereof the following paragraph: —

If any application for a license, filed as provided by section two, shall be in accordance with the provisions of this chapter, the commission, after reasonable notice and a public hearing in the city or town wherein the license is to be exercised, may issue a license to the applicant to conduct a racing meeting, in accordance with the provisions of this chapter, at the race track specified in such application; provided, that if the commission has already taken action on an application for any calendar year, after such notice and public hearing, no other application filed prior to the expiration of said year relating to the same premises shall be acted upon or considered without such notice and public hearing as hereinbefore provided; and provided, further, that on an application for a license to conduct a horse or dog racing meeting in connection with a state or county fair the applicant shall show a certificate from the commissioner of agriculture that (1) such fair is a state or county fair as defined in section one, (2) such fair has been operating for each of the five consecutive years immediately preceding the date of filing such application and had received for each of said five consecutive years assistance from the agricultural purposes fund, (3) such fair is properly qualified as hereinafter in this paragraph provided, and (4) the location where such racing meeting is to be held is annually approved by him and by the board of agriculture; and provided further, that on an application for a license to conduct a horse or dog racing meeting in connection with a state or county fair by an applicant to whom a prior license to conduct such a racing meeting at the race track specified in said application has been granted by the commission, no hearing need be held, unless a request, signed by at least one per cent of the registered voters of the city or town in which the track is located, is filed with the commission not later than thirty days following the granting of said license. In determining whether a fair is properly qualified under this paragraph, the commissioner of agriculture shall consider the number of days such fair has operated each previous year, the area of the land used for fair purposes, the number of entries in agricultural show events in previous years, the number and value of prizes offered in such events and whether or not the granting of a racing license would tend to promote the agricultural purposes of the fair. *Approved November 12, 1963.*

Chap. 806. AN ACT PERMITTING THE USE OF FACSIMILE SEALS AND COUNTER-SIGNATURES BY HOUSING AND REDEVELOPMENT AUTHORITIES UPON THEIR BONDS, NOTES AND CERTIFICATES OF INDEBTEDNESS.

Be it enacted, etc., as follows:

SECTION 1. Section 26HH of chapter 121 of the General Laws, as appearing in section 1 of chapter 574 of the acts of 1946, is hereby amended by striking out the second sentence and inserting in place thereof the following four sentences: — They may be payable from the income of the authority or constitute a general obligation thereof, may be sold at not less than par at public or private sale, may mature at

such time or times, may be secured in such manner, may provide for such rights and remedies upon their default and contain such other covenants, terms and conditions not inconsistent with law, may be executed by such officers, and may be issued with or without the corporate seal, all as may be authorized by the authority. The engraved or printed facsimile of the seal of an authority on a bond, note or certificate of indebtedness of such authority shall have the same validity and effect as though such seal were impressed thereon. Whenever a bond, note or certificate of indebtedness is required to bear the signatures of two or more officers, it shall be sufficient if the signature of any one of such officers upon such instrument is a written signature and the remaining signature or signatures are engraved, printed or stamped facsimile signatures; provided, that each officer whose facsimile signature appears on such instrument has, by a writing bearing his written signature and filed in the office of the secretary of the authority, authorized the officer whose written signature appears on such instrument to cause such facsimile to be placed thereon. The facsimile signature of any officer so engraved, printed or stamped thereon shall have the same validity and effect as his written signature.

SECTION 2. Bonds, notes or certificates of indebtedness issued by housing authorities or redevelopment authorities under facsimile signatures or seals prior to the effective date of this act are hereby validated and confirmed to the same extent as though the provisions of section twenty-six HH of chapter one hundred and twenty-one of the General Laws, as amended by section one of this act, had been in effect at the time such bonds, notes or certificates of indebtedness were issued.

Approved November 12, 1963.

Chap. 807. AN ACT MAKING PERMANENT CERTAIN POSITIONS IN THE CIVIL DEFENSE AGENCY.

Whereas, Federal contributions to the civil defense agency may be discontinued if present temporary positions in said agency are not made permanent forthwith, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Item 0406–01 of section 2 of chapter 500 of the acts of 1963 is hereby amended by inserting after the word "agency", in line 1, the words: — including not more than one hundred and five permanent positions.

Approved November 13, 1963.

Chap. 808. AN ACT PROVIDING A TAX ABATEMENT FOR CERTAIN ELDERLY PERSONS.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 59 of the General Laws is hereby amended by adding after clause Fortieth, added by chapter 345 of the acts of 1963, the following clause: —

Forty-first, Real property, to the amount of four thousand dollars, of a person seventy years of age or over and occupied by him as his domicile, or of a person who owns the same jointly with his spouse,

either of whom is seventy years of age or over, and occupied by them as their domicile or of a person seventy years of age or over who owns the same jointly or as a tenant in common with a person not his spouse and occupied by him as his domicile; provided (A) that such person (1) has been domiciled in the commonwealth for the preceding ten years, (2) has owned such real property either individually, jointly, or as a tenant in common, for the preceding five years, and (3) had, in the preceding year, a net income from all sources both taxable and non-taxable of less than four thousand dollars or, if married, a combined net income from all sources both taxable and non-taxable with his spouse of less than five thousand dollars, (B) that the total assessed value of all real property owned by such person or his spouse, or by them jointly, does not exceed fourteen thousand dollars and (C) that, in the case of real estate owned by a person jointly or as a tenant in common with a person not his spouse, the amount of his exemption under this clause shall be that proportion of four thousand dollars which the amount of his interest in such property bears to the whole value thereof, provided no exemption shall be granted to any joint tenant or tenant in common unless the combined net income from all sources both taxable and non-taxable of such joint tenants or tenants in common and their respective spouse is less than five thousand dollars.

SECTION 2. This act shall apply to taxes assessed for the year nineteen hundred and sixty-four and subsequent years.

Approved November 13, 1963.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, November 13, 1963.

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

DEAR MR. SECRETARY: — I, Endicott Peabody, 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 808 of the Acts of 1963 entitled "An Act Providing a Tax Abatement for Certain Elderly Persons." and the enactment of which received my approval on November 13, 1963, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act for ninety days would defeat its purpose which is to provide abatements for certain elderly persons as to taxes which are assessed as of January 1, 1964. It would seem that a sufficient emergency exists that this act become effective at once.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, November 13, 1963.

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 eleven o'clock and thirty minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter eight hundred and eight of the acts of nineteen hundred and sixty-three.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 809. AN ACT ESTABLISHING A BOARD TO DETERMINE THE RATES TO BE PAID TO CONVALESCENT AND NURSING HOMES OR REST HOMES IN CERTAIN INSTANCES, AND TRANSFERRING CERTAIN POWERS AND DUTIES OF THE DIRECTOR OF HOSPITAL COSTS AND FINANCES TO SAID BOARD.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to transfer certain powers and duties of the director of hospital costs and finances to the board established by this act, and to authorize said board to establish forthwith certain rates for convalescent or nursing homes or rest homes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 7 of the General Laws is hereby amended by striking out section 30L, as most recently amended by section 1 of chapter 545 of the acts of 1961, and inserting in place thereof the following two sections: — *Section 30L.* There shall be a board of rate setting, hereinafter called the board, consisting of the commissioner of administration, who shall be the chairman of said board, the commissioner of public health and the commissioner of public welfare. Said board shall, after hearing, determine at least as often as annually the per diem rate or rates to be paid to convalescent or nursing homes and rest homes, as defined in section seventy-one of chapter one hundred and eleven, by the various departments, boards or commissions of the commonwealth, or by the subdivisions of the commonwealth receiving reimbursement therefor, in whole or in part, from the commonwealth; and may establish fair and reasonable classification or classifications of such rate or rates. Such rates shall be adequate and reasonable. The determination of the per diem rate or rates as provided in this section shall be deemed a "regulation" as defined in paragraph (5) of section one of chapter thirty A.

Each convalescent or nursing home and rest home shall file with the board, from time to time, on request, such data, statistics, schedules or information as the board may reasonably require to enable it to determine the rate or rates. The board shall have the power to examine the books and accounts of any such convalescent or nursing home and rest home, if in its opinion such examination is necessary to determine such rates. Any person conducting such convalescent or nursing home or rest home who fails to furnish any such data, statistics, schedules or information as requested, or who files fraudulent returns thereof, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars.

In addition to the aforementioned penalty, the department of public health shall revoke the license of any such home which fails to file with the board data, statistics, schedules or information as hereinbefore provided, or which falsifies the same. Such license shall not be restored except after a public hearing by the department. Any person aggrieved by the refusal of the department to restore such license shall have the right of appeal to the courts of the commonwealth.

If a person conducting a convalescent or nursing home or rest home believes that the rate established under this section is inadequate or unreasonable as to such home, he may, within sixty days after the date such rate was established, file an appeal with the board for a determination of a rate for such convalescent or nursing home or rest home. If the board does not determine a rate for such convalescent or nursing home or rest home, the person conducting said home may file a further appeal for the determination of a rate for such home in accordance with the provisions of section fourteen of chapter thirty A.

Section 30M. The board of rate setting may hold public hearings at such times and places as it may determine or upon call of the chairman. No member of said board shall be compensated for his services as such member but each member shall be reimbursed for all traveling and other expenses actually incurred by him in the performance of his duties. The board 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 as an aid in determining rates. Any justice of the superior court may upon application by the board issue an order to compel the attendance of witnesses summoned as aforesaid and the giving of testimony under oath before the board in furtherance of any matter in which the board may inquire in the performance of its duties. The board may establish such rules and regulations as it may determine to be necessary in carrying out the provisions of this section.

The board may appoint an executive secretary, who shall not be subject to the provisions of chapter thirty-one, and shall determine his salary and his duties, and may appoint, subject to the provisions of said chapter thirty-one, such additional assistants, clerical and otherwise, as it may determine to be necessary in discharging its duties, and may expend therefor such sums as may be appropriated. The board shall file an annual report of its activities with the governor and with the general court.

SECTION 2. The powers and duties of the director of hospital costs and finances relative to the determination of rates to be paid to certain convalescent or nursing homes and rest homes, as set forth in section thirty L of chapter seven of the General Laws as in effect immediately prior to the effective date of this act, are hereby transferred to the board of rate setting established by said section thirty L of said chapter seven, as amended by section one of this act. Nothing in this act shall be construed to affect or in any way impair the rights of the director of hospital costs and finances or of any employee of the bureau of hospital costs and finances relative to civil service, seniority, retirement rights or any other right.

All books, papers, records, documents and equipment which are in the custody and control of the bureau of hospital costs and finances and which pertain to convalescent or nursing and rest homes shall

upon the effective date of this act be transferred to the custody and control of said board of rate setting.

All petitions, hearings and other proceedings pending before, and all prosecutions and other proceedings duly commenced by, the said director of hospital costs and finances, as of the effective date of this act, shall be turned over to and completed by said board of rate setting.

All orders, rules and regulations duly made by the director of hospital costs and finances, relative to nursing or convalescent homes and rest homes, shall remain in full force and effect until superseded, revised, rescinded or amended by the said board of rate setting.

SECTION 3. The temporary rate of four dollars and twenty-five cents per diem for rest homes established by the director of hospital costs and finances under the provisions of section one of chapter three hundred and ninety-seven of the acts of nineteen hundred and sixty-three, shall continue until a rate is established under the provisions of section thirty L of chapter seven of the General Laws, as amended by section one of this act. *Approved November 13, 1963.*

Chap. 810. AN ACT MAKING CERTAIN ORGANIZATIONAL AND OTHER CHANGES IN THE DISTRICT COURTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 218 of the General Laws is hereby amended by striking out section 6, as most recently amended by chapter 552 of the acts of 1963, and inserting in place thereof the following section: — *Section 6.* Each district court other than the municipal court of the city of Boston shall have one justice, except that the central district court of Worcester, district court of Springfield, municipal court of the Roxbury district and the first district court of eastern Middlesex shall have two justices each, and the third district court of eastern Middlesex shall have three justices. The senior justice shall be the first justice of the court. Citations, orders of notice, writs, executions and all other processes issued by the clerk of the court shall bear the teste of the first justice thereof.

The governor with the advice and consent of the council shall nominate and appoint a justice of a district court, other than the municipal court of the city of Boston, who is required by law to devote full time to his duties to the office of chief justice of the district courts, who shall, in addition to his powers and duties as such chief justice, continue to have and perform the powers and duties as such justice. He shall receive a salary of twenty-one thousand dollars for his combined services as chief justice and as justice of the court to which he was appointed. In case of a vacancy in the office of chief justice of the district courts, or of his illness or absence, his duties as chief justice shall be performed by the senior justice on the administrative committee.

In every district court except the municipal court of the city of Boston there shall be the same number of special justices as there are justices. No vacancy in the office of special justice shall be filled unless and until the number of special justices for such court shall be less than the number provided therefor in this section.

Special justices of the district courts other than the municipal court of the city of Boston, and special justices of the Boston juvenile court

shall be paid by the county twenty-five dollars for each day's services, or at the rate by the day of the salary of the justices of the same court, whichever is the greater amount. For each day's service so paid for in excess of thirty days in any court in any one year, there shall be deducted by the county treasurer from the salary of the justice who absents himself from said court one day's compensation at the rate by the day of the salary of said justice, except for services of the special justice in holding simultaneous sessions; provided, however, that if a justice is absent, due to his illness or physical disability, for a period not exceeding thirty days in any year, in addition to said thirty days, he shall be deemed to be on sick leave and no such deduction shall be made; such thirty-day sick leave or any portion thereof not used in any year may be accumulated, but shall, in any event, not exceed ninety days in any consecutive three-year period; and provided, further, that if a justice is absent due to an assignment on the administrative committee or an assignment by the chief justice of the district courts, no such deduction shall be made therefor.

The special justices of the district courts shall sit in their own courts and in addition perform such other duties as special justices in such other courts on such occasions as shall be ordered by the chief justice of the district courts.

SECTION 2. Said chapter 218 is hereby further amended by striking out section 15, as most recently amended by section 5 of chapter 738 of the acts of 1956, and inserting in place thereof the following section: — *Section 15.* The chief justice of the district courts, and the justices of the municipal court of the city of Boston, shall prescribe the times for holding civil and criminal trials in the district courts and in the municipal court of the city of Boston, respectively, except where such times are established by law, and the hours when their respective courts shall open for the transaction of business, and shall also prescribe reasonable daily office hours for the clerks of their respective courts, during which hours the offices of such clerks shall be open, and may authorize such clerks to operate their offices on Saturdays with reduced personnel. Such hours shall be fixed with reference to the business of said courts and the convenience of the public and of attorneys, and notice thereof shall be posted in a conspicuous place in the offices of the respective clerks. Clerks shall also keep their offices open whenever the court so orders.

SECTION 3. Said chapter 218 is hereby further amended by striking out section 21, as most recently amended by chapter 160 of the acts of 1960, and inserting in place thereof the following section: — *Section 21.* The chief justice of the district courts shall make uniform rules applicable to all the district courts except the municipal court of the city of Boston, and the chief justice of the municipal court for the city of Boston shall make rules for said court, providing for a simple, informal and inexpensive procedure, hereinafter called the procedure, for the determination, according to the rules of substantive law, of claims in the nature of contract or tort, other than slander and libel, in which the plaintiff does not claim as debt or damages more than one hundred dollars, and for a review of judgments upon such claims when justice so requires. The procedure shall not be exclusive, but shall be alternative to the formal procedure for causes begun by writ. Actions under this section and sections twenty-two to twenty-five, inclusive, shall be

brought in the judicial district where the defendant lives or has his usual place of business.

SECTION 4. Said chapter 218 is hereby further amended by striking out section 39, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 39.* Justices and clerks of district courts, except the municipal court of the city of Boston, may procure all law books relating to the laws of the commonwealth, including the reports of the supreme judicial court, the Massachusetts digests, all blank books, blanks, stationery and other incidentals required by said courts and approved by the justices. The clerk of a district court in any county other than Suffolk, the judicial district of which has a population exceeding one hundred and twenty thousand as ascertained by the last preceding national or state census and in which there is no county law library, may, with the approval of the county commissioners, procure other law books required by said court. The expenses thereof shall be certified by the justices or clerks monthly, and shall be transmitted to the county commissioners who shall audit the bills therefor and order payment thereof by the county.

SECTION 5. Said chapter 218 is hereby further amended by striking out section 40, as amended by section 1 of chapter 398 of the acts of 1948, and inserting in place thereof the following section: — *Section 40.* No special justice of a district court other than of the municipal court of the city of Boston shall sit in said municipal court except upon request of the chief justice thereof. When a special justice holds the court, or a session thereof or an inquest, or certifies a bill of costs to a county, city or town treasurer, that fact, and the fact which gave him jurisdiction, shall be entered upon the general records of the court, but need not be stated in the record of any case heard by him.

Except in the municipal court of the city of Boston, the district court of Dukes county and the district court of Nantucket, no special justice, and no justice other than a full time justice, shall hear and determine any civil cases other than supplementary proceedings, summary process, small claims, and proceedings relating to juveniles and insane persons in any district court without the authorization of the chief justice of the district courts. The chief justice of the district courts shall give such authorization for specified limited periods of time in specified district courts and only as the public convenience may require, and may give such authorization by general rule applicable to the hearing and determination of interlocutory proceedings, or whenever full time justices assigned to hear such civil cases are absent or otherwise unable to sit. No such authorization shall be required for the rehearing of matters of law arising in civil causes by any justice assigned to the appellate division of a district court.

SECTION 6. Said chapter 218 is hereby further amended by striking out section 43, as amended by section 3 of chapter 347 of the acts of 1939, and inserting in place thereof the following section: — *Section 43.* The chief justice of the district courts shall from time to time make and promulgate uniform rules regulating the time for the entry of writs, processes and appearances, the filing of answers in civil actions, the preparation and submission of reports, the allowance of reports which a justice shall disallow as not conformable to the facts, or shall fail to allow by reason of physical or mental disability, death or resignation, the reporting of cases reserved for report when a justice shall fail to re-

port the same by reason of physical or mental disability, death or resignation, the granting of new trials, and the practice and manner of conducting business in cases which are not expressly provided for by law, including juvenile proceedings and those relating to wayward, delinquent and neglected children. Such rules shall not apply to the municipal court of the city of Boston.

SECTION 7. Said chapter 218 is hereby further amended by striking out section 43A, as most recently amended by section 4 of chapter 738 of the acts of 1956, and inserting in place thereof the following section: — *Section 43A.* The chief justice of the district courts shall be authorized to visit any district court, other than the municipal court of the city of Boston, to require uniform practices, to prescribe forms of blanks and records, and to superintend the keeping of records by clerks. The chief justice shall have general superintendence of all the district courts, other than the municipal court of the city of Boston, and their clerks and other officers; but, except as otherwise provided by law, shall have no power to appoint any such officers. The chief justice shall determine the number of simultaneous sessions which may be held by any district court. Without limiting the generality of the foregoing, the chief justice shall require records to be kept which shall be available to the general court and which shall show the hours of opening and adjourning of court and any simultaneous session thereof on each day, the names of the justices holding court or a simultaneous session thereof, and any other information which may generally assist in the determination of the nature and volume of, and the time required to complete, all work done by any such district courts. The chief justice shall have the power to prohibit the practice of motor vehicle tort cases, so called, by the justices and the special justices of the district courts, other than the municipal court of the city of Boston.

In the case of the refusal or failure of any justice, special justice, clerk or officer of any district court, other than the municipal court of the city of Boston, to comply with any order of the chief justice of the district courts in the performance of his duties and powers, the chief justice shall report such person or persons to the chief justice of the supreme judicial court with a statement of such non-compliance, and, upon a finding, made after a hearing by said chief justice or any justice of the supreme judicial court to whom said chief justice may refer the matter, that such person has not complied with such order of the chief justice of the district courts, the supreme judicial court shall forthwith make an appropriate order as to the matter involved.

The expenses incurred by the chief justice in the performance of his duties, including the expenses of clerical assistance, shall be paid by the commonwealth.

To promote co-ordination in the work of the courts, the chief justice of the district courts may call a conference of any or all of the justices of the district courts, including the municipal court of the city of Boston, or other officers connected with such courts, and the traveling expenses of such justices or officers for attending any such conferences shall be paid by the commonwealth. The chief justice may from time to time report to the governor and to the general court his recommendations, with drafts of legislation necessary to carry such recommendations into effect, relative to any matters affecting the administration of the district courts.

SECTION 8. Said chapter 218 is hereby further amended by striking out section 43B, added by chapter 210 of the acts of 1950, and inserting in place thereof the following two sections: — *Section 43B.* In addition to the powers set forth in section forty-three A, the chief justice of the district courts shall prescribe official forms to be used in all district courts, except in the county of Suffolk. Forms as prescribed in this section shall be furnished by the counties, and it shall be the duty of each clerk to notify the county commissioners of his county, on or before December first of each year of the probable needs of his office for the ensuing year, including an estimate of the quantity of each then in his possession. Nothing in this section shall be construed as affecting the provisions of section one hundred and one A of chapter two hundred and seventy-six.

Section 43C. There shall be an administrative committee of the district courts, other than the municipal court of the city of Boston, which shall consist of five justices of such district courts, appointed by the chief justice of the supreme judicial court, each for a period not exceeding two years as said chief justice may determine. Any such justice may be reappointed. The administrative committee shall serve as an advisory committee to the chief justice of the district courts and shall perform such duties as he may assign to it. The members of the administrative committee shall, upon certification of the chief justice of the district courts, be allowed their traveling and other necessary expenses incurred in the performance of their duties, subject to the approval of the governor and council, to be paid from the state treasury.

SECTION 9. Said chapter 218 is hereby further amended by striking out section 50, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 50.* The municipal court of the city of Boston shall consist of one chief justice and eight associate justices. They shall devote their entire time during ordinary business hours to their duties and shall not, directly or indirectly, engage in the practice of law.

Said court may from time to time make rules for regulating the practice and conducting the business therein in all cases not expressly provided for by law.

SECTION 10. Said chapter 218 is hereby further amended by striking out section 58, as most recently amended by chapter 343 of the acts of 1955, and inserting in place thereof the following section: — *Section 58.* The Boston juvenile court shall consist of one justice who shall devote his entire time during ordinary business hours to his duties and shall not, directly or indirectly, engage in the practice of law. The court shall have a clerk, who shall be appointed by the governor, with the advice and consent of the council, and shall hold office during good behavior, but subject, however, to retirement under the provisions of any applicable general or special law relative to retirement systems. It shall have an assistant clerk, who shall be appointed by the clerk, subject to the approval of the justice.

The chief justice of the district courts may upon request of the justice of the Boston juvenile court or, in his absence, of the clerk of said court, assign a justice of any district court, other than the municipal court of the city of Boston, to sit in the Boston juvenile court.

SECTION 11. Said chapter 218 is hereby further amended by striking out section 74, as appearing in the Tercentenary Edition, and insert-

ing in place thereof the following section: — *Section 74.* Salaries in district courts shall be paid in monthly installments by the respective counties in which justices are assigned to sit, computed at the rate by the day of the salary of such justice if such justice is assigned to sit in the county for less than a full month.

The salary of the chief justice when he is not assigned to sit in a court, the salaries of justices assigned to the appellate divisions of the district courts, and the salaries of justices not assigned to sit in any court shall be paid by the commonwealth in monthly installments, computed at the rate by the day of the salary of such justices when necessary.

In the case of salaries paid under this section by the commonwealth, the several county treasurers shall annually reimburse the commonwealth for such salaries, the reimbursement for each county computed according to the ratio of salaries paid under the first paragraph of this section by such county to such salaries paid by all counties.

SECTION 12. Said chapter 218 is hereby further amended by striking out section 75, as most recently amended by section 1 of chapter 680 of the acts of 1962, 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 twenty-one thousand dollars, and the salary of each of the associate justices shall be twenty thousand dollars.

SECTION 13. Said chapter 218 is hereby further amended by striking out section 76, as most recently amended by section 6 of chapter 609 of the acts of 1959, and inserting in place thereof the following section: — *Section 76.* The salary of the justice of the Boston juvenile court shall be sixteen thousand dollars.

SECTION 14. Said chapter 218 is hereby further amended by striking out section 77A, as most recently amended by section 1 of chapter 768 of the acts of 1963, and inserting in place thereof the following section: — *Section 77A.* The salaries of the justices of the

first district court of Barnstable,
second district court of Barnstable,
district court of central Berkshire,
first district court of Bristol,
second district court of Bristol,
third district court of Bristol,
fourth district court of Bristol,
district court of Lawrence,
first district court of Essex,
district court of southern Essex,
central district court of northern Essex,
district court of Peabody,
district court of Springfield,
district court of western Hampden,
district court of Holyoke,
district court of Hampshire,
first district court of eastern Middlesex,
second district court of eastern Middlesex,
third district court of eastern Middlesex,
fourth district court of eastern Middlesex,
first district court of southern Middlesex,
district court of Lowell,

district court of central Middlesex,
first district court of northern Middlesex,
district court of Marlborough,
district court of Newton,
district court of Somerville,
municipal court of Brookline,
district court of southern Norfolk,
district court of northern Norfolk,
district court of East Norfolk,
district court of western Norfolk,
district court of Brockton,
second district court of Plymouth,
municipal court of the Brighton district,
municipal court of the Charlestown district,
district court of Chelsea,
municipal court of the Dorchester district,
East Boston district court,
municipal court of the Roxbury district,
municipal court of the South Boston district,
municipal court of the West Roxbury district,
central district court of Worcester,
first district court of eastern Worcester,
second district court of eastern Worcester,
first district court of southern Worcester,
second district court of southern Worcester,
third district court of southern Worcester,
first district court of northern Worcester,
and district court of Fitchburg shall be twenty thousand dollars each.

The justices of said courts shall devote their entire time during ordinary business hours to their duties and shall not, directly or indirectly, engage in the practice of law. Each of said justices shall sit in his own court and, in addition, shall perform such other duties as district court justices on civil matters as the chief justice may from time to time assign to him.

Whenever a justice of a district court in one county, who is required to devote his full time to his duties, shall sit by assignment of the chief justice in a district court in another county, such other county shall reimburse the first county on a pro rata basis for the salary of such justice for the time that he sits in such other county, and for his expenses thereby incurred.

SECTION 15. Said chapter 218 is hereby further amended by inserting after section 77A the following section: —

Section 77B. Whenever by order of the chief justice of the district courts the justice of the district court of Dukes county or the justice of the district court of Nantucket sits in a district court other than one in said respective counties, he shall receive from such county for each day's services an amount equal to the difference between the rate by the day of the salary of the justice of the district court in which he sits and the rate by the day of his own salary as established by section seventy-eight.

Special justices, when sitting at the order of the chief justice of the district courts, shall receive from the county in which they sit, payment

computed at the rate by the day of the salary of the justice of the district court in which they sit.

SECTION 16. Said chapter 218 is hereby further amended by striking out section 78, as most recently amended by section 2 of chapter 768 of the acts of 1963, and inserting in place thereof the following section: — *Section 78.* The salary of the justice of each of the following district courts

district court of eastern Essex,
district court of Newburyport,
district court of Chicopee,
district court of Franklin,

shall be eighty-one hundred and twenty-five dollars;
the salary of the justice of each of the following district courts

fourth district court of Plymouth,
third district court of Plymouth,

shall be seventy-three hundred and sixty-five dollars;
the salary of the justice of each of the following districts courts

district court of Leominster,
district court of northern Berkshire,
district court of Natick,
district court of western Worcester,
district court of eastern Hampden,
second district court of Essex,
fourth district court of Berkshire,
district court of eastern Hampshire,
district court of southern Berkshire,
district court of Lee,

shall be seven thousand and fifty dollars;
the salary of the justice of each of the following district courts

third district court of Essex,
district court of Winchendon,
district court of eastern Franklin,
district court of Williamstown,

shall be sixty-one hundred and twenty-five dollars;
the salary of the justice of the

district court of Dukes County

shall be sixty-six hundred and twenty-five dollars;
and the salary of the justice of the

district court of Nantucket

shall be sixty-six hundred and twenty-five dollars.

Any such justice who sits in a district court other than his own shall be paid by the county in which he sits at the rate by the day of the salary of the justice of said court, but in no event an amount less than the rate by the day of his own court. For each day's service so paid, there shall be deducted by the county treasurer of the county in which his own court is situated one day's compensation at the rate by the day of his own salary as justice.

The justice of each district court listed above shall sit in his own court and, in addition, perform such other duties as district court justice on special matters as the chief justice of the district courts may from time to time assign to him.

SECTION 17. Said chapter 218 is hereby further amended by striking out section 81, as most recently amended by section 7 of chapter 738 of

the acts of 1956, and inserting in place thereof the following section: — *Section 81.* A justice of a district court upon certificate of the chief justice of the district courts shall quarterly be reimbursed by the commonwealth for the traveling expenses incurred by him when sitting at the order of said chief justice in a court other than the court to which he was appointed. The several county treasurers shall annually reimburse the commonwealth for such payments, the reimbursement computed according to the formula in section seventy-four.

If sessions of a district court are held in more than one town in its district, the county commissioners of the county in which such district lies shall designate in which town the clerk's main office shall be established, and the justices, clerk, assistant clerks, court officers and probation officers of such court shall each be allowed by the county his traveling expenses necessarily incurred when required to hold or attend sessions of said court at any town in the district other than the town in which said main office is so established, such expenses to be computed either from the town where such office is established to such other town, or from his place of residence within such district to such other town, whichever is the shorter distance. All expenses allowed under this paragraph shall be subject to the approval of said county commissioners.

SECTION 18. The second paragraph of section 14B of chapter 212 of the General Laws, as appearing in section 1 of chapter 535 of the acts of 1961, is hereby amended by striking out, in lines 5 and 6, the words "administrative committee" and inserting in place thereof the words:— chief justice.

SECTION 19. The first paragraph of section 99A of chapter 276 of the General Laws, as appearing in section 21 of chapter 731 of the acts of 1956, is hereby amended by striking out, in lines 5 and 6, the words "chairman of the administrative committee" and inserting in place thereof the words: — chief justice.

SECTION 20. Notwithstanding the provisions of section fifty of chapter two hundred and eighteen of the General Laws, as amended by section nine of this act, the special justices of the municipal court of the city of Boston on the effective date of this act shall continue in office and shall sit at the order of the chief justice of said court. After said effective date no vacancy occurring in the office of special justice of the municipal court of the city of Boston shall be filled.

SECTION 21. Notwithstanding the provisions of section fifty-eight of chapter two hundred and eighteen of the General Laws, as amended by section ten of this act, the special justices of the Boston juvenile court holding office on the effective date of this act shall continue in office and shall sit at the order of the chief justice of said court. After said effective date no vacancy occurring in the office of special justice of the Boston juvenile court shall be filled.

SECTION 22. Notwithstanding any provision of this act to the contrary, the provisions of sections seventy-five, seventy-six, seventy-seven A and seventy-eight 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 between the effective date of this act and January fifth, nineteen hundred and sixty-five, both dates inclusive.

SECTION 23. Notwithstanding any provision of this act to the contrary, the compensation payable to special justices of district courts immediately prior to the effective date of this act shall remain in effect and be payable to persons appointed to the office of special justice between the effective date of this act and January fifth, nineteen hundred and sixty-five, both dates inclusive.

Approved November 13, 1963.

Chap. 811. AN ACT PROVIDING THAT EMPLOYEES OF CONVALESCENT OR NURSING HOMES OR REST HOMES MAY PERFORM CERTAIN NURSING SERVICES ONLY WHEN SUPERVISED BY A REGISTERED NURSE OR LICENSED PRACTICAL NURSE.

Be it enacted, etc., as follows:

SECTION 1. Clause (5) of the third paragraph of section 80B of chapter 112 of the General Laws, as appearing in section 4 of chapter 595 of the acts of 1957, is hereby amended by inserting after the word "commonwealth", in line 3, the words: —, other than a convalescent or nursing home or rest home,.

SECTION 2. Said third paragraph of said section 80B of said chapter 112, as so appearing, is hereby further amended by adding after the word "callings", in line 21, the words: — ; or (7) the performance of any nursing service for any patient in a convalescent or nursing home or rest home, by any person employed in such home, provided that such nursing service is performed under the supervision of a registered nurse or licensed practical nurse. *Approved November 13, 1963.*

Chap. 812. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO CONVEY TO THE CITY OF BOSTON CERTAIN LANDS IN SAID CITY.

Be it enacted, etc., as follows:

The department of public works may, in the name and behalf of the commonwealth, convey to the city of Boston for such consideration as said department with the approval of the governor and council shall determine, but not more than three hundred thousand dollars certain land in said city shown as parcels 1 and 2 on a plan on file in the office of the commissioner of public works of said city marked "City of Boston, Public Works Department, Engineering Division — Bradston Street, South Bay Avenue, Roxbury — Nov. 28, 1961 — John J. McCall, Division Engineer". *Approved November 13, 1963.*

Chap. 813. AN ACT GRANTING A CERTAIN RETIREMENT ALLOWANCE TO FRANCIS D. KIRBY, A FORMER EMPLOYEE OF THE DEPARTMENT OF MENTAL HEALTH.

Be it enacted, etc., as follows:

Notwithstanding any provision of general or special law to the contrary, and in recognition of meritorious service rendered to the commonwealth in the department of mental health as an assistant engineer in the state mental hospitals for nineteen years, ten months and twenty-

seven days, Francis D. Kirby of Newton, who was retired on December thirty-first, nineteen hundred and fifty-five, having reached the age of seventy, shall be entitled to the retirement allowance provided under chapter thirty-two of the General Laws to the same extent as if at the time of his retirement he had completed twenty years' service; provided he pays into the state retirement system such additional sum as he would have paid had he continued to be a member until he had completed twenty years, together with regular interest thereon.

Approved November 13, 1963.

Chap. 814. AN ACT INCREASING THE MINIMUM COMPENSATION OF THE MEMBERS OF THE POLICE DEPARTMENT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section 10 of chapter 291 of the acts of 1906, as appearing in section 1 of chapter 322 of the acts of 1962, is hereby amended by striking out the first and second paragraphs and inserting in place thereof the following two paragraphs: —

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; provided, however, that such salary shall not be less than thirteen thousand six hundred and seventy dollars.

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 eleven thousand two hundred and sixty-five dollars, nor a captain less than nine thousand one hundred and fifty-nine dollars, nor a lieutenant less than seven thousand nine hundred and sixty-eight dollars, nor a sergeant less than seven thousand one hundred and eighty-nine dollars, nor a patrolman after the second year of service less than six thousand three hundred dollars or in the second year of service less than five thousand seven hundred and thirty dollars or in the first year of service less than five thousand four hundred and eighty dollars; and provided, further, that lieutenant detectives shall receive an annual salary three hundred dollars in excess of the annual salary of lieutenants, and sergeant detectives shall receive an annual salary three hundred dollars in excess of the annual salary of sergeants, and first grade detectives, second grade detectives and third grade detectives shall receive an annual salary five hundred dollars, four hundred dollars and three hundred dollars, respectively, in excess of the maximum annual salary of patrolmen.

SECTION 2. This act shall take effect upon its acceptance by the city of Boston.

Approved November 13, 1963.

Chap. 815. AN ACT AUTHORIZING THE CITY OF FITCHBURG TO APPROPRIATE AND PAY A SUM OF MONEY TO SALAH & PECCI CONSTRUCTION CO., INC.

Be it enacted, etc., as follows:

SECTION 1. The city of Fitchburg is hereby authorized to appropriate money for the payment of, and after said appropriation, the treasurer of said city is hereby authorized to pay to Salah & Pecci Construction Co., Inc., for labor and materials in connection with the building of the Meetinghouse Transmission Line and the Oak Hill Pressure and Feeder Lines in said city, a sum not exceeding thirty-eight thousand dollars, claim for which is legally unenforceable by reason of being incurred in excess of available appropriations. The money so appropriated to pay said claim shall be raised by taxation, by loan order or made available from unappropriated surplus funds of said city.

SECTION 2. This act shall take effect upon its acceptance by the city of Fitchburg. *Approved November 14, 1963.*

Chap. 816. AN ACT PROVIDING THAT CERTAIN LICENSES TO FILL SOLID OVER CERTAIN TIDEWATERS IN LYNN HARBOR BE IRREVOCABLE.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary the following licenses heretofore issued for certain parcels of land and any licenses hereafter issued to fill or maintain fill or to erect or maintain structures on said parcels shall upon compliance with the provisions of chapter ninety-one of the General Laws, and subject to the provisions of this act, be irrevocable: —

1. The license granted by the department of public works to the metropolitan district commission, being license No. 4183, on the twenty-second day of December, nineteen hundred and fifty-eight, and registered with the Essex South District Registry of Deeds as Document No. 87957, for the purpose of maintaining dredging, fill and riprap in Lynn harbor, city of Lynn, as more fully set forth in said license.

2. The license granted by the department of public works to the metropolitan district commission, being license No. 3604, on the eighteenth day of January, nineteen hundred and fifty-four, and recorded with Essex South District Registry of Deeds, Book 4043, Page 587, for the purpose of filling solid and placing riprap slopes and depositing dredged material in certain portions of Lynn harbor, city of Lynn, as more fully set forth in said license.

3. The license granted by the commonwealth of Massachusetts harbor and land commissioners office to Henry Breed of the city of Lynn, being license No. 491, on the twenty-eighth day of August, eighteen hundred and seventy-nine, and recorded with Essex South District Registry of Deeds, Book 1033, Page 214, for the purpose of filling solid a portion of a wharf in Lynn harbor, city of Lynn, and retaining said filling by building bulkheads, as more fully set forth in said license.

In the event of a taking of any of said parcels or any part thereof by the commonwealth or any of its political subdivisions within ten years

after the effective date of this act, the damages recoverable by reason of such taking shall in no case exceed the actual cost of acquisition of said land by the owner from whom said taking is made together with the cost to such owner of any buildings or improvements thereon, with interest at four per cent annually from the date of such acquisition.

Approved November 14, 1963.

Chap. 817. AN ACT GRANTING CERTAIN ANNUITY RIGHTS TO MARGARET IVERS OF FRAMINGHAM.

Be it enacted, etc., as follows:

For the purpose of promoting the public good and notwithstanding the provisions of any law to the contrary, Margaret Ivers of Framingham, widow of Edward J. Ivers, a former employee of the department of correction, who died prior to paying into the annuity savings fund of the state retirement system a make-up payment as required by chapter thirty-two of the General Laws, shall, upon the payment by her into said annuity fund of a sum equal to such make-up payment plus regular interest to the date of the repayment, be entitled to all the rights to which she would have been entitled as a surviving spouse of a state employee under the provisions of said chapter thirty-two had this make-up payment been made on the date of her husband's last re-employment with said department. *Approved November 14, 1963.*

Chap. 818. AN ACT RELATIVE TO THE PROCEDURE AGAINST VIOLATORS OF MOTOR VEHICLE LAWS.

Be it enacted, etc., as follows:

Section 2 of chapter 90C of the General Laws, as appearing in section 2 of chapter 637 of the acts of 1963, is hereby amended by striking out the first two paragraphs and inserting in place thereof the following two paragraphs: —

Any police officer assigned to traffic enforcement duty shall record the occurrence of automobile law violations upon a citation or citations filling out the citation and each copy thereof as soon as possible and as completely as possible. Said police officer shall inform the offender of the violation and shall give the original of the citation to the offender at the scene of the violation whenever possible. In the event that such original cannot be given to the offender at the scene of the violation, it shall be delivered or mailed to him at his mail address or at his residential address as appears on his license or registration. 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.

At or before the completion of his tour of duty, each police officer to whom a citation book has been issued and who recorded the occurrence of automobile law violations upon citations shall complete, sign and deliver to his police chief, or to a person authorized by said police chief,

all remaining copies of each such citation except the police officer's copy which shall be retained by him. If the offender has been placed under arrest, such arrest shall be noted on the citation and in the last column of the audit sheet. *Approved November 14, 1963.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, November 14, 1963.

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

DEAR MR. SECRETARY: — I, Endicott Peabody, 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 818 of the Acts of 1963 entitled "An Act Relative to the Procedure Against Violators of Motor Vehicle Laws." and the enactment of which received my approval on November 14, 1963, 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 the present language of chapter 637 of the Acts of 1963 might act as a bar in the issuance of complaints by Clerks of Courts as the result of motor vehicle violations, it is absolutely necessary for the public safety and convenience that the amendments contained in chapter 818 of the Acts of 1963 become effective at once.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, November 14, 1963.

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 five 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 eight hundred and eighteen of the acts of nineteen hundred and sixty-three.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 819. AN ACT PROVIDING FOR THE DESIGNATION OF A JUDGE OF PROBATE AS THE CHIEF JUDGE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 215 of the General Laws is hereby amended by striking out section 30A, as most recently amended by chapter 664 of the acts of 1956, and inserting in place thereof the following section: — *Section 30A.* There shall be an administrative committee of the probate courts, hereinafter called the committee, which shall consist of three judges thereof, assigned to service thereon by the chief justice of the

supreme judicial court for such period of time as he may deem advisable. The committee shall serve as an advisory committee to the chief judge and shall perform such duties as said chief judge may assign to it. The necessary expenses incurred by the members of the committee in the performance of their duties, including the expense of clerical assistance, shall be paid by the commonwealth.

SECTION 2. Chapter 217 of the General Laws is hereby amended by inserting after section 2 the following section: —

Section 2A. One of the judges of probate shall, in addition to his powers and duties as such judge, upon designation by the governor with the advice and consent of the council, have and perform the powers and duties described in section eight. The judge so designated shall receive a salary of one thousand dollars, to be in addition to his salary as judge of probate.

SECTION 3. Said chapter 217 is hereby further amended by striking out section 8, as amended by section 5 of chapter 408 of the acts of 1937, and inserting in place thereof the following section: — *Section 8.* The judge of probate designated under section two A to have and perform the powers and duties described in this section, in this section and in section thirty A of chapter two hundred and fifteen and section forty-two of this chapter, called the chief judge, may assign judges of probate to sit in counties other than the counties for which they were appointed for such periods of time as he shall determine. The chief judge shall be authorized to visit any probate court, to establish and require uniform practice and procedure, and to prescribe forms and records and procedure for the keeping thereof. The chief judge may require such records to be kept as may generally assist in the determination of the nature and volume of the work of the probate courts and the time required to complete such work. The chief judge may also establish forms for the annual reports of the work of the several registers of probate; and the several registers of probate shall annually on or before October first prepare and file with the chief judge and with the executive secretary of the supreme judicial court reports of the work of said courts and registers during the preceding court year. The chief judge may from time to time call conference of any or all of the judges of the probate court or other officials connected therewith. The travelling expenses of such judges or other officials for attending such conferences shall, subject to the approval of the governor and council, be paid by the commonwealth.

The provisions of this section shall not be construed as authorizing said chief judge to alter or affect the provisions of sections fifty-eight, fifty-nine, sixty or sixty-two of chapter two hundred and fifteen.

SECTION 4. Said chapter 217 is hereby further amended by striking out section 40, as amended by section 6 of chapter 408 of the acts of 1937, and inserting in place thereof the following section: — *Section 40.* The judges of probate of Dukes and Nantucket counties performing any duties under section eight shall receive from the commonwealth in addition to the amount otherwise allowed them by law, fifty dollars for each day that they perform such duties and they shall be reimbursed by the commonwealth for their travelling expenses necessarily incurred in the performance of such duties.

SECTION 5. Said chapter two hundred and seventeen is hereby further amended by striking out section forty-one.

SECTION 6. Section 42 of said chapter 217, as amended by chapter 575 of the acts of 1957, is hereby further amended by adding at the end the following sentence: — The travelling expenses necessarily incurred by judges of probate sitting at the direction of the chief judge in counties other than counties in which they are appointed shall be paid by the commonwealth, upon the certificate of said chief judge.

SECTION 7. All actions, orders and requirements of the administrative committee of the probate courts which were in force and effect immediately prior to the effective date of this act shall continue in force and effect until revised or repealed by the chief judge provided for in sections two A and eight of chapter two hundred and seventeen of the General Laws or in accordance with law.

Approved November 14, 1963.

Chap. 820. AN ACT PROVIDING THAT PROBATE COURTS SHALL BE COURTS OF GENERAL EQUITY JURISDICTION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 215 of the General Laws is hereby amended by striking out section 6, as most recently amended by chapter 223 of the acts of 1958, and inserting in place thereof the following section: — *Section 6.* Probate courts shall have original and concurrent jurisdiction in equity with the supreme judicial and superior courts of all cases and matters of equity cognizable under the general principles of equity jurisprudence and, with reference thereto, shall be courts of general equity jurisdiction, except that the superior court shall have exclusive original jurisdiction of all suits in which injunctive relief is sought in any matter involving or growing out of a labor dispute as defined in section twenty C of chapter one hundred and forty-nine; provided, however, that in proceedings of which probate courts have jurisdiction in equity solely by reason of the provisions of this paragraph a petitioner, respondent or intervener may, after proper service has been made, within seven days after the return day of the initial citation, remove the case to the superior court. The removing party shall first pay the register of probate an entry fee equal to that for an original entry in the superior court and shall file with the register a notice of removal and an affidavit setting forth the names and addresses of all other parties to the suit and of their attorneys. The register shall forthwith transmit all papers in the case and said entry fee to the clerk of the superior court for the county in which the suit was originally commenced, and shall notify in writing all parties and their attorneys of the transfer. Thereafter the case shall proceed as if originally entered in the superior court except that answers or other pleadings may be filed within fourteen days after such removal, and any preliminary orders or decrees or temporary injunctions issued by the probate court shall remain in full force and effect until further order of the superior court.

Probate courts shall also have jurisdiction in equity, concurrent with the supreme judicial and superior courts, of all cases and matters relative to the administration of the estates of deceased persons, to wills, including questions arising under section twenty of chapter one hundred and ninety-one, to trusts created by will or other written instrument and, in cases involving in any way the estate of a deceased person

or the property of an absentee whereof a receiver has been appointed under chapter two hundred or the property of a person under guardianship or conservatorship, to trusts created by parol or constructive or resulting trusts, of all matters relative to guardianship and conservatorship, of suits such as are described in clause (12) of section three of chapter two hundred and fourteen and of all other matters of which they now have or may hereafter be given jurisdiction. They shall also have jurisdiction in equity to enforce foreign judgments for support of a wife or of a wife and minor children against a husband who is a resident or inhabitant of this commonwealth, upon petition of the wife filed in the county of which the husband is a resident or inhabitant. They shall, after the divorce decree has become absolute, also have concurrent jurisdiction in equity of controversies over property between persons who have been divorced. They shall also have jurisdiction in equity, upon petition of an administrator, executor, guardian, conservator, receiver appointed as aforesaid or trustee under a will to enjoin for a reasonable period of time the foreclosure, otherwise than by open and peaceable entry, of a mortgage on real estate, or the foreclosure of a mortgage on personal property, which real estate or personal property is included in the estate or trust being administered by such fiduciary, if in the opinion of the court the proper administration of the estate or the trust would be hindered by such foreclosure. They shall also have jurisdiction, concurrent with the superior court, of proceedings in equity under sections seven to twelve, inclusive, of chapter one hundred and seventeen and section ninety-six of chapter one hundred and twenty-three.

Jurisdiction under this section may be exercised upon petition according to the usual procedure in probate courts.

SECTION 2. This act shall take effect on March first, nineteen hundred and sixty-four. *Approved November 14, 1963.*

Chap. 821. AN ACT ABOLISHING THE PRESENT PUBLIC WORKS COMMISSION AND ESTABLISHING IN PLACE THEREOF A NEW PUBLIC WORKS COMMISSION CONSISTING OF FIVE MEMBERS, AND FURTHER REORGANIZING THE DEPARTMENT OF PUBLIC WORKS.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by striking out chapter 16 and inserting in place thereof the following chapter: —

CHAPTER 16.

DEPARTMENT OF PUBLIC WORKS.

Section 1. There shall be a department of public works, in this chapter called the department, which shall be under the supervision and control of a public works commission, in this chapter called the commission. Said commission shall consist of five members, not more than three of whom shall be of the same political party, who shall be appointed by the governor, with the advice and consent of the council. Upon the expiration of the term of each member his successor shall be appointed, in like

manner, for a term of five years. One member shall be a person with expert knowledge of and skill in the field of business management, one shall be a person with expert knowledge of and skill in the field of finance, one shall be a person with expert knowledge of and skill in engineering. The governor shall from time to time designate a member of the commission as the commissioner of public works, in this chapter called the commissioner, and the other four members shall be associate commissioners. The commissioner shall be the chairman of the commission. The commissioner shall receive a salary of twenty thousand dollars and each of the associate commissioners shall receive a salary of eighteen thousand dollars, and each shall devote his full time during business hours to the duties of his office. Each shall give the state treasurer a bond for the faithful performance of his official duties in such penal sum and with such sureties as may be approved by the governor. The commissioner shall be the executive and administrative head of the department and shall be responsible for administering and enforcing the provisions of this chapter relative to the department and to each division thereof under his control and supervision.

Section 2. There shall be in the department the following five divisions: administrative services, highway engineering, highway construction, highway maintenance, and waterways. Each such division shall be under the direction, control and supervision of the commissioner. The commissioner shall assign to all officials, agents and employees of the department their respective duties. He shall be in charge of one of the above divisions, and shall assign each associate commissioner to be in charge of one of the other divisions, subject to his control and supervision, and he may from time to time change such assignments. He may also authorize the associate commissioners or any of them to exercise in his name any power, or to perform in his name any duty, assigned to him by law, and he may at any time revoke any such authority.

Section 3. The commissioner shall from time to time establish such bureaus, sections, and district and other offices as shall be necessary for efficient and economical administration of the department, and, if necessary for such purpose, may from time to time consolidate or abolish the same. The commissioner shall prepare and keep current a general statement of the organization of the department, of the assignment of functions to its various administrative units, officials and employees, and of the established places at which and the methods whereby the public may secure information or make requests, such statement to be known as the department's "description of organization". He shall file with the state secretary an attested copy of such description and of each amendment thereto.

Section 4. The commissioner shall appoint and may remove all employees in the department under the public works commission. Unless otherwise provided by law, all such appointments and removals shall be made in accordance with chapter thirty-one. From time to time the commissioner may, subject to appropriation and regulation, employ such consultants as he may deem necessary.

The commissioner may appoint and remove without regard to chapter thirty-one, but with the approval of the governor, a chief engineer, an executive assistant, and a chief counsel to serve in the office of the commissioner; four deputy chief engineers, each to serve in one of the four divisions of highway engineering, highway construction, highway

maintenance, and waterways; and a director to serve in the division of administrative services. The commissioner may similarly appoint and remove other experts and assistants; provided, however, that the total number of appointments to be made by the commissioner under this paragraph shall not exceed twelve. No person holding appointment under this paragraph shall be subject to chapter thirty-one or to section nine A of chapter thirty.

So far as practicable in the judgment of the commissioner, appointments to positions not classified under chapter thirty-one shall be made by promoting employees of the commonwealth serving in positions so classified, except that any person appointed to the position of chief engineer or deputy chief engineer shall be a person of experience and skill as an engineer in the activities of the department and shall be chosen from the employees who hold an office or position with permanent status in the department classified under chapter thirty-one, and in every such instance, upon termination of his service in such unclassified position, the employee shall be restored to the position from which he was promoted or to a position equivalent thereto in salary grade in the same state agency or if he had been promoted in accordance with chapter thirty-one during his promotion in the unclassified position, to the position to which he was so promoted, or to a position equivalent thereto in salary grade in the same state agency. In every instance of an employee promoted from a position in which at the time of promotion he has tenure by reason of section nine A of chapter thirty, upon termination of his service in such unclassified position the employee shall be restored to the position from which he was promoted or to a position equivalent thereto in salary grade in the same state agency. In cases of restoration under said chapter thirty-one or under section nine A of said chapter thirty such restoration shall be without impairment of civil service status or his tenure under said section nine A, and without loss of the seniority, retirement and other rights to which uninterrupted service in the position would have entitled him, provided, however, that if his service in such unclassified position shall have been terminated for cause, his right to be so restored shall be determined by section forty-three of chapter thirty-one. During the period of such appointment the person so appointed shall be eligible to take any competitive promotional examinations to which he would have otherwise been eligible. Nothing in this section shall be deemed to exempt the positions named herein from the provisions of sections forty-five to fifty, inclusive, of chapter thirty.

Section 5. The commission shall hold regular bi-weekly meetings in Boston, and may, following reasonable notice to each member, meet anywhere in the commonwealth at any other time upon the call of the commissioner. Three members shall constitute a quorum. Each member shall have one vote, and the concurrence of a majority of the members present in any vote of the commission, there being a quorum, shall be required to make such vote effective.

The commission shall have a secretary, appointed by the governor with the advice and consent of the council, who shall receive a salary of twelve thousand dollars. The secretary shall have the duty and responsibility of keeping the minutes of the commission, shall have custody of the official documents and papers of the commission and of the department, and of the official seal of the commission, of which judicial notice shall be taken.

In addition to exercising the powers and performing the duties assigned to it by law, the commission shall have the following powers and duties:

(*a*) It shall approve all contracts, including specifications, made by the department, and any changes, alterations, amendments, or modifications thereof.

(*b*) It shall act as a board of contract appeals, and shall approve or disapprove all claims made under any contract with the department. To assist the commission in performing this function, the commissioner with the approval of the governor shall appoint a person of legal training and experience, who shall be a member of the bar of the commonwealth, to the position of hearing examiner, and may remove him for cause in like manner. The hearing examiner shall receive a salary of fourteen thousand dollars and shall devote his entire time during business hours to the duties of his position.

The hearing examiner shall hear all claims by contractors from determinations of the department, and shall, after hearing, render to the commission a report of the matter including a recommendation as to the disposition of the claim. Such hearings shall be conducted as adjudicatory proceedings under chapter thirty A. Such reports shall be maintained as public records in a place and form fully accessible to the public. Any person aggrieved by a decision of the commission acting as a board of contract appeals may bring suit against the commonwealth for recovery of damages based on such claim under the provisions of chapter two hundred and fifty-eight.

(*c*) It shall make, and from time to time revise, regulations for the conduct of the business of the department, and all regulations otherwise required by law.

(*d*) It shall prepare and submit to the governor and the general court an annual report containing in substance the description of organization of the department, reviewing the work of the department, recommending legislation and other action by the governor and the general court, and containing such information relating to highways as may be appropriate. It shall include in such annual report such information as may be required by the commissioner of administration, and shall from time to time submit such other reports as he may require.

Section 6. The commissioner shall take proper care to prevent any trespass on, or injury to, the public works building; and if any such trespass or injury is committed he shall cause the offender to be prosecuted therefor. For any criminal offence committed in any part of said public works building or the grounds appurtenant thereto the commissioner and his public works building police shall have the same power to make arrests as the state police officers. An officer of the public works building police may, upon view of any misdemeanor committed in his presence, while on duty in said building, arrest any person seen committing such misdemeanor. The commissioner may arm his public works building police. Officers of the public works building police shall, while on duty, wear and display a metallic badge bearing the seal of the commonwealth and the words "Public Works Building Police". The commissioner shall be responsible for the fitness and good conduct of all such police officers.

Section 7. The commissioner may authorize the payment, out of the Highway Fund, of the reasonable hospital, medical and surgical expenses of any member of the public works building police who is temporarily or

permanently disabled, either mentally or physically, by reason of injuries sustained through no fault of his own in the actual performance of his duty.

Section 8. The commissioner shall, subject to appropriation, indemnify a public works building police officer, to an amount not more than the amount recommended by said commissioner, for expenses or damages sustained by him while acting as a police officer, or incurred by him in the defence or settlement of an action brought against him for acts done by him while so acting; provided, that the defence or settlement of such claim shall have been made by the attorney general; and such damages shall include loss of pay by reason of absence from duty on the part of such officer because of temporary incapacity caused by injury suffered through no fault of his own while in the actual performance of duty; and, if such officer be dead, such expenses or damages shall be payable to his widow, or, if he leaves no widow, then to his next of kin, who, at the time of his death, were dependent upon his salary for support. This section shall be construed to require the commissioner to pay compensation, in the manner herein provided, for damages for personal injuries, whether or not death results; provided, the amount of such compensation shall have been approved by the attorney general.

REGISTRY OF MOTOR VEHICLES.

Section 9. There shall be in the department, but in no manner subject to its control, a division of motor vehicles, to be known as the registry of motor vehicles. With the approval of the council, the governor shall appoint for a term of five years, and may remove for cause an officer to be known as the registrar of motor vehicles who shall be the executive and administrative head of the division. The registrar shall receive such salary, not exceeding sixteen thousand dollars, as the governor and council may determine. In addition to the deputy registrar, assistant to the registrar, hearings officers, supervising inspectors, investigators and examiners authorized to be appointed by the registrar under section twenty-nine of chapter ninety, he may appoint such other officers and employees as may be necessary to carry out the work of the division. In the event of a vacancy in the office of registrar, his powers and duties shall be exercised and performed by the deputy registrar until a registrar is duly qualified. The registrar shall, in addition to the authority conferred upon him by any other provision of law, have the power to make rules and regulations for the division of motor vehicles.

Section 10. The registrar of motor vehicles may authorize the payment, out of the Highway Fund, of the reasonable hospital, medical and surgical expenses of any employee in the registry of motor vehicles having police powers under section twenty-nine of chapter ninety who is temporarily or permanently disabled, either mentally or physically, by reason of injuries sustained through no fault of his own in the actual performance of his duty.

Section 11. The registrar of motor vehicles shall, subject to appropriation, indemnify an employee in the registry of motor vehicles having police powers under section twenty-nine of chapter ninety to an amount not more than the amount recommended by said registrar, for expenses or damages sustained by him while performing his duties under said section twenty-nine, or incurred by him in the defence or settlement of an

action brought against him for acts done by him while so acting; provided, that the defence or settlement of such claim shall have been made by the attorney general; and such damages shall include loss of pay by reason of absence from duty on the part of such officer because of temporary incapacity caused by injury suffered through no fault of his own while in the actual performance of duty; and, if such employee be dead, such expenses or damages shall be payable to his widow, or, if he leaves no widow, then to his next of kin, who, at the time of his death, were dependent upon his salary for support. This section shall be construed to require the registrar to pay compensation, in the manner herein provided, for damages for personal injuries, whether or not death results; provided, the amount of such compensation shall have been approved by the attorney general.

DIVISION OF MOTORBOATS.

Section 12. There shall be within the registry of motor vehicles a division of motorboats. With the approval of the council, the governor shall appoint for a term of seven years, and may remove for cause with like approval, an officer to be known as the director of the division of motorboats who shall be the executive and administrative head of the division. The director shall receive such salary not exceeding eleven thousand dollars, as the governor and council may determine, which shall be paid out of the recreational boating fund.

The director may, with the approval of the registrar of motor vehicles, employ such hearings officers, inspectors and such administrative, technical, clerical and other employees as in his opinion the duties of the division may require, and may expend for such purpose and other necessary expenses such amounts as may be appropriated therefor out of the recreational boating fund. Such employees shall not be subject to chapter thirty-one, but the qualifications for the positions shall be established by the civil service commission, and the positions and compensation of such employees shall be classified in accordance with sections forty-five to fifty, inclusive, of chapter thirty.

A certificate of award of number issued by the director of the division of motorboats shall become valid on the effective date thereof notwithstanding the fact that the director who issued the same ceased to hold said office prior to said effective date.

OUTDOOR ADVERTISING DIVISION.

Section 13. There shall be in the department, but in no manner subject to its control a division to be known as the outdoor advertising division, for the purpose of regulating and controlling, in the public interest, the erection and maintenance of billboards, signs or other advertising devices.

Section 14. There shall be in the outdoor advertising division a board to be known as the outdoor advertising board, consisting of three members, two to be appointed by the governor, one from each major political party, with the advice and consent of the council, and the third member to be the commissioner of public works, or an employee of the department of public works to be designated by him from time to time as his representative on the board. It shall be the duty of the commissioner of pub-

lic works, or the employee of the department of public works designated by him as his representative on the board, in addition to his other duties as member of the board, to arrange for the co-operation of district engineers and other field employees of the department of public works in reporting the location of billboards, signs or other advertising devices along state highways, and in enforcing the rules and regulations of the board. The two members of the board to be appointed by the governor shall be designated in their original appointment to serve for two and four years, respectively, from June first, in the year of appointment. Upon expiration of the term of such a member, his successor shall be appointed in the manner aforesaid, for four years. The governor shall from time to time designate one of the members appointed by him as chairman of the board, and, with the advice and consent of the council, may remove any appointed member for cause, and, with like advice and consent, shall fill any appointive vacancy for the unexpired term. Each member shall hold office until the appointment and qualification of his successor. Whenever any action by the board is required to be in writing, such writing shall be sufficient when signed by any two of the members. The board shall make an annual report for the preceding calendar year, setting forth the number of permits granted, the number of permits refused, the number of hearings held, the number of illegal signs removed, and other relevant matters, to the general court and to the commissioner of public works in January of each year. The chairman of the board shall receive from the commonwealth as compensation the sum of sixty-two dollars and fifty cents for each day spent in the performance of his official duties, but not exceeding forty-three hundred and seventy-five dollars in any one year, and the other member appointed by the governor shall receive the sum of fifty dollars for each such day, but not exceeding thirty-five hundred dollars in any one year. Each member of the board shall be reimbursed for necessary expenses incurred by him in the performance of his official duties. No member who is regularly employed by the commonwealth shall receive compensation for his services as member of the board, but may be reimbursed for necessary expenses incurred by him in the performance of his official duties as member of the board as aforesaid. The board shall appoint, subject to chapter thirty-one, an officer, to be known as the executive director, who shall be the administrative and executive officer in charge of all administrative and executive details.

MASS TRANSPORTATION COMMISSION.

Section 15. There shall be in the department of public works but in no manner subject to its control a commission to be known as the mass transportation commission consisting of the chairman of the metropolitan district commission, the chairman of the board of trustees of the metropolitan transit authority, the chairman of the Massachusetts turnpike authority, the commissioner of public works, the chairman of the Massachusetts port authority, the chairman of the Boston traffic commission and five persons to be appointed by the governor, with the advice and consent of the council, one of whom shall be experienced in railroad management and operation. Of the five members initially appointed three shall serve for terms of two years and two shall serve for terms of three years. Upon the expiration of the term of a member his

successor shall be appointed in the manner aforesaid for a term of three years.

The governor shall designate one member as chairman of the commission. The governor, with the advice and consent of the council, may remove any member for cause, and with like advice and consent, shall fill any vacancy for the unexpired term.

Section 16. The commission shall investigate and study mass transportation problems and plan co-ordinated mass transportation facilities and land use policies affecting the commonwealth, the metropolitan Boston area and the city of Boston. The commission shall also investigate and study the relationship of mass transportation facilities, land use and urban renewal and development to the economic needs and opportunities of the commonwealth and to the civil defense and disaster program with particular emphasis on the financial, legal, economic, technical and social problems. The commission shall study and plan for co-ordinating the highway program of the commonwealth and the federal government with other mass transportation facilities. The commission shall work with appropriate federal agencies and agencies of the commonwealth in connection with highway, transportation, land use and urban renewal and development studies. The commission shall from time to time make such recommendations to the governor and the general court for the co-ordination of highway and mass transportation programs and for the development of integrated plans for mass transportation and land use as the commission may deem advisable.

Section 17. The commission may employ an adequate technical staff and such other employees as, in its opinion, the work and duties of the commission may require and may expend for such purpose and other necessary expenses such amounts as may be appropriated therefor, including funds received by the treasurer of the commonwealth from the federal government for its purposes. The members of the commission shall serve without compensation but each member shall be reimbursed for all necessary travel and other expenses incurred by him in the performance of his official duties. The commission shall be provided with suitable quarters in the state house or elsewhere in the city of Boston.

SECTION 2. The commission of public works, consisting of the commissioner of public works and two associate commissioners, in existence on the effective date of this act, and the office of director of the division of waterways as so existing, are hereby abolished, and their respective powers and duties are hereby transferred to the public works commission, and the chairman of said commission, established by section one of chapter sixteen of the General Laws, as appearing in section one of this act.

SECTION 3. The title of the position of deputy director in charge of public beaches, established by section two of chapter six hundred and forty of the acts of nineteen hundred and fifty-eight, is hereby changed to administrator of public beaches, and all functions and duties of the division of public beaches, as existing on the effective date of this act, are hereby transferred and shall be under the division of waterways in the department of public works, as established by section two of chapter sixteen of the General Laws, as appearing in section one of this act.

The position of administrator of public beaches and the position of general supervisor of public beaches shall remain exempt from the provisions of chapter thirty-one of the General Laws only until such time

as a permanent vacancy occurs in such position at which time such position shall become subject to the provisions of said chapter thirty-one.

SECTION 4. The tenure of the present commissioner of public works shall cease upon the qualification of his successor appointed under the provisions of section one of this act. The tenure of the present associate commissioners shall cease upon the qualification of two associate commissioners appointed under the provisions of section one of this act.

SECTION 5. 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.

"Commissioner of public works" or "public works commissioner" shall mean the commissioner of public works created by this act.

"Commission of public works" or "public works commission" shall mean the public works commission created by this act.

"State department of public works" or "department of public works" shall mean the department of public works under this act.

"Director of the division of waterways" shall mean the associate commissioner of public works assigned to be in charge of the division of waterways established under this act.

SECTION 6. All officers, deputies and employees of any board, agency, division, bureau, section or other administrative unit under the department of public works except the director of the division of waterways who immediately prior to the effective date of this act hold permanent appointment in positions classified under chapter thirty-one of the General Laws, or 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 department of public works 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 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, subject, however, to the provisions of chapter thirty-one, and the rules and regulations established thereunder. 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 department of public works 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; provided, however, that nothing in this section shall be construed to confer upon any officer, deputy or employee any rights not held prior to the transfer or to prohibit any subsequent reduction in compensation or salary grade if such were not prohibited prior to the transfer.

SECTION 7. All books, papers, records, documents, plans, and property in the custody of the department of public works immediately prior

to the effective date of this act shall continue in the custody and control of the department established hereunder.

All petitions, hearings, actions at law or in equity, or other proceedings pending immediately prior to the effective date of this act before any court of law or any administrative tribunal, including the department or any part thereof, shall continue unabated and as if no reorganization had been effected; and the authority and power of the department established hereunder shall be in all respects the same as that of the department prior to the effective date of this act.

All orders, rules, and regulations duly promulgated by the department prior to the effective date of this act shall remain in full force and effect until superseded, revised, or rescinded in accordance with law.

All contracts and obligations of the department of public works duly in effect immediately prior to the effective date of this act shall continue in full force and effect.

SECTION 8. The five initial members of the public works commission established by section one of chapter sixteen of the General Laws, as appearing in section one of this act, shall be appointed by the governor, with the advice and consent of the council, and shall, as the governor may designate, serve for terms which shall expire on February first of the years nineteen hundred and sixty-five, nineteen hundred and sixty-six, nineteen hundred and sixty-seven, nineteen hundred and sixty-eight and nineteen hundred and sixty-nine, respectively. Upon the expiration of the term of any such member, his successor shall be appointed in the manner and for the term set forth in said section one of said chapter sixteen.

Approved November 15, 1963.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, November 15, 1963.

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

DEAR MR. SECRETARY: — I, Endicott Peabody, 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 821 of the Acts of 1963 entitled "An Act Abolishing the Present Public Works Commission and Establishing in Place Thereof a New Public Works Commission consisting of Five Members, and Further Reorganizing the Department of Public Works." and the enactment of which received my approval on November 15, 1963, 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 reorganize the Department of Public Works immediately in order that the important highway programs of the Commonwealth may be undertaken without delay. It would seem that a sufficient emergency exists that this act become effective at once.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, November 15, 1963.

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

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 822. AN ACT RELATIVE TO THE ACCELERATED HIGHWAY PROGRAM.

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 twenty-five 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 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 authorized herein may be used in conjunction with county, city or town funds, 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 and shall be in addition to the amounts made available in chapter seven hundred and eighty-two of the acts of nineteen hundred and sixty-two and to any other funds available for the purpose.

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 following four areas: not less than ten million dollars of said sum shall be expended in the area west of the Connecticut river; not less than ten million dollars in the area lying between the Connecticut river and the easterly boundary line of Worcester county, excluding therefrom 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 and not less than ten million dollars in the area comprising Bristol, Plymouth, Barnstable, Dukes and Nantucket counties.

SECTION 3. No payment in excess of twenty thousand dollars by way of purchase of real estate or any interest therein shall be made, and no

settlement in excess of twenty thousand dollars shall be made out of court for damages recoverable under chapter seventy-nine of the General Laws, in excess of the amount recommended by the real estate review board established by section six of chapter seven hundred and eighteen of the acts of nineteen hundred and fifty-six, by reason of a purchase or taking under this act or under chapter seven hundred and eighty-two of the acts of nineteen hundred and sixty-two. Each recommendation of said real estate review board shall be in writing and shall be accompanied by a written statement indicating the reasons for such recommendations.

No settlement, by reason of a taking under this act or under said chapter seven hundred and eighty-two, in excess of twenty thousand dollars and in excess of the recommendation of the real estate review board shall be made by agreement of the parties during or after trial except with the written approval of the court; provided, that settlements in excess of the recommendation of the board may be made without such approval if the settlement does not exceed the amount of any verdict or finding which may have been rendered, together with interest and costs.

The department is hereby ordered and directed to file reports of all payments in excess of ten thousand dollars for damages resulting from a taking or for a purchase under this act or under said chapter seven hundred and eighty-two with the clerk of the house of representatives and with the clerk of the senate not later than ninety days after payment. Such reports shall contain the amount of the payment, an affidavit that the amount was not in excess of the amount recommended by the board if payment in excess of said amount is prohibited hereunder, by whom and in what manner settled, the name of the owner or owners of the land involved, and a description of said land sufficient to identify it.

SECTION 4. 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 5. 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 eighteen of the acts of nineteen hundred and fifty-six.

The department shall certify said apportionment to the comptroller, and such sums approved by the department shall be made available for distribution on or before December first, nineteen hundred and sixty-three. 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, or for the construction under section thirty-four of chapter ninety of the General Laws of town highways of a type equal to that currently used by said town as approved by the department, or for the erection or maintenance of traffic lights; 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-six. 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 6. 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 seventy-five million dollars.

SECTION 7. 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 fifty million dollars, and the final maturity of such notes whether original or renewal, shall be not later than June thirtieth, nineteen hundred and sixty-seven. 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 8. Any amounts made available by this act, or heretofore made available by section one of chapter seven hundred and eighty-two of the acts of nineteen hundred and sixty-two, shall be available for expenditure until June thirtieth, nineteen hundred and sixty-eight.

SECTION 9. Excepting money required for preliminary planning and engineering studies, no money shall be expended under this act by the state department of public works for that portion of any project lying within the town of Brookline or the town of Saugus, or the city of Boston, Cambridge, Lynn, New Bedford, Peabody, Revere, Somerville, or Springfield until the said portion is approved by the selectmen of the town of Brookline or the town of Saugus, or the mayor of Boston, Lynn, New Bedford, Peabody, Somerville, or Springfield, or the city manager of Cambridge or of Revere, as the case may be, or has been approved by the board of project review in the manner hereinafter prescribed.

The approval of projects by the above named cities and towns shall be limited to approval of that portion of any project within the geographical boundaries of said cities and towns.

For the purposes of this section "project" shall mean only the route through the particular city or town and shall not include the actual design of or any engineering detail of the highway to be constructed.

If a project is not approved by the selectmen of the town of Brookline or Saugus, or the mayor of Boston, Lynn, New Bedford, Peabody, Somerville or Springfield, or the city manager of Cambridge or Revere within thirty days after it has been submitted in writing by the state department of public works to any such city or town for its approval, the said department shall thereupon refer the project to the board of project review. Said board of project review shall be constituted as follows: — (1) one member, who shall have a vote, to be designated from time to time by the commissioner of public works; (2) one member to be designated from time to time by each approving authority of the cities and towns set forth in the first paragraph of this section, provided, that only that member who is the designee of the city or town affected by the project the approval of which is before the board shall have a vote; and (3) one member to be appointed by agreement of the approving authority of a majority of the aforementioned cities and towns at a meeting, or any adjournment thereof, which shall be called by the state commissioner of public works and held within thirty days after the effective date of this act, notice of which meeting shall be given in writing to each such city and town at least seven days before the date of such meeting. The member appointed under clause (3) shall serve for a term of two years beginning with the date of his appointment. The approving authorities of said cities and towns may act through designees in making an appointment under clause (3). If said approving authorities fail to appoint a member under clause (3) on or before the first day of April, nineteen hundred and sixty-four, the governor shall thereupon appoint a member who shall serve only until such time as an appointment under said clause (3) is made by the approving authorities of said cities and towns. The member appointed under clause (3) shall be chairman of the project review board, and shall have a vote.

The department shall furnish said board such quarters and hearing rooms and such secretarial and other services as the board may require and shall pay the reasonable expenses of the members of said board, and shall pay as compensation to the member appointed under clause (3) the sum of one hundred and twenty-five dollars per diem, the total of such payments not, however, to exceed ten thousand dollars in any one calendar year.

The board of project review shall hold a hearing in the city or town affected by the proposed project, and may hold such additional hearings as it deems desirable, and shall approve or disapprove the project as originally submitted; provided, however, that the board may make such additional recommendations consistent with state and federal requirements as it deems appropriate, which, if approved by the department and the municipalities whose approval is required, shall release the funds for the project.

The decision of a majority of the voting members of the board of project review on the approval of a project shall be final and binding. If a voting member of said board fails to attend a hearing after due notice, the other two members may act in his absence. If the board approves the project, its decision shall release the funds for the project; if said board fails to approve or disapprove a project within ninety days after referral of the project to it, said failure shall constitute a disapproval of the project.

If a project is referred to the board of project review, the board shall give the municipality in which the project is to be located ample opportunity to show why said project should not be approved. The board shall allow other interested persons and municipalities an opportunity to be heard on the approval or disapproval of the project.

The approval and acceptance by a city or town heretofore required by general or special law before funds authorized for the accelerated highway program shall be expended by the state department of public works is hereby limited and modified by the provisions of this section.

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-seven. 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 fifty million dollars. All bonds issued by the commonwealth as aforesaid shall be designated on their face, Highway Improvement Loan, Act of 1963, and shall be on the serial payment plan for such maximum term of years, not exceeding twenty years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization, other than the final year, shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof, and the entire issue not later than June thirtieth, nineteen hundred and eighty-seven. 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. 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 de-

partment 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 November 15, 1963.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, November 15, 1963.

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

DEAR MR. SECRETARY: — I, Endicott Peabody, 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 822 of the Acts of 1963 entitled "An Act Relative to the Accelerated Highway Program" and the enactment of which received my approval on November 15, 1963, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act for ninety days would defeat its purpose which is to provide funds immediately for the highway construction program. It would seem that a sufficient emergency exists that this act become effective at once.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, November 15, 1963.

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 eight o'clock and ten minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter eight hundred and twenty-two of the acts of nineteen hundred and sixty-three.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 823. AN ACT MAKING PERMANENT CERTAIN POSITIONS IN THE DEPARTMENT OF PUBLIC WORKS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith that certain temporary positions in the department of public works be made permanent, 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 2900–20 of section 2 of chapter 500 of the acts of 1963 is hereby amended by striking out the words "including not more than four

thousand two hundred and eighty-three permanent positions" and inserting in place thereof the words: — including not more than four thousand three hundred and sixty-four positions; provided, however, that eighty-one of such positions shall be "right of way negotiators" in addition to any such permanent positions in the same job title now in the department; and provided, further, that such positions shall be permanently filled by the appointing authority on or before December thirty-first, nineteen hundred and sixty-three from the certified civil service list established on June thirteenth, nineteen hundred and sixty-one, notwithstanding that said list has since expired.

Approved November 15, 1963.

Chap. 824. AN ACT AUTHORIZING CONVEYANCE OF CERTAIN LAND TO THE TOWN OF STOCKBRIDGE BY THE TRUSTEES OF RESERVATIONS.

Be it enacted, etc., as follows:

SECTION 1. 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 and empowered to sell for such consideration as it sees fit, and to convey to the town of Stockbridge the following portion of land in said town owned by said corporation, namely: approximately 20.26 acres of that portion of land in said town known as "Naumkeag" said portion being generally described as bounded by the town's cemetery on the south, Church street and the easterly boundaries of properties on Church street on the west, other land of Naumkeag on the north, and the property now or formerly of one Oppermann on the east.

SECTION 2. The town of Stockbridge is hereby authorized to acquire the property described in section one of this act for school purposes by purchase or otherwise pursuant to the vote adopted under article 6 of the warrant for the special town meeting held September nineteenth, nineteen hundred and sixty-three, notwithstanding that this act was not in force at the time of the posting of the warrant for said meeting.

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

Approved November 15, 1963.

Chap. 825. AN ACT RELATIVE TO PUBLIC OFF-STREET PARKING FACILITIES IN THE CITY OF LAWRENCE.

Be it enacted, etc., as follows:

SECTION 1. The third sentence of section 1 of chapter 576 of the acts of 1963 is hereby 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, in such locations in the city as the council shall have determined require public off-street parking facilities;

SECTION 2. Said third sentence of said section 1 of said chapter 576 is hereby further amended by striking out clause (*c*) and inserting in place thereof the following clause: —

(*c*) The power to lease to any person any property acquired or used for the purposes of this act, to be used by the lessee for the parking of motor vehicles but for no other purpose, for such period, not exceeding twenty years, and upon such terms as the council shall determine; provided, however, that every lease shall contain schedules of maximum rates to be charged by the lessee for the use by the public of the property thereby demised, and also regulations with respect to the use, operation and occupancy of such property; provided, also, that no lease shall be modified or cancelled; but nothing herein shall be construed to prevent the termination of any lease by the lessor, in accordance with its provisions, for the breach of any covenant or condition thereof;

SECTION 3. Said section 1 of said chapter 576 is hereby further amended by striking out the second paragraph.

SECTION 4. Said chapter 576 is hereby further amended by striking out section 2 and inserting in place thereof the following section: — *Section 2.* Notwithstanding any contrary provision of general or special law, the city, the council, or any person claiming by, through or under either of them, may, without obtaining a license or permit of any kind, except licenses and permits required by the city charter, by applicable city ordinances or by the provisions of chapter eighty-five of the General Laws, do all things necessary or convenient to the accomplishment of the purposes of this act, including, without limiting the generality of the foregoing, cutting curbs, conducting or maintaining an open-air parking space, and keeping gasoline or other inflammable fluid in tanks in motor vehicles in a building or other structure. Nothing contained in this section shall be construed to empower the city or council to operate any parking facility established or acquired under this act.

SECTION 5. Said chapter 576 is hereby further amended by striking out section 3.

SECTION 6. Said chapter 576 is hereby further amended by striking out section 4 and inserting in place thereof the following section: — *Section 4.* Before leasing any land under this act, the council shall invite proposals therefor, by advertisements in at least one daily newspaper published in the city, once a week for at least two consecutive weeks, the last publication to be at least seven days before the time specified for the opening of said proposals. Such advertisements shall state the time and place where the form of lease may be had and the time and place for opening the proposals in answer to said advertisements, and shall reserve to the council the right to reject all proposals. All such proposals shall be opened in public. No lease shall be made except to the highest responsible bidder as determined by the council. Every lease shall be accompanied by a bond with surety satisfactory to the council, or by a deposit of money, certified check or other security for the faithful performance thereof, and such bond or other security shall be deposited with the city collector until the lease has been carried out in all respects. All amounts received from leases under this act or as a result of other failure of faithful performance required in any such lease shall be credited as general funds of the city and may be appropriated for any municipal purposes. No person shall be assessed any tax upon any real estate or buildings of which he is the lessee under this

act, any provision of general or special law to the contrary notwithstanding.

SECTION 7. This act shall take effect upon its passage.

Approved November 15, 1963.

Chap. 826. AN ACT REQUIRING THE USE OF SEAT BELTS IN CERTAIN MOTOR VEHICLES.

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 adding at the end the following sentence: — Every motor vehicle registered in the commonwealth which is privately owned and operated and designed for the carriage of passengers and which is used primarily for pleasure or for pleasure and business, including every such vehicle furnished for hire by a rental car agency but excluding every such vehicle used for public or commercial purposes, shall be equipped with two seat safety belts for the use of occupants of the front seats.

SECTION 2. The provisions of section one of this act shall apply only to motor vehicles manufactured for the model year nineteen hundred and sixty-five and for subsequent model years.

Approved November 15, 1963.

Chap. 827. AN ACT PROVIDING THAT CERTAIN LICENSES GRANTED BY THE BOARD OF HARBOR AND LAND COMMISSIONERS FOR THE PURPOSE OF BUILDING A SEA WALL AND FILLING SOLID OVER CERTAIN TIDEWATERS IN THE CITY OF CAMBRIDGE BE IRREVOCABLE.

Be it enacted, etc., as follows:

That portion of License No. 1940, dated July fourteenth, eighteen hundred and ninety-six, to build a sea wall and fill solid in and over the tidewaters of Miller's river in the city of Cambridge, that part of License No. 772, dated September thirteenth, eighteen hundred and eighty-three, to construct a sea wall and fill behind the same in and over the tidewaters of Miller's river, in the city of Cambridge, granted by the Board of Harbor and Land Commissioners to Boston and Lowell Railroad Corporation and that part of License No. 402, dated December twelfth, eighteen hundred and seventy-seven, to fill parcels situated on the Easterly and Westerly sides of Austin Street in East Cambridge, granted by the Board of Harbor and Land Commissioners to Boston and Lowell Railroad Corporation and shown on a plan marked "Land in Cambridge, Mass. Boston and Maine Railroad to Ogden Realty Trust, J. F. Kerwin, Assistant Chief Engineer, Scale 1" W 50', December, 1962", and bounded and described as follows: Beginning at remaining land of Boston and Maine Railroad at a point which is 493.37 feet South 76° 19' 15" East from a point on the Easterly sideline of East Street, so called, which point is 343.64 feet North 34° 21' 50" East from a point where the Southeasterly sideline of East Street meets the Northeasterly sideline of Bridge Street, thence running by land now or formerly of Ogden Realty Trust North 13° 40' 45" East 147 feet to a point, thence turning and running South 76° 19' 15" East 15 feet to a point, thence to a curve to the right having a degree of 14° 21' 05" a distance of 327.49 feet to a point, thence South 29° 19' 15" East 50 feet

to a point, thence on a curve to the left with a degree of 13° 39′ 55″ a distance of 49.37 feet to a point on the northerly side of a proposed access driveway, thence on a curve to the right with a radius of 300 a distance of 74.54 feet to a point, thence on a curve to the left with a radius of 300 a distance of 130.90 feet to a point, thence North 76° 19′ 15″ West 180.00 feet to the point of beginning, the last three mentioned courses follow the Northerly side of the proposed access driveway, containing approximately thirty-six thousand six hundred and seven square feet, shall be irrevocable, notwithstanding any provisions of general or special law to the contrary. In the event of a taking of such land or any part thereof by the commonwealth or any of its political subdivisions within ten years after the effective date of this act, the damages recoverable by reason of such taking shall in no case exceed the actual cost of acquisition of said land by the owner from whom said taking is made together with the cost to such owner of any buildings or improvements thereon, with interest at four per cent annually from the date of such acquisition. *Approved November 15, 1963.*

Chap. 828. AN ACT INCLUDING A NEWSPAPER PRINTED IN THE CITY OF LYNN AMONG THE NEWSPAPERS IN WHICH NOTICES OF HEARINGS ON PREMIUM CHARGES FOR COMPULSORY MOTOR VEHICLE LIABILITY INSURANCE ARE REQUIRED TO BE ADVERTISED AND ELIMINATING THE REQUIREMENT THAT A SCHEDULE OF SUCH CHARGES BE ADVERTISED IN NEWSPAPERS IN CONNECTION WITH SUCH NOTICES.

Be it enacted, etc., as follows:

Section 113B of chapter 175 of the General Laws is hereby amended by striking out the third paragraph, as most recently amended by chapter 430 of the acts of 1963, and inserting in place thereof the following paragraph: —

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, Lowell and Lynn, and in the town of Greenfield, at least ten days prior to said date. Such notice shall be in such form as the commissioner may deem expedient. *Approved November 15, 1963.*

Chap. 829. AN ACT AUTHORIZING CERTAIN TEMPORARY APPOINTEES TO EXERCISE THE POWERS AND PERFORM THE DUTIES OF CERTAIN OFFICERS OR EMPLOYEES WHO HAVE BEEN SUSPENDED FOR MISCONDUCT IN THEIR OFFICE OR EMPLOYMENT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith that temporary appointees exercise powers and perform duties of employees or officers of the commonwealth who have been suspended, 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 59 of chapter 30 of the General Laws, inserted by section 1 of chapter 798 of the acts of 1962, is hereby amended by

striking out the first paragraph and inserting in place thereof the following paragraph: — An officer or employee of the commonwealth, or of any department, board, commission or agency thereof, or of any Authority created by the general court, may, during any period such officer or employee is under indictment for misconduct in such office or employment, if he was appointed by the governor, be suspended by the governor, whether or not such appointment was subject to the advice or consent of the council or, if he was appointed by some other appointing authority, be suspended by such authority. Notice of said suspension shall be given in writing and delivered in hand to said person or his attorney, or sent by registered mail to said person at his residence, his place of business, or the office or place of employment from which he is being suspended. Such notice so given and delivered or sent shall automatically suspend the authority of said person to perform the duties of his office or employment until he is notified in like manner that his suspension is removed. A copy of any such notice together with an affidavit of service shall be filed with the state secretary.

SECTION 2. Said section 59 of said chapter 30 is hereby further amended by striking out the third paragraph and inserting in place thereof the following paragraph: —

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 officer or employee on a temporary basis, and the temporary officer or employee shall have all the powers and duties of the officer or employee suspended.

Any such temporary officer or employee who is appointed as a member of a board, commission or agency of the commonwealth, or of any Authority created by the general court, of which the governor is empowered to designate the chairman from time to time, may be designated as such chairman by the governor.

SECTION 3. Any action taken between January first, nineteen hundred and sixty-three and the effective date of this act by a person appointed to fill the position on a temporary basis of an officer or employee suspended under the provisions of section fifty-nine of chapter thirty of the General Laws, as in effect immediately prior to the effective date of this act, is hereby ratified and confirmed to the same extent as though this act had been in effect at the time such action was taken.

Approved November 16, 1963.

Chap. 830. AN ACT AUTHORIZING THE BOARD OF ELEVATOR REGULATIONS TO GRANT CERTAIN EXTENSIONS OF TIME FOR THE COMPLIANCE WITH CERTAIN ELEVATOR AND ESCALATOR REGULATIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith that the board of elevator regulations may grant extensions of time for compliance with the revised elevator and escalator regulations (ELV–1 Revised) in certain cases, therefore it is hereby declared to be an emergency law necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of chapter three hundred and seventy-three of the acts of nineteen hundred and fifty-nine, the

board of elevator regulations may grant an extension of six months to any party seeking an extension of time for compliance with the revised elevator and escalator regulations (ELV–1 Revised) made pursuant to the provisions of section sixty-nine of chapter one hundred and forty-three of the General Laws and a further extension of four months; provided, however, that such party has entered into, or is entering into a contract for the necessary alterations to comply with the revised elevator and escalator regulations (ELV–1 Revised).

SECTION 2. The provisions of section one of this act shall not reduce the powers of the board of elevator regulations under the provisions of section seventy of chapter one hundred and forty-three of the General Laws.

Approved November 16, 1963.

Chap. 831. AN ACT VALIDATING CERTAIN ACTION TAKEN BY THE TOWN OF HADLEY RELATIVE TO THE CONSTRUCTION AND OPERATION OF A SEWERAGE DISPOSAL SYSTEM IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The acceptance of chapter eight of the acts of nineteen hundred and sixty-three by the voters of the town of Hadley at the annual town meeting held in the year nineteen hundred and sixty-three is hereby confirmed and validated in all respects notwithstanding the fact that said chapter eight did not have the force of a law at the time of the posting of the warrant for said meeting.

SECTION 2. All votes passed by the town of Hadley under Articles twenty-two to twenty-seven, inclusive, of the warrant for the annual town meeting held in the year nineteen hundred and sixty-three authorizing the selectmen to act as a board of sewer commissioners, to acquire land for sewer purposes, to apply for federal aid for sewer works, and to finance such works are hereby validated in all respects. All obligations incurred, payments made or actions taken pursuant to such votes are fully ratified. Bonds or notes of said town may be issued pursuant to the vote under said article twenty-seven.

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

Approved November 16, 1963.

Chap. 832. AN ACT REQUIRING CERTAIN CORPORATIONS LICENSED TO CONDUCT HORSE OR DOG RACING MEETINGS IN CONNECTION WITH STATE OR COUNTY FAIRS TO FILE ANNUAL FINANCIAL REPORTS WITH THE STATE SECRETARY.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 26A of chapter 180 of the General Laws, as appearing in chapter 390 of the acts of 1956, is hereby amended by inserting after the word "two,", in line 3, the words: — every corporation to which the provisions of chapter one hundred and fifty-six do not apply and which is licensed to conduct a horse or dog racing meeting in connection with a state or county fair,.

SECTION 2. Said section 26A of said chapter 180 is hereby further amended by inserting after the first paragraph the following paragraph:—

Every corporation licensed to conduct a horse or dog racing meeting in connection with a state or county fair shall include in the certificate required by the first paragraph a statement of its assets, liabilities, income and expenditures, in such form as the state secretary shall prescribe, and such certificate shall be accompanied by a written statement verified on oath by an auditor which shall be attached to and form a part of such certificate. The auditor shall state that he has examined the statement of assets and liabilities included in such certificate, 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. No director, officer or employee of the corporation shall be selected as auditor. *Approved November 16, 1963.*

Chap. 833. AN ACT INCREASING THE SALARIES OF CERTAIN COUNTY EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1. Section 51B of chapter 35 of the General Laws is hereby amended by striking out the salary schedule, as most recently amended by section 2 of chapter 136 of the acts of 1961, and inserting in place thereof the following schedule: —

SALARY SCHEDULE.

Effective January 1, 1964.

JOB GROUP.	MINIMUM 1.	STEP 2.	STEP 3.	STEP 4.	STEP 5.	STEP 6.	MAXIMUM 7.	INCREMENT.
1	$3075.80	$3205.80	$3335.80	$3465.80	$3595.80	$3725.80	$3855.80	$130.00
2	3190.20	3320.20	3450.20	3580.20	3710.20	3840.20	3970.20	130.00
3	3317.60	3460.60	3603.60	3746.60	3889.60	4032.60	4175.60	143.00
4	3489.20	3632.20	3775.20	3918.20	4061.20	4204.20	4347.20	143.00
5	3619.20	3777.80	3936.40	4095.00	4253.60	4412.20	4570.80	158.60
6	3848.00	4006.60	4165.20	4323.80	4482.40	4641.00	4799.60	158.60
7	4048.20	4219.80	4391.40	4563.00	4734.60	4906.20	5077.80	171.60
8	4232.80	4420.00	4607.20	4794.40	4981.60	5168.80	5356.00	187.20
9	4534.40	4734.60	4934.80	5135.00	5335.20	5535.40	5735.60	200.20
10	4833.40	5049.20	5265.00	5480.80	5696.60	5912.40	6128.20	215.80
11	5135.00	5363.80	5592.60	5821.40	6050.20	6279.00	6507.80	228.80
12	5491.20	5735.60	5980.00	6224.40	6468.80	6713.20	6957.60	244.40
13	5964.40	6221.80	6479.20	6736.60	6994.00	7251.40	7508.80	257.40
14	6393.40	6679.40	6965.40	7251.40	7537.40	7823.40	8109.40	286.00
15	6864.00	7165.60	7467.20	7768.80	8070.40	8372.00	8673.60	301.60
16	7350.20	7680.40	8010.60	8340.80	8671.00	9001.20	9331.40	330.20
17	7880.60	8223.80	8567.00	8910.20	9253.40	9596.60	9939.80	343.20
18	8309.60	8681.40	9053.20	9425.00	9796.80	10168.60	10540.40	371.80
19	8795.80	9196.20	9596.60	9997.00	10397.40	10797.80	11198.20	400.40
20	9323.60	9739.60	10155.60	10571.60	10987.60	11403.60	11819.60	416.00
21	9809.80	10254.40	10699.00	11143.60	11588.20	12032.80	12477.40	444.60
22	10353.20	10826.40	11299.60	11772.80	12246.00	12719.20	13192.40	473.20

SECTION 1A. The compensation of each probation officer of a district court shall be increased over the rate paid on December thirty-first, nineteen hundred and sixty-three, according to a schedule established by the committee on probation, by an amount equal to ten per cent of said rate.

SECTION 2. This act shall take effect on January first, nineteen hundred and sixty-four. *Approved November 16, 1963.*

Chap. 834. AN ACT INCREASING THE AMOUNT OF THE DEATH BENEFIT PAYABLE UNDER THE STATE-BOSTON RETIREMENT SYSTEM TO THE WIDOW OF GEORGE J. HOLMES 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 George J. Holmes, who died on November sixth, nineteen hundred and sixty-three, 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 which would have been payable to said George J. Holmes had he continued in service as a police officer of said city at the grade held by him at the time of his death.

SECTION 2. This act shall take effect upon its acceptance by the city of Boston. *Approved November 16, 1963.*

Chap. 835. AN ACT TO PROHIBIT INTERLOCKING DIRECTORATES BETWEEN FAIRS AND COMMERCIAL RACING CORPORATIONS.

Be it enacted, etc., as follows:

Chapter 128A of the General Laws is hereby amended by adding after section eleven thereof the following: —

Section 11A. No officer, director, stockholder or member of his immediate family of any corporation engaged in conducting a race track for commercial racing in the commonwealth shall serve simultaneously as an officer, director of any fair nor have any ownership interest in any fair.

"Immediate family" in this section shall mean the husband or wife of any officer, director, stockholder or member of such corporation and their children, their parents, their brothers and sisters.

Violation of this section shall be sufficient cause for suspension or revocation of any license granted to a fair to permit racing in connection with any state or county fair.

Whoever being an officer, director, or stockholder of a corporation engaged in commercial racing in violation of this section shall be punished by a fine of not more than two thousand dollars or by imprisonment for not more than two years or both.

Approved November 16, 1963.

Chap. 836. AN ACT RELATIVE TO EXPENDITURES OF MONEY BY THE COUNTY COMMISSIONERS OF BERKSHIRE COUNTY FOR THE PURPOSE OF PROMOTING THE RECREATIONAL ADVANTAGES OF SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Berkshire county may, for the purpose of advertising the recreational advantages of said county, expend such sums, not exceeding, in the aggregate, forty-five thousand dollars in any one year, as may be appropriated therefor; provided, that such expenditures from money so appropriated shall not at any time be more than triple the sum which shall have been contributed by public subscription or by donation deposited with the county treasurer for the purpose aforesaid. Said commissioners shall expend such sums only for advertising in newspapers, magazines and the like, or for booklets, posters or other forms of advertising, or for information booths within the county, or for displays or booths maintained at fairs, expositions or travel shows outside the county for the purpose of advertising such advantages, or for the processing of inquiries resulting from such promotional activities. In carrying out the provisions of this act the commissioners may designate an agent or agents to act for them; provided, that all bills incurred shall be accompanied by proper vouchers and shall be paid by the county treasurer only on warrants approved by the county commissioners or a majority of them.

SECTION 2. Chapters two hundred and ten and five hundred and seventeen of the acts of nineteen hundred and fifty-four are hereby repealed.

SECTION 3. The state secretary shall cause to be placed on the official ballot to be used in the cities and towns in Berkshire county at the biennial state election in the year nineteen hundred and sixty-four the following question: — "Shall an act passed by the General Court in the year nineteen hundred and sixty-three, entitled 'An Act relative to expenditures of money by the county commissioners of Berkshire county for the purpose of promoting the recreational advantages of said county', be accepted?" If a majority of the votes cast in said county in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise. *Approved November 16, 1963.*

Chap. 837. 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 of the acts of the current year for the

fiscal year ending June thirtieth, nineteen hundred and sixty-four, or for such period as may be specified, the sums so appropriated to be in addition to any amounts at present available for the purposes.

SECTION 2.

GENERAL FUND.

STATE PURPOSES APPROPRIATIONS.

Legislature.

Senate.

Item		
0101–01	For the compensation of senators, prior appropriation continued	$193,000
0101–02	For the salary of the clerk of the senate	1,500
0101–03	For the salary of the assistant clerk of the senate	1,200
0101–04	For clerical assistance to the clerk of the senate, including not more than three permanent positions	5,010
0101–05	For the salary of the chaplain of the senate	426
0101–06	For personal services of the counsel to the senate and assistants, including not more than four permanent positions	4,838
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	7,750
0101–30	For expenses of senators, including travel, prior appropriation continued	25,000

House of Representatives.

0102–01	For the compensation of representatives, prior appropriation continued	$1,106,000
0102–02	For the salary of the clerk of the house of representatives	1,500
0102–03	For the salary of the assistant clerk of the house of representatives	1,200
0102–04	For clerical assistance to the clerk of the house of representatives, including not more than four permanent positions	3,400
0102–05	For the salary of the chaplain of the house of representatives	426
0102–06	For personal services of the counsel to the house of representatives and assistants, including not more than seven permanent positions	9,586
0102–07 } 0102–09 }	From the unexpended balance remaining in item 0102–07 of section two of chapter five hundred of the acts of the current year, the sum of four thousand dollars is hereby transferred and made available for the purposes of the following item: —	
	0102–09 For clerical and other assistance for the members of the house of representatives	20,000
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	19,100
0102–20	For a certain payment as authorized by chapter one hundred and fifty-seven of the resolves of the current year	11,150
0102–30	For expenses of representatives, including travel, prior appropriation continued	140,000

Sergeant-at-Arms.

0103–02	For clerical and other assistance employed by the sergeant-at-arms, including not more than seven permanent positions	$6,813
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 four permanent positions	3,188
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	75,915
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	57,624

Item		
0103–06	For the salaries of clerks employed in the legislative document room, including not more than three permanent positions	$12,327

Legislative Research Council.

0104–02	For personal services and other expenses of the legislative research bureau	$9,631

Recodification Counsel.

0105–01	For expenses of the recodification counsel, including not more than four permanent positions	$3,182

Other Expenses.

0110–04	For expenses in connection with the publication of the bulletin of committee hearings and of the daily list, with the approval of the joint committee on rules, including not more than two permanent positions	$1,428
0110–11	For the compilation, indexing, annotating, printing, and distribution of veterans laws subject to the joint committee on rules as provided by a joint order, for the year nineteen hundred and sixty-four and the previous year	18,000
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	1,000
0110–31	For the annual membership fee of the commonwealth in the National Conference of State Legislative Leaders	1,000
0110–33	For expenses of the committee appointed to investigate a certain fire in the city of Boston, as authorized by a joint order adopted in the house and senate	7,837
0110–85	For the expenses of the special house committee established under the provisions of an order adopted in the house of representatives on February sixth, nineteen hundred and sixty-three, and continued by an order adopted March twenty-eighth, nineteen hundred and sixty-three, to make an investigation of the Massachusetts state racing commission and other related matters for the year nineteen hundred and sixty-four and the previous year; provided, that expenditures from this item shall be approved by the members of the committee who were appointed as authorized by said orders	4,890

Judiciary.

Supreme Judicial Court.

0301–01	For the salaries of the chief justice and of the six associate justices	$21,875
0301–03	For the salary of the clerk and the assistant clerk for the commonwealth	3,334
0301–04	For clerical assistance to the clerk	521
0301–05	For law clerks and clerical assistance for the justices	8,438
0301–07	For the salaries of the officers and messengers	264
0301–12	For the service of the executive secretary	3,225
0301–14	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, including not more than thirteen permanent positions, to be expended with any other public or private funds available for the purpose	2,878
0302–01	For the salary of the reporter of decisions	2,125
0302–02	For the service of the reporter of decisions, including not more than three permanent positions	1,880

Superior Court.

Item		
0305-01	For the salaries of the chief justice and of the forty-one associate justices	$134,230
0305-04	For expenses authorized by section twenty-eight of chapter two hundred and twelve of the General Laws	13,730
0305-11	For compensation of justices of district courts while sitting in the superior court, prior appropriation continued	20,000
0305-14	For the compensation of probation officers including not more than forty-eight permanent positions	60,000
0305-15	For personal services and expenses of the office of the supervisor of probation	561

Judicial Council.

0308-01	For the service of the judicial council	$535

Administration of District Courts.

0311-01	For compensation and expenses in connection with the administration of district courts, as authorized by chapter eight hundred and ten of the acts of the current year; provided, that on the effective date of said chapter, the unencumbent balance remaining in item 0310-01 of section two of chapter five hundred of the acts of the current year is hereby transferred and made available for the purposes of this item	$1,600

Administration of Probate and Insolvency Courts.

0320-05	For compensation of the chief judge and for other expenses as authorized by chapter eight hundred and nineteen of the acts of the current year	$12,000

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:

	Barnstable:	
0321-01	Judge of probate	$1,875
0321-02	Register	1,407
0321-03	Assistant register	1,055
	Berkshire:	
0322-01	Judge of probate	1,875
0322-02	Register	1,407
0322-03	Assistant register	1,055
	Bristol:	
0323-01	Two judges of probate	3,750
0323-02	Register	1,407
0323-03	Two assistant registers	2,040
	Dukes:	
0324-01	Judge of probate	938
0324-02	Register	704
	Essex:	
0325-01	Two judges of probate	3,750
0325-02	Register	1,407
0325-03	Three assistant registers	2,954
	Franklin:	
0326-01	Judge of probate	1,875
0326-02	Register	1,407
0326-03	Assistant register	1,055
	Hampden:	
0327-01	Two judges of probate	3,750
0327-02	Register	1,407
0327-03	Three assistant registers	2,954

Item		
	Hampshire:	
0328-01	Judge of probate	$1,875
0328-02	Register	1,407
0328-03	Assistant register	1,055
	Middlesex:	
0329-01	Three judges of probate	5,625
0329-02	Register	1,407
0329-03	Five assistant registers	4,572
	Nantucket:	
0330-01	Judge of probate	938
0330-02	Register	704
	Norfolk:	
0331-01	Three judges of probate	5,625
0331-02	Register	1,407
0331-03	Four assistant registers	3,798
	Plymouth:	
0332-01	Judge of probate	1,875
0332-02	Register	1,407
0332-03	Item 0332-03 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following: — Two assistant registers	8,583
	Suffolk:	
0333-01	Three judges of probate	5,625
0333-02	Register	1,407
0333-03	Five assistant registers	4,572
	Worcester:	
0334-01	Two judges of probate	3,750
0334-02	Register	1,407
0334-03	Four assistant registers	3,798

Land Court.

0340-01	For the salaries of the judge, associate judges and the recorder, including not more than four permanent positions	$13,400
0340-02	For the service of the land court, including not more than forty-five permanent positions	30,000

Pensions for Certain Retired Justices.

0345-01	Item 0345-01 of section two of chapter five hundred of the acts of the current year is hereby amended by adding at the end thereof the following: — , or their widows, as provided by section sixty-five C of chapter thirty-two of the General Laws as amended by chapter five hundred and seventy-one of the acts of the current year, for the year nineteen hundred and sixty-four and the previous year	$40,000

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	$36,620
0351-01	For the salaries of the district attorney and assistants for the northern district, including not more than twelve permanent positions	17,010
0352-01	For the salaries of the district attorney and assistants for the eastern district, including not more than seven permanent positions	9,920
0354-01	For the salaries of the district attorney and assistants for the southern district, including not more than seven permanent positions	9,920
0355-01	For the salaries of the district attorney and assistants for the middle district, including not more than seven permanent positions	9,920
0356-01	For the salaries of the district attorney and assistants for the western district, including not more than six permanent positions	8,030

Item

0357-01 Item 0357-01 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following: —
For the salaries of the district attorney and assistants for the northwestern district, including not more than three permanent positions $6,380

0358-01 For the salaries of the district attorney and assistants for the Norfolk district, including not more than four permanent positions 9,067

0359-01 For the salaries of the district attorney and assistants for the Plymouth district, including not more than four permanent positions 9,067

Committee on Probation.

0370-01 For the office of the commissioner of probation, including not more than fifty-nine permanent positions $13,816

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 140

Board of Bar Examiners.

0380-01 For the service of the board, including not more than six permanent positions $2,787

Executive.

Governor.

0401-02 For the salaries of officers and employees in the governor's office $18,000

Lieutenant-Governor.

0402-01 For the salary of the lieutenant-governor $5,000

0402-02 For personal services for the lieutenant-governor's office . 3,860

Governor's Council.

0403-01 For the salaries of the eight councillors $8,000

0403-02 For personal services for the council 8,000

Civil Defense Agency.

0406-01 For the service of the civil defense agency, including not more than one hundred and five permanent positions, 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 purposes of this item, prior appropriation continued $1,200

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 . . . $10,605

0421-05 Item 0421-05 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line three, the word "seven" and inserting in place thereof the word: — eight 3,780

0421-21 For the service of the air national guard, including not more than one permanent position 938

State Quartermaster.

Item

0424–08 For certain national guard aviation facilities, including not more than ten permanent positions $400

Armory Commission.

0428–01 For compensation of one member and for expenses of the commission $1,000

Boards and Commissions serving under Governor and Council.

Executive Office for Administration and Finance.

0441–01 For the office of the commissioner of administration, including not more than thirty-three permanent positions, to be in addition to any federal funds available for the purpose; provided, that the comptroller shall transfer to the General Fund the sum of ninety-four thousand six hundred and eighty dollars from the Highway Fund . . $12,800

0441–02 For the investigation and study relative to the collection, treatment and disposal of solid waste originating in the metropolitan Boston area 25,000

Fiscal Affairs Division.

0441–10 Item 0441–10 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line two, the word "five" and inserting in place thereof the word: — six; and by adding at the end thereof the following: — ; and, provided further, that notwithstanding the provisions of any general or special law to the contrary, the incumbent of position 0001 in appropriation account 0445–01 on January second, nineteen hundred and sixty-three, shall be deemed on January third, nineteen hundred and sixty-three, to have been transferred to the bureau of personnel and shall continue in office unless removed for cause as provided in section four B of chapter seven of the General Laws $28,000

0441–11 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. . 800

Central Services Division.

0441–21 For the bureau of building construction, including not more than forty-eight permanent positions, to be in addition to any federal funds available for the purpose $40,000

0441–22 For the bureau of state buildings, and for the maintenance of the state house and the Ford building, including not more than one hundred and seventy-two permanent positions 27,000

Comptroller's Division.

0442–01 Item 0442–01 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line two, the word "twenty-five" and inserting in place thereof the word: — twenty-seven $18,300

Purchasing Agent's Division.

0444–01 Item 0444–01 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line one, the word "seventy-six" and inserting in place thereof the word: — seventy-seven; and by inserting after the word "positions;", in line two, the words: — provided, that the incumbent of the position "assistant to the purchasing agent" (requisition number 40046), on the effective date of this act, shall be deemed to be permanently appointed thereto under chapter thirty-one of the General Laws provided he passes a qualifying examination to be given by the division of civil service; and, further $9,500

The Group Insurance Commission.

Item

0448–01 For administration of the group insurance program, including not more than twenty-five permanent positions **$10,180**

Rate Setting Board for Convalescent or Nursing Homes and Rest Homes.

0449–01 For expenses of the board, as authorized by chapter eight hundred and nine of the acts of the current year, including not more than seven permanent positions **$35,000**

George Fingold Library.

0459–01 For the service of the library, including not more than thirty-one permanent positions **$5,260**

Ballot Law Commission.

0461–01 For compensation and expenses of the commissioners, including not more than three permanent positions **$2,250**

Massachusetts Commission Against Discrimination.

0462–01 Item 0462–01 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line one, the word "sixteen" and inserting in place thereof the word: — eighteen **$16,035**

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 **$2,500**

Records Conservation Board.

0464–01 For expenses of the records conservation board, as authorized by section forty-two of chapter thirty of the General Laws . . **$200**

Council for the Aging.

0465–01 Item 0465–01 of section two of chapter five hundred 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 **$8,400**

Boards to Establish Representative Districts.

0468–01 For expenses of the boards, as authorized by chapter six hundred and sixty-six of the acts of the current year . . . **$12,000**

Alcoholic Beverages Control Commission.

0469–01 Item 0469–01 of section two of chapter five hundred of the acts of the current year is hereby amended by adding at the end thereof the following: — ; provided, that notwithstanding any provision of law to the contrary, the amount of fifty-two dollars and fifty cents shall be allowed and paid from this item for the salary of a certain employee for the period October fifteen, nineteen hundred and sixty-two to November twenty-three, nineteen hundred and sixty-two **$30,800**

Mobile Homes Commission.

0473–01 For expenses of the commission, as authorized by section one hundred and eight of chapter six of the General Laws . . . **$4,000**

Metropolitan Area Planning Council.

Item
0474-01 For expenses of the council, as authorized by section one hundred and fourteen of chapter six of the General Laws $25,000

Consumers' Council.

0475-01 For expenses of the council as authorized by section one hundred and fifteen of chapter six of the General Laws, including not more than three permanent positions $20,000

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 $135

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 . $2,500

State Housing Board.

0483-01 Item 0483-01 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line one, the word "forty-one" and inserting in place thereof the word: — forty-two $7,160

Commissioner of Veterans' Services.

0485-01 For personal services of the commissioner and deputies, including not more than three permanent positions $2,000
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 500
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 8,500

Massachusetts Aeronautics Commission.

0490-01 For the compensation and expenses of members of the commission, including not more than five permanent positions $1,250
0490-02 For the service of the commission, including not more than nine permanent positions 800

Massachusetts Rehabilitation Commission.

0497-01 For the service of the commission, including not more than one permanent position, prior appropriation continued $135,000

Secretary of the Commonwealth.

0501-01 For the salary of the secretary $5,000
0501-02 For the office of the secretary, including not more than eighty-six permanent positions 23,559

Commission on Interstate Co-operation.

0506-01 For the service of the commission, including not more than two permanent positions $1,105

Massachusetts Historical Commission.

0507-01 For the service of the commission, including not more than one permanent position $5,574

Treasurer and Receiver-General.

Item

0601–01 Item 0601–01 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in lines one and two, the following: — , notwithstanding the provisions of section one of chapter ten of the General Laws $3,000

0601–02 Item 0601–02 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line two, the word "sixty-three" and inserting in place thereof the word "seventy" and by striking out, in lines three and four, the words "one hundred and sixty-four thousand and seventy-eight" and inserting in place thereof the following: — one hundred and seventy-one thousand 40,000

State Board of Retirement.

0604–01 Item 0604–01 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in lines one and two, the word "twenty-nine" and inserting in place thereof the word: — thirty-seven $17,130

0604–03 Item 0604–03 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following: —

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 six hundred and eighty-seven thousand five hundred dollars from the Highway Fund and the sum of twenty-five thousand dollars from the Inland Fisheries and Game Fund; and, provided further, that the amounts of all reimbursements received on account of retirement allowances paid and all contributions received from the federal government, authorities, agencies of the commonwealth and political subdivisions thereof on account of the retirement of employees are to be in addition to this item and to be available for expenditure without further appropriation 250,000

0604–11 For annuities for widows of certain former members of the uniformed branch of the state police, as authorized by chapter five hundred and twenty-six of the acts of the current year; provided, that the comptroller shall transfer to the General Fund the sum of thirty thousand dollars from the Highway Fund 37,500

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 $2,500

Auditor of the Commonwealth.

0701–01 Item 0701–01 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in lines one and two, the following: — , notwithstanding the provisions of section one of chapter eleven of the General Laws $1,500

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 fifty-one thousand two hundred and thirty dollars from the Highway Fund 2,200

Department of the Attorney General.

0801–01 For the salary of the attorney general $5,000

0801–02 Item 0801–02 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line one, the word "forty-two" and inserting in place thereof the word: — forty-five 121,364

Item

0801–03 For the cost of providing certain legal assistance for the benefit of veterans, their wives and dependents $1,602

Department of Agriculture.

0901–01 For the salary of the commissioner $1,000

0901–02 Item 0901–02 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line one, the word "thirty-three" and inserting in place thereof the word: — thirty-four 4,910

0901–11 For expenses of the board of agriculture 500

Milk Control Commission.

0906–01 For the service of the commission, including not more than thirty-four permanent positions $1,000

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 $6,422

State Reclamation Board.

0910–01 Item 0910–01 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line one, the word "two" and inserting in place thereof the word: — three . $2,800

Department of Natural Resources.

1001–01 For the salary of the commissioner $3,000

1001–02 Item 1001–02 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line one, the word "thirty-one" and inserting in place thereof the word: — thirty-five; and by adding at the end thereof the following: — provided, that the position of "assistant to the commissioner (public access)" shall not be subject to the provisions of chapter thirty-one of the General Laws. 12,000

1001–04 For the expenses of the natural resources board. . . . 175

Division of Forests and Parks.

1002–01 For the office of the director, including not more than thirteen permanent positions $1,833

1002–12 Item 1002–12 of section two of chapter five hundred 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-four and previous years 90,253

1002–14 Item 1002–14 of section two of chapter five hundred of the acts of the current year is hereby amended by inserting, in line one, after the word "patrol" the words: —, including not more than ten permanent positions, — and by adding at the end the following: —, for the year nineteen hundred and sixty-four and previous years . 6,600

Division of Law Enforcement.

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 $1,250

Division of Conservation Services.

Item		
1005–01	For the services of the division, including not more than five permanent positions	$21,736

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	$1,770
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	125
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	1,553
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	75
1010–23	For certain studies, including studies authorized by chapters twenty-six, fifty-four, sixty-five, eighty-seven, one hundred and ten and one hundred and forty-three of the resolves of the current year	20,000

Department of Banking and Insurance.

Division of Banks.

1101–01	For the salary of the commissioner	$2,500
1102–01	For the office of the supervisor of loan agencies, including not more than forty-one permanent positions	8,500

Division of Insurance.

1103–01	For the salary of the commissioner	$2,500
1103–02	Item 1103–02 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line three, the word "sixty-two" and inserting in place thereof the word: — seventy-three; and by striking out, in line four, the words "position of 'area legal counsel'" and inserting in place thereof the words:— positions of "area legal counsel" and "assistant area legal counsel"	43,000

Department of Corporations and Taxation.

1201–01	For the salary of the commissioner and associate commissioners	$9,000
1201–02	Item 1201–02 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line two, the word "nine" and inserting in place thereof the word: — nineteen; and provided, further, 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 Chief of Bureau, Bureau of Collections, from job group XXIV to job group XXVI	55,000
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 eight hundred and forty dollars from the Highway Fund and one hundred and eighty thousand dollars from the receipts of the corporation tax	5,000
1201–52	For certain tax audits of foreign corporations, prior appropriation continued	50,000
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	36,000

Division of Accounts.

Item

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 . . . . . $7,700

1203–21 For the service of the county personnel board, including not more than six permanent positions 1,375

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 $13,000

Department of Education.

1301–01 For the salary of the commissioner $2,500

1301–02 Item 1301–02 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line one, the word "eighty-three" and inserting in place thereof the word: — seventy-eight.

1301–04 For matching, with the approval of the commissioner of administration, 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 . 15,000

1301–03 } From the unexpended balance remaining in item 1301–03 of section two
1301–07 } of chapter five hundred of the acts of the current year, the sum of two thousand five hundred dollars is hereby transferred and made available for the purposes of the following item: —

1301–07 For expenses of holding teachers' institutes.

1301–10 For the service of the state building on Newbury street, Boston, including not more than five permanent positions 500

1301–15 For expenses of the advisory board of higher education policy, including not more than two permanent positions 2,000

School Lunch and Commodity Distribution Program.

1305–01 For the administration of the program, including not more than thirty-two permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of fifty thousand dollars from the School Lunch Distribution and Salvage Fund $2,977

Division of Vocational Education.

1307–01 For the training of teachers for vocational schools, to comply with the requirement of federal authorities under the provisions of the Smith-Hughes Act, so called, including not more than thirty-two permanent positions; provided, that such courses may be furnished free of charge to veterans, as authorized in sections seven and seven A of chapter sixty-nine of the General Laws $1,250

1307–03 For the construction of storage facilities at the Paul A. Dever state school for use by the surplus property agency, including the cost of furnishings and equipment; provided, that a sum equivalent to one-tenth of the expenditure made under this item shall be transferred to the General Fund annually for the years nineteen hundred and sixty-four to nineteen hundred and seventy-three from the receipts of the surplus property agency, established by section fifty-five of chapter seventy-four of the General Laws; and, provided further, that this item shall not be subject to the provisions of section thirty A of chapter seven of the General Laws 50,000

Education of Emotionally Disturbed Children.

Item

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-four and the previous year $800,000

Division of University Extension.

1313-01 Item 1313-01 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line one, the word "fifty-five" and inserting in place thereof the word: — fifty-seven $3,000

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 $3,000

1317-11 For the operation of local shops, including not more than thirteen permanent positions 16,500

1317-16 For the operation of the Cambridge industries for the blind, including not more than twelve permanent positions . . . 32,500

Teachers' Retirement Board.

1319-01 For the service of the board, including not more than thirty-four permanent positions $800

The preamble preceding item 1330-01 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following: —

Division of State Colleges.

For the administration, maintenance of and for certain improvements at state colleges and the boarding halls attached thereto with the approval of the board of trustees:

1301-02 \ From the unexpended balance remaining in item 1301-02 of section two
1329-01 / of chapter five hundred of the acts of the current year, the sum of twenty-five thousand dollars is hereby transferred and made available for the purposes of the following item: —

1329-01 For administration, as authorized by section one of chapter seventy-three of the General Laws, including not more than twelve permanent positions $35,000

1301-03 \ Item 1301-03 of section two of chapter five hundred of the acts of the
1329-02 / current year is hereby amended by striking out the item number and wording and inserting the following: —

1329-02 For the program of continuing studies in the methods used in the art of teaching and related subjects and for the summer school in 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 board of trustees of state colleges; 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 nine hundred thousand dollars with the approval of said trustees.

1301-08 \ The unexpended balance remaining in item 1301-08 of section two of
1329-03 / chapter five hundred of the acts of the current year is hereby transferred and made available for the purposes of the following item: —

1329-03 For aid to certain pupils in state colleges, under the direction of the board of trustees.

Item

1331–01 State college at Fitchburg, including not more than one hundred and twenty-nine permanent positions; provided, that said college may expend a sum not to exceed sixty thousand dollars for the purpose of maintaining at said college a community college program as authorized by chapter four hundred and seventy-seven of the acts of nineteen hundred and fifty-nine $20,000

1331–10 For scholarships, as authorized by section seven C of chapter sixty-nine of the General Laws 5,000

1333–01 State college at Lowell, including not more than eighty-four permanent positions 10,000

1335–01 Item 1335–01 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in lines one and two, the word "thirty-five" and inserting in place thereof the word: — forty-one.

1336–01 State college at Westfield, including not more than eighty permanent positions 7,000

The preamble preceding item 1340–01 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following: —

For the maintenance of and for certain improvements at the following institute with the approval of the board of trustees:

1340–01 Bradford Durfee College of Technology, including not more than sixty-seven 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-three; 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 $20,000

Lowell Technological Institute of Massachusetts.

1345–01 Item 1345–01 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line two, the word "sixteen" and inserting in place thereof the word: — twenty-one $46,823

1345–42 For scholarships, as authorized by section seventeen of chapter seventy-five A of the General Laws 2,500

Southeastern Massachusetts Technological Institute.

1347–01 For expenses of administration of the program, as authorized by chapter five hundred and forty-three of the acts of nineteen hundred and sixty, including not more than four permanent positions . . $8,710

University of Massachusetts.

1350–01 For the maintenance of the university, with the approval of the trustees, including not more than fourteen hundred and fifty-nine permanent positions; provided, that the trustees may, in addition to the sums appropriated, receive and expend as university trust funds under section eleven 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-eight 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 $60,517

Massachusetts Board of Regional Community Colleges.

Item		
1361–00	Massachusetts Bay community college, including not more than fifty-three permanent positions	$5,000
1362–00	Northern Essex community college, including not more than twenty-six permanent positions	1,000
1363–00	Cape Cod community college, including not more than twenty-four permanent positions	1,000
1364–00	Berkshire community college, including not more than twenty-three permanent positions	2,000
1365–00	Central Massachusetts community college, including not more than twenty-six permanent positions	2,600
1366–00	Greenfield community college, including not more than fifteen permanent positions	1,000

Division of Youth Service.

1380–01	Item 1380–01 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line two, the word "eighty-nine" and inserting in place thereof the word:—ninety	$100,534

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	$1,884
1382–01	Industrial school for girls, including not more than ninety-five permanent positions	3,624
1383–01	Lyman school for boys, including not more than one hundred and forty-nine permanent positions	1,144
1384–01	Item 1384–01 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line two, the word "sixty-one" and inserting in place thereof the word: — sixty-two	6,000
1385–01	For the operation of the institute of juvenile guidance, including not more than fifty-four permanent positions	6,240
1390–01	For the maintenance of Stephen L. French Youth Forestry Camp	3,500

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	$850
1394–03	For scholarships as authorized by section seven D of chapter sixty-nine of the General Laws	3,750

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	$9,500
1402–02	Item 1402–02 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line two, the word "twenty-six" and inserting in place thereof the word: — forty-seven	120,000
1402–21	For expenses of hearings, as authorized by section forty-three of chapter thirty-one of the General Laws	1,500

Division of Registration.

1403–01	For the salary of the director	$2,000
1403–02	Item 1403–02 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line one, the word "fifty-one" and inserting in place thereof the word: — fifty-nine	30,000

For the service of the following agencies in the division:

Item

1404–01 Board of registration in medicine, including not more than seven permanent positions $2,375

1405–01 Board of dental examiners, including not more than five permanent positions 1,175

1406–01 Board of registration in chiropody, including not more than five permanent positions, notwithstanding the limitations of section twelve C of chapter thirteen of the General Laws 300

1407–01 Board of registration in pharmacy, including not more than nine permanent positions 1,790

1408–01 Board of registration of nurses, including not more than twelve permanent positions 1,200

1409–01 Board of registration in embalming and funeral directing, including not more than five permanent positions 1,625

1410–01 Board of registration in optometry, including not more than five permanent positions 650

1411–01 Board of registration in veterinary medicine, including not more than five permanent positions 325

1413–01 Board of registration of architects, including not more than five permanent positions 750

1414–01 } The unexpended balance remaining in item 1414–01 of section two of
1415–01 } chapter five hundred of the acts of the current year is hereby transferred and made available for the purposes of the following item: —

1415–01 Board of public accountancy, including not more than nine permanent positions 10,000

1416–01 State examiners of electricians, including not more than two permanent positions 300

1417–01 State examiners of plumbers, including not more than three permanent positions 1,850

1418–01 Item 1418–01 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line two, the word "twenty-six" and inserting in place thereof the word: — twenty-seven 14,270

1419–01 Board of registration of electrologists, including not more than three permanent positions 225

1420–01 Item 1420–01 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line one, the word "nine" and inserting in place thereof the word: — ten . 4,125

1421–01 Board of registration of hairdressers, including not more than seventeen permanent positions 3,875

1422–01 Board of registration of dispensing opticians, including not more than five permanent positions 635

1424–01 Board of registration of sanitarians, including not more than four permanent positions 120

1425–01 Board of registration of radio and television technicians, including not more than seven permanent positions 4,100

Department of Commerce.

1551–01 Item 1551–01 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line two, the word "fifty-seven" and inserting in place thereof the word: — fifty-six.

1551–01 } From the unexpended balance remaining in item 1551–01 of section two of
1551–21 } chapter five hundred of the acts of the current year, the sum of eighteen thousand dollars is hereby transferred and made available for the purposes of the following item: —

1551–21 For expenses of the New York office of the department of commerce, including not more than one permanent position; provided, that section twenty-five of chapter thirty of the General Laws shall not apply to payments made under this item $5,500

Department of Labor and Industries.

1601–01 For general administration and for the division of employment of older workers, including not more than thirteen permanent positions $9,014

Item

1603–01 Item 1603–01 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line one, the word "sixty-eight" and inserting in place thereof the word: — seventy **$32,000**

1640–01, 1609–05 From the unexpended balance remaining in item 1640–01 of section two of chapter five hundred of the acts of the current year, the sum of two thousand four hundred and fifty dollars is hereby transferred and made available for the purposes of the following item: —

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 . **900**

1615–01 For the division of standards, including not more than twenty-one permanent positions **1,000**

Labor Relations Commission.

1630–01 For the service of the commission, including not more than twenty permanent positions **$5,000**

Health, Welfare and Retirement Trust Funds Board.

1640–01 Item 1640–01 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line three, the word "twenty-six" and inserting in place thereof the word: — twenty-**eight** **$9,000**

Division of Industrial Accidents.

1651–01 For personal services of members of the board, including not more than twelve permanent positions **$12,000**

1651–02 Item 1651–02 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line three, the word "seventy-three" and inserting in place thereof the word: — seventy-four **15,000**

Industrial Accident Rehabilitation Board.

1652–01 For the service of the board, including not more than six permanent positions **$1,625**

Department of Mental Health.

1701–01 For the salary of the commissioner **$3,000**

1701–02 Item 1701–02 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line seven, the word "six" and inserting in place thereof the word: — thirty-six; and by adding at the end thereof the following: — provided, that any part of the sum appropriated in this item may be used for matching any federal grants available for this purpose **329,900**

1701–22 For an investigation and study relative to psychiatric services in Berkshire county, as authorized by chapter one hundred and thirty of the resolves of the current year **2,500**

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 **$26,332**

1712–00 Danvers state hospital, including not more than eight hundred and forty-five permanent positions **1,850**

1713–00 Foxborough state hospital, including not more than five hundred and fifty-nine permanent positions **11,215**

1714–00 Gardner state hospital, including not more than five hundred and seven permanent positions **9,800**

1715–00 Grafton state hospital, including not more than five hundred and seventy-five permanent positions **2,500**

Item		
1716–00	Medfield state hospital, including not more than six hundred and seventy-eight permanent positions	$6,500
1716–21	For certain fireproofing and renovations, including the installation of an elevator and the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8157–45 of section two of chapter seven hundred and eleven of the acts of nineteen hundred and fifty-six	1,150
1717–00	Item 1717–00 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line two, the word "forty-one" and inserting in place thereof the word: — forty-four	34,750
1718–00	Northampton state hospital, including not more than seven hundred and fifty-one permanent positions	23,600
1719–00	Taunton state hospital, including not more than seven hundred and eleven permanent positions	150,000
1722–00	Monson state hospital, including not more than seven hundred and fifty-four permanent positions	11,750
1723–00	Belchertown state school, including not more than five hundred and eighty-eight permanent positions	21,750
1724–00	Item 1724–00 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line two, the word "sixty-two" and inserting in place thereof the word: — sixty-five	60,264
1725–00	Wrentham state school, including not more than six hundred and forty-seven permanent positions	31,275
1726–00	Paul A. Dever state school, including not more than six hundred and twenty-five permanent positions	33,740
1727–00	Cushing hospital, including not more than six hundred and seventy-six permanent positions	8,500

Department of Correction.

1801–01	For the salary of the commissioner	$3,000
1801–02	Item 1801–02 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line one, the word "sixty-nine", and inserting in place thereof the word: — seventy	10,000
	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 sixty-two permanent positions	$41,000
1812–01	Correctional institution at Walpole, including not more than three hundred permanent positions	2,000
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	45,000
1814–02 1814–01	From the unexpended balance remaining in item 1814–02 of section two of chapter five hundred of the acts of the current year, the sum of nine thousand three hundred and sixty dollars is hereby transferred and made available for the purposes of item 1814–01 of section two of said chapter five hundred, and said item 1814–01 is hereby amended by striking out, in line two, the word "forty-seven" and inserting in place thereof the word: — forty-nine.	
1814–02	Item 1814–02 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line two, the word "twenty-three" and inserting in place thereof the word: — fifteen.	
1816–01	Correctional institution at Framingham, including not more than one hundred and thirty-four permanent positions	38,000
1816–21	For the installation of a freight elevator, to be in addition to the amount appropriated in item 8463–29 of section two of chapter six hundred and forty-nine of the acts of nineteen hundred and sixty-two	15,500
1818–01	Correctional institution at Norfolk, including not more than two hundred and fifty-five permanent positions	14,000

Parole Board.

Item

1830–01 For the service of the board, including not more than seventy-three permanent positions $9,250

Department of Public Welfare.

1901–01 For the salary of the commissioner $5,500

Department of Public Health.

Bureau of Administration.

2001–01 For the salary of the commissioner $7,000

2001–02 Item 2001–02 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line two, the word "thirty-eight" and inserting in place thereof the word: — forty-two 54,200

Bureau of Environmental Sanitation.

2002–53 For certain improvements, along the Merrimack river, as authorized by chapter five hundred and eighty-seven of the acts of the current year $5,000

Bureau of Preventive Disease Control.

2005–01 } From the unexpended balance remaining in item 2005–01 of section two
2003–01 } of chapter five hundred of the acts of the current year, the sum of seventy thousand dollars is hereby transferred and made available for the purposes of item 2003–01, and said item 2003–01 of section two of said chapter five hundred is hereby amended by striking out the wording and inserting in place thereof the following: —

For the service of the bureau and for the operation of certain clinics in the out-patient department of certain general hospitals, including not more than seventy-six permanent positions.

Bureau of Health Services.

2004–01 Item 2004–01 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line one, the word "sixty-two" and inserting in place thereof the word: — sixty-one.

Bureau of Hospital Facilities.

2005–01 Item 2005–01 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line one, the word "twenty-three" and inserting in place thereof the word: — twelve.

Institute of Laboratories.

2004–01 } From the unexpended balance remaining in item 2004–01 of section two of
2007–01 } chapter five hundred of the acts of the current year, the sum of twenty thousand dollars is hereby transferred and made available for the purposes of item 2007–01 of section two of said chapter five hundred, and said item 2007–01 is hereby amended by striking out the wording and inserting in place thereof the following: —

For the service of the institute, including not more than one hundred and forty-four permanent positions.

Bureau of Consumer Products Protection.

2008–01 Item 2008–01 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line one, the word "fifty-three" and inserting in place thereof the word: — sixty-three $51,000

For the maintenance of and for certain improvements at the following institutions under the control of the department of public health:

Item		
2021–00	For the maintenance of the Tewksbury hospital, including not more than seven hundred and eighty-six permanent positions	$17,000
2022–00	Lakeville hospital, including not more than two hundred and fifty-eight permanent positions	1,620
2027–21	For the reconstruction of parapet walls, Bradford building, including repairs to the roof and the replacement of awnings on a certain building, to be in addition to the amount appropriated in item 8463–60 of section two of chapter six hundred and forty-nine of the acts of nineteen hundred and sixty-two	10,000
2027–22	For the installation of a closed circuit television system, as authorized by chapter seven hundred and twenty of the acts of the current year, appropriation expires June thirtieth, nineteen hundred and sixty-six	170,000
2031–00	Item 2031–00 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in lines one and two, the word "seventy-five" and inserting in place thereof the word: — seventy-six.	17,540

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	$270

Department of Public Safety.

2101–01	For the salary of the commissioner	$3,500
2101–02	Item 2101–02 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line two, the word "two" and inserting in place thereof the word: — three	3,800

Division of Inspection.

2104–01	Item 2104–01 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line two, the word "fifty-nine" and inserting in place thereof the word: — sixty-six; and by adding at the end thereof the following: — provided, that the position of "examiner of elevator operators" shall not be subject to the provisions of chapter thirty-one of the General Laws	$26,120
2104–31	For the board of boiler rules, including not more than four permanent positions	500

State Boxing Commission.

2105–11	For the service of the commission, including not more than six permanent positions	$2,625

Board of Standards.

2106–01	For the service of the board, including not more than seven permanent positions	$1,800

Board of Elevator Regulations.

2107–01	For the service of the board, including not more than seven permanent positions	$1,100

Board of Fire Prevention Regulations.

2108–01	For the service of the board, including not more than eight permanent positions	$1,900

Board of Schoolhouse Structural Standards.

Item

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 $400

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 $200

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 $375

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-four 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 $1,400

2202-10 For the construction of a sea wall as authorized by chapter five hundred and thirty-six of the acts of the current year . . . 50,000

Outdoor Advertising Division.

2230-01 For the service of the division, including not more than eleven permanent positions $1,575

Government Center Commission.

2280-01 For expenses of the commission, as authorized by chapter six hundred and thirty-five of the acts of nineteen hundred and sixty $7,000

Department of Public Utilities.

2301-01 For personal services of the commissioners, including not more than seven permanent positions $7,000

Commercial Motor Vehicle Division.

2304-01 For the service of the division, including not more than thirty-two permanent positions $4,000

Securities Division.

2308-01 For the service of the division, including not more than nine permanent positions $1,723

Gas Fitting Regulations Board.

2370-02 For administration of the program of regulating the installation of gas fittings in buildings, as authorized by section twelve J of chapter twenty-five of the General Laws $16,032

Miscellaneous.

2420-06 For the payment 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 $5,266

Item

2420-08 For the payment of claims for unpaid checks, with the approval of the state treasurer and certification by him to the comptroller of the amount due, where payment has otherwise been prevented as a result of the application of section thirty-two of chapter twenty-nine of the General Laws $100

2420-15 For the payment of certain claims, as authorized by chapters ninety-five and one hundred and thirty-five, one hundred and thirty-seven and one hundred and thirty-eight of the resolves of the current year 11,309

2420-16 For an investigation and study relative to the water supply of the city of Brockton, as authorized by chapter thirty-three of the resolves of the current year 1,000

2420-17 For certain improvements to the Somerville Housing Authority property to alleviate a certain condition for the benefit of the public safety; provided, that the Somerville Housing Authority shall enter into an agreement with the construction division of the metropolitan district commission, assuming all liability for damages in connection with said project; and, provided further, that this project shall be carried out by the construction division of the metropolitan district commission, notwithstanding any limitation in the Housing Authority Law 25,000

LOCAL AID APPROPRIATIONS.

The following appropriations are for reimbursements and grants to local governments and for certain other purposes, and are to be in addition to any unexpended balance of appropriations heretofore made for the purpose:

Boards and Commissions serving under Governor and Council.

Service of the State Housing Board.

2604-02 For the reimbursement of housing authorities, as authorized by chapter six hundred and sixty-eight of the acts of nineteen hundred and fifty-three $100,000

2604-09 For reimbursing the Chelsea Housing Project for a part of the cost of water damages to the project, notwithstanding any limitation in the Housing Authority Law 75,000

Service of the Commissioner of Veterans' Services.

2604-06 For reimbursing cities and towns for money paid for veterans' benefits, as provided in section six of chapter one hundred and fifteen of the General Laws $82,000

2604-07 For the reimbursement of the town of Sutton, as authorized by chapter five hundred and forty of the acts of the current year . 13,565

Department of Corporations and Taxation.

Reimbursement for Loss of Taxes.

2612-03 For reimbursing the city of Boston for loss of taxes on land for the government center, as authorized by section eight of chapter six hundred and thirty-five of the acts of nineteen hundred and sixty . $21,500

Department of Education.

2613-05 For the reimbursement of certain cities and towns for a part of the expenses of maintaining agricultural and industrial vocational schools, as provided by law $16,125

Item

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 $22,575

2613-20 For state aid to public libraries, as authorized by section nineteen A of chapter seventy-eight of the General Laws 1,270,000

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 $350,000

Education of Deaf and Blind Pupils.

2613-10 For the reimbursement of certain cities and towns for day classes of the deaf and of the blind, as provided by sections twenty-eight and thirty-three of chapter sixty-nine of the General Laws . . $11,250

Division of Youth Service.

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 $4,020

Department of Public Welfare.

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 $900,000

2619-08 For reimbursement to cities and towns for old age assistance, as provided by law 180,000

Department of Public Health.

2620-02 For the reimbursement of cities and towns for the care of certain infants, as authorized by section sixty-seven C of chapter one hundred and eleven of the General Laws $127,000

HIGHWAY FUND.

STATE PURPOSES APPROPRIATIONS.

Department of Public Works.

Highway Activities.

The salaries of all officers and employees of the department engaged in projects or activities relating to highways shall be charged for the nineteen hundred and sixty-four fiscal year in full to appropriations authorized under the heading of "Highway Activities" in this act:

2900-01 Item 2900-01 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line two, the word "three" and inserting in place thereof the word: — five . $38,000

Item

2900–12 } From the unexpended balance remaining in item 2900–12 of section two of
2900–02 } chapter five hundred of the acts of the current year, the sum of two hundred eleven thousand six hundred and twenty-five dollars is hereby transferred and made available for the purposes of item 2900–02 of section two of said chapter five hundred.

2900–12 } From the unexpended balance remaining in item 2900–12 of section two of
2900–04 } chapter five hundred of the acts of the current year, the sum of four hundred thousand dollars is hereby transferred and made available for the purposes of item 2900–04 of section two of said chapter five hundred.

2900–06 For expenses of a traffic safety and traffic control program on state highways, including traffic-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 not less than six hundred thousand dollars of the sum herein appropriated shall be made available for traffic-line painting and necessary related expense connected therewith; and, provided further, that any portion of the sum appropriated herein may be used in conjunction with city or town funds **$29,000**

2900–20 Item 2900–20 of section two of chapter five hundred of the acts of the current year, as amended by chapter eight hundred and twenty-three of the acts of the current year, is hereby further amended by striking out the word "sixty-four" and inserting in place thereof the word: — eighty-one; and by adding at the end the following: — ; provided, that from the amount of federal funds received as reimbursement on account of projects constructed under authority of chapter seven hundred and eighty-two of the acts of nineteen hundred and sixty-two the sum of three million dollars is hereby made available to finance amounts appropriated under this item for personal services in connection with highway construction projects **3,000,000**

2900–46 Item 2900–46 of section three of chapter five hundred and forty-four of the acts of nineteen hundred and sixty-one is hereby amended by inserting, in line four, after the word "six" the following: —, including the cost of furnishings and equipment.

2900–80 For the operation and maintenance of the public works building, including not more than eighty-three permanent positions . **66,700**

Registry of Motor Vehicles.

2900–35 } From the unexpended balance remaining in item 2900–35 of section two
2924–01 } of chapter five hundred of the acts of the current year, the sum of seven hundred ninety-eight thousand two hundred and twenty-nine dollars is hereby transferred and made available for the purposes of item 2924–01 of section two of said chapter five hundred; and said item 2924–01 is hereby amended by striking out, in line two, the word "fourteen" and inserting in place thereof the word: — seventy; and by inserting, in line two, after the word "of" the following: — administrative assistant to the registrar of motor vehicles and.

2900–35 } From the unexpended balance remaining in item 2900–35 of section two of
2924–02 } chapter five hundred of the acts of the current year, the sum of one hundred twenty-two thousand four hundred and forty-seven dollars is hereby transferred and made available for the purposes of item 2924–02 of section two of said chapter five hundred; and said item 2924–02 is hereby amended by striking out, in line four, the word "twenty-six" and inserting in place thereof the word: — twenty-eight.

2925–01 For expenses of the highway safety committee as authorized by section three of chapter ninety A of the General Laws . . **$6,800**

Department of Public Safety.

Division of State Police.

2900–36 } From the unexpended balance remaining in item 2900–36 of section two of
2926–01 } chapter five hundred of the acts of the current year, the sum of four

hundred fifty-one thousand dollars is hereby transferred and made available for the purposes of item 2926–01 of section two of said chapter five hundred.

Metropolitan District Commission.

The following items are to be paid with the approval of the metropolitan district commission:

Item

2900–35 } From the unexpended balance remaining in item 2900–35 of section two of
2931–01 } chapter five hundred of the acts of the current year, the sum of sixty thousand dollars is hereby transferred and made available for the purposes of item 2931–01 of section two of said chapter five hundred.

2931–04 For the construction, reconstruction and improvement of boulevards and parkways, including bridges, and including the resurfacing and repairing thereof, prior appropriation continued **$500,000**

2931–06 Item 2931–06 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line eight, the words "one thousand and eighty-eight" and inserting in place thereof the words: — one thousand one hundred and twenty-nine . . . **943,000**

Miscellaneous.

2998–04 For the payment of a certain claim, as determined by a judgment of the Hampden superior court, docket number 79670 . . **$5,250**

2998–05 For the payment of a certain claim, as authorized by chapter eighteen of the resolves of the current year **5,088**

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 **$13,937**

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 **33,463**

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 **2,161**

3304–51 For expenses of game farms and for wild life research and management, including not more than fifty-one permanent positions . **35,589**

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 . **12,952**

3304–54 For the preparation of plans for a fish hatchery, as authorized by chapter five hundred and nine of the acts of the current year . **20,000**

Division of Law Enforcement.

3308–05 For the payment of damages caused by wild deer and wild moose, including not more than one permanent position, prior appropriation continued **$462**

3308–07 For the supervision of public fishing and hunting grounds . **790**

RECREATIONAL BOATING FUND.

STATE PURPOSES APPROPRIATION.

Registry of Motor Vehicles.

Division of Motorboats.

Item		
3401-01	For the service of the division, including not more than thirty-nine permanent positions	**$40,485**

MARINE FISHERIES FUND.

STATE PURPOSES APPROPRIATIONS.

Department of Natural Resources.

Division of Marine Fisheries.

3601-01	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 3601-05	**$10,507**
3601-02	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	**3,324**
3601-04	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; provided, that the comptroller shall transfer to the Marine Fisheries Fund the sum of one hundred and fifty thousand dollars from the General Fund	**24,877**
3601-06	For a program of estuarine research	**4,493**
3601-07	For a special investigation of the coastal lobster fishery program	**581**
3601-09	For the contribution of the department of natural resources toward a federally-aided co-operative fishery project, to be expended by the university of Massachusetts; provided, that the comptroller shall transfer to the Marine Fisheries Fund the sum of three thousand dollars from the Inland Fisheries and Game Fund	**6,000**
3601-10	For an investigation and study of the laws relating to marine fisheries and the preparation of the codification thereof	**10,000**

STATE RECREATION AREAS FUND.

STATE PURPOSES APPROPRIATIONS.

Department of Natural Resources.

Division of Forests and Parks.

4010-01	Item 4010-01 of section two of chapter five hundred 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-four and previous years	**$91,942**
4010-50	For the payment of a certain claim, as authorized by chapter fifty-eight of the resolves of the current year	**266**

Department of Education.

4030-01	For certain payments for the use of facilities of the museum of science, as authorized by chapter six hundred and eleven of the acts of the current year	**$75,000**

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-four fiscal year in full to appropriations authorized under this heading in this act:

Division of Waterways.

Item

4050–01 Item 4050–01 of section two of chapter five hundred of the acts of the current year is hereby amended by adding at the end the following: — ; provided, that notwithstanding any contrary provision of law, the service of the incumbent of the position of acting director of the division of waterways on the effective date of this act under the titles of assistant director of the division of waterways, deputy director of the division of waterways in charge of public beaches and acting director of the division of waterways shall be creditable service within the meaning of section nine A of chapter thirty of the General Laws for the position of administrator of public beaches $5,020

4050–02 For the maintenance of Salisbury beach reservation, including not more than three permanent positions 10,465

4050–05 For the maintenance of Horseneck beach, including not more than one permanent position 26,423

4050–06 For the maintenance of Scusset beach 2,900

4050–07 For the maintenance of Fort Phoenix beach 1,050

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.

8602–38 For the construction of a headquarters' garage for the storage and repair of motorized equipment of the division, including the cost of necessary garage and repair equipment, to be in addition to the amount appropriated in item 9027–02 of section two of chapter five hundred and seventeen of the acts of nineteen hundred and sixty-one . . $70,000

8602–39 For the construction of a culvert in the town of Belmont, as authorized by chapter five hundred and twenty-four of the acts of the current year 38,000

Metropolitan Sewerage District.

8701–00 For the maintenance and operation of a system of sewage disposal for the metropolition 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 $174,000

Metropolitan Water System.

8902–00 Item 8902–00 of section two of chapter five hundred of the acts of the current year is hereby amended by striking out, in line three, the word "ten" and inserting in place thereof the word: — eleven . $312,106

8902–39 For repairs to the roof, Spot pond pumping station . . 33,000

Item

9027-01 Item 9027-01 of section two of chapter five hundred and seventeen of the acts of nineteen hundred and sixty-one is hereby amended by adding at the end thereof the following: — ; and, provided further, that funds received from the city of Medford, as provided in section two of chapter five hundred and forty-nine of the acts of nineteen hundred and sixty-two, shall be made available for the purposes of this item and shall be in addition to the amount authorized by this act.

Miscellaneous.

Special Investigations.

0239-00 For an investigation and study relative to the problems of taxation, as authorized by chapter one hundred and nineteen of the resolves of the current year $8,500

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 9,000

0263-03 For an investigation and study relative to the administration of the department of mental health, as authorized by chapter fifty-five of the resolves of the current year including the administrative procedures established to determine the qualification of candidates for professional positions 20,000

0263-05 For an investigation and study of the laws relating to convalescent and nursing homes, as authorized by chapter one hundred and twenty-three of the resolves of the current year, for the year nineteen hundred and sixty-four and the previous year 25,000

0264-01 For an investigation and study relative to the establishment of a halfway house for the rehabilitation of alcoholics, as authorized by chapter seventy of the resolves of the current year 5,000

0264-02 For an investigation and study relative to all phases of the civil defense program, as authorized by chapter seventy-four of the resolves of the current year 20,000

0264-03 For an investigation and study relative to retarded children and the training facilities therefor, as authorized by chapter one hundred and three of the resolves of the current year 21,000

0264-04 For an investigation and study relative to the problem of dredging the Connecticut river within the confines of the commonwealth, as authorized by chapter one hundred and nine of the resolves of the current year 5,000

0264-05 For an investigation and study relative to the erection of a statue or other suitable memorial to the late Charles F. Hurley, as authorized by chapter one hundred and five of the resolves of the current year 1,000

0264-06 For an investigation and study relative to establishing juvenile courts, family courts or juvenile or domestic relation divisions in the district courts, as authorized by chapter one hundred and eleven of the resolves of the current year 10,000

0264-07 For an investigation and study relative to the laws of the commonwealth relating to loans and credit, as authorized by chapter one hundred and fifty-two of the resolves of the current year. . . . 15,000

0264-08 For an investigation and study relative to the operation of certain vessels between the mainland and the island of Martha's Vineyard or the island of Nantucket 5,000

0264-10 For the expenses of the special commission appointed to make an investigation and study relative to establishing a training program for municipal police officers, as authorized by chapter eighty-six of the resolves of nineteen hundred and sixty-one; provided, that expenditures from this item shall be approved by persons who were appointed members of said commission 1,000

0264-11 For an investigation and study relative to the construction of a new court house building in the city of Woburn, as authorized by chapter one hundred and nineteen of the resolves of nineteen hundred and sixty-two 1,000

Item		
0264–12	For an investigation and study relative to providing additional water supply sources throughout the commonwealth as authorized by chapter one hundred and fifty-nine of the resolves of the current year	$20,000
0264–13	For an investigation and study of the laws of the commonwealth relative to the illegal use of firearms, current programs of prisoner rehabilitation and psychiatric treatment, and the procedures employed in the release of prisoners on parole, as authorized by chapter one hundred and sixty-two of the resolves of the current year	10,000

DEFICIENCIES.

For deficiencies in certain appropriations of previous years, in certain funds, as follows:

2449–00	General Fund	$82,618
2949–00	Highway Fund	521,927
3649–00	Marine Fisheries Fund	7,146
3949–00	Mosquito Control Fund	5,578
8749–00	Metropolitan Sewerage District Fund	25,384
8949–00	Metropolitan Water District Fund	386

SECTION 3. To provide for meeting the cost of salary adjustments resulting from the enactment of sections one and six of chapter seven hundred and seventy-five of the acts of the current year for those positions classified under the provisions of chapter thirty of the General Laws, including amounts required to meet the cost of salary adjustments for the professional staff at the University of Massachusetts and at each of the other public institutions of higher education, and including any amounts necessary to meet the additional increased cost on account of sections three and seven of said chapter, the sum of sixteen million dollars is hereby appropriated from the General Fund; provided, that the governor, upon the recommendation of the commissioner of administration, is hereby authorized to transfer from said sum to items of appropriation for the fiscal year nineteen hundred and sixty-four, which are available in whole or in part for personal services, such amounts as are necessary to meet the cost of said salary adjustments, to be in addition to amounts otherwise appropriated for personal services in appropriations authorized for said fiscal year.

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

Approved November 16, 1963.

Chap. 838. AN ACT AUTHORIZING THE ISSUANCE OF AN ALCOHOLIC BEVERAGES LICENSE TO THE VALLADOLID BUILDING ASSOCIATION OF LYNN, MASS.

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 commission of the city of Lynn is hereby authorized to issue to the Valladolid Building Association of Lynn, Mass., 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 city, under said section seventeen because of an increase in population in said city, then said license shall be included in such new quota. *Approved November 16, 1963.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, November 16, 1963.

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

DEAR MR. SECRETARY: — I, Endicott Peabody, 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 838 of the Acts of 1963 entitled "An Act Authorizing the Issuance of An Alcoholic Beverages License to the Valladolid Building Association of Lynn, Mass." and the enactment of which received my approval on November 16, 1963, 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 in order that the license may be applied for prior to and may be issued January 1, 1964, this act should become effective at once.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, November 16, 1963.

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 five o'clock and 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 eight hundred and thirty-eight of the acts of nineteen hundred and sixty-three.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 839. AN ACT AUTHORIZING THE TOWN OF WEYMOUTH TO PAY A SUM OF MONEY TO FRANCIS A. GUNN.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation the town of Weymouth is hereby authorized to appropriate and pay to Francis A. Gunn, a retired assessor of said town, the sum of two thousand one hundred and thirty-eight dollars and sixty-four cents which is the additional sum he would have received if he had retired at age sixty-five instead of at age seventy, as he did in reliance upon the erroneous advice of an official of said town and in the mistaken belief that the amount of his retirement allowance would be increased thereby.

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

Approved November 16, 1963.

Chap. 840. AN ACT RELATIVE TO THE TERMS OF CERTAIN BONDS AND NOTES TO BE ISSUED BY THE COMMONWEALTH.

Whereas, The deferred operation of this act would cause great inconvenience in the issues of bonds and notes to carry out the purposes of various acts passed at the current session of the general court, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section three of chapter four hundred and forty-two of the acts of the current year, authorizing the commissioner of administration to enter into a contract providing for the participation by the commonwealth in the New York World's Fair, 1964–1965, 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-eight, as recommended by the governor in a message to the general court, dated November fifteenth, nineteen hundred and sixty-three, 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 notes which the state treasurer is authorized to issue under section seven of chapter five hundred and twenty-two of the acts of the current year, to provide for a special capital outlay program for the commonwealth, shall be issued and may be renewed one or more times for terms not exceeding one year, and the final maturities of such notes, whether original or renewal, shall be not later than June thirtieth, nineteen hundred and sixty-six, as recommended by the governor in a message to the general court, dated November fifteenth, nineteen hundred and sixty-three, in pursuance of section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 3. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section two of chapter five hundred and forty-seven of the acts of the current year, providing additional funds for the metropolitan district commission to cover the cost of construction of a dam across the Mystic 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 November fifteenth, nineteen hundred and sixty-three, 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 sixty-three 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 Broad brook, 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-eight, as recommended by the governor

in a message to the general court, dated November fifteenth, nineteen hundred and sixty-three, 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 nine of chapter five hundred and sixty-five 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 Clam 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-eight, as recommended by the governor in a message to the general court, dated November fifteenth, nineteen hundred and sixty-three, in pursuance of section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 6. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section three of chapter five hundred and ninety-five of the acts of the current year, further providing for the construction of drainage and flood control facilities in Stoneham, Wakefield, Melrose, Malden, Everett, Revere and Saugus, shall be issued for maximum terms of twenty years, the initial maturities of which shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and eighty-five, as recommended by the governor in a message to the general court, dated November fifteenth, nineteen hundred and sixty-three, in pursuance of section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 7. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section five of chapter six hundred and forty-eight 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-eight, and the bonds which the state treasurer is authorized to issue under section six of said chapter six hundred and forty-eight, 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-nine, as recommended by the governor in a message to the general court, dated November fifteenth, nineteen hundred and sixty-three, in pursuance of section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 8. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section five of chapter six hundred and fifty-seven of the acts of the current year, authorizing the metropolitan district commission to construct recreational facilities and reconstruct, enlarge and improve existing 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-eight, as recommended by the governor in a message to the general court, dated November fifteenth, nineteen hun-

dred and sixty-three, 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 bonds which the state treasurer is authorized to issue under section four of chapter five hundred and fifty-two of the acts of nineteen hundred and sixty-two, as amended by section two of chapter six hundred and seventy-three of the acts of the current year, increasing the amount of money which the commonwealth may borrow to meet the non-federal cost of the construction of the flood protection works in the Chicopee river in 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 November fifteenth, nineteen hundred and sixty-three, 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 10. 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 thirty-two of the acts of the current year, directing the department of public works to dredge and fill the harbor of the town of Winthrop to eliminate pollution and reclaim land therein, 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 November fifteenth, nineteen hundred and sixty-three, 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 one of chapter eight hundred and three of the acts of the current year, increasing the amount of money which the commonwealth may borrow to meet the non-federal cost of the Three Rivers, Massachusetts, local flood protection 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 November fifteenth, nineteen hundred and sixty-three, 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 two of said chapter eight hundred and three 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 12. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under sections

seven and ten of chapter eight hundred and twenty-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-seven, and the bonds which the state treasurer is authorized to issue under section eleven of said chapter eight hundred and twenty-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-seven, as recommended by the governor in a message to the general court, dated November fifteenth, nineteen hundred and sixty-three, in pursuance of section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

Approved November 16, 1963.

Chap. 841. AN ACT ESTABLISHING THE SALARIES OF THE CLERKS AND ASSISTANT CLERKS OF CERTAIN DISTRICT COURTS IN SUFFOLK COUNTY, AND THE BOSTON JUVENILE COURT AND INCREASING THE SALARIES OF THE CLERKS AND ASSISTANT CLERKS OF OTHER DISTRICT COURTS.

Be it enacted, etc., as follows:

SECTION 1. Section 49 of chapter 35 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 5 of chapter 801 of the acts of 1960, and inserting in place thereof the following sentence: — Every office and position whereof the salary is wholly payable from the treasury of one or more counties, or from funds administered by and through county officials, excluding the offices of county commissioners, the clerk and the assistant clerks of the superior court for civil business in the county of Suffolk, the clerk and assistant clerks of the superior court for criminal business in the county of Suffolk, clerks and assistant clerks of the courts, the assistant clerk and second assistant clerk of the supreme judicial court for the county of Suffolk, the register of deeds and the assistant registers of deeds for the county of Suffolk, the assistant registers of deeds for the southern district of Middlesex, official stenographers, additional stenographers and temporary stenographers of the superior court in the county of Suffolk, justices and special justices of the district courts, the messenger of the superior court in the county of Suffolk, the secretary and assistant secretary of the municipal court of the city of Boston, clerks and assistant clerks of the district courts, and the Boston juvenile court, and excluding other offices and positions filled by appointment of the governor with the advice and consent of the council, court officers appointed in Suffolk county under section seventy of chapter two hundred and twenty-one, court officers in attendance upon the municipal court of the city of Boston, court officers in attendance upon the probate court in the county of Essex, and probation officers, but including the officer described in the first sentence of section seventy-six of said chapter two hundred and twenty-one, shall be classified by the board in the manner provided by sections forty-eight to fifty-six, inclusive, and every such office and position, now existing or hereafter established, shall be allocated by the board to its proper place in such classification.

SECTION 1A. The definition of "court class" in section 79 of chapter 218 of the General Laws, as appearing in section 1 of chapter 609 of the acts of 1959, is hereby amended by inserting after the word "courts", in line 1, the words: — and the Boston juvenile court.

SECTION 2. Paragraph (1) of section 79 of chapter 218 of the General Laws is hereby amended by striking out *Class V*, as appearing in chapter 725 of the acts of 1962, and inserting in place thereof the following: —

Class V. — The Boston juvenile court,
first district court of eastern Middlesex,
third district court of eastern Middlesex,
first district court of southern Middlesex,
district court of Newton,
district court of East Norfolk,
municipal court of the Brighton district,
municipal court of the Charlestown district,
district court of Chelsea,
municipal court of the Dorchester district,
municipal court of the East Boston district,
municipal court of the Roxbury district,
municipal court of the South Boston district,
municipal court of the West Roxbury district,
district court of Springfield, and
central district court of Worcester.

SECTION 3. *Class IV* of said paragraph (1) of said section 79 of said chapter 218, as so appearing, is hereby amended by striking out the line reading "first district court of southern Middlesex,".

SECTION 4. Said section 79 of said chapter 218 is hereby further amended by striking out paragraph (2) and inserting in place thereof the following paragraph: —

(2)

SALARY SCHEDULE.

COURT CLASS.	Minimum.	Step 2.	Step 3.	Step 4.	Maximum.	ANNUAL INCREMENT.
I . . .	$4,297	$4,524	$4,751	$4,978	$5,205	$227
II . . .	4,906	5,192	5,478	5,764	6,050	286
III . . .	6,028	6,336	6,644	6,952	7,260	308
IV . . .	8,272	8,624	8,976	9,328	9,680	352
V . . .	10,340	10,780	11,220	11,660	12,100	440

The clerks of the district courts in Class V of paragraph (1) 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 4A. Section 80 of said chapter 218, as most recently amended by section 1 of chapter 306 of the acts of 1963, is hereby further amended by striking out, in lines 1 and 2, the words ", except the municipal court of the Roxbury district and the municipal court of the West Roxbury district,".

SECTION 5. The provisions of the paragraph following the schedule in paragraph (2) of section seventy-nine of chapter two hundred and

eighteen of the General Laws, as amended by section four of this act, shall not apply until July first, nineteen hundred and sixty-four, to any person, who, prior to the effective date of this act, was classified under the provisions of section forty-nine of chapter thirty-five of the General Laws.

SECTION 6. Notwithstanding any provision 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 the salaries of persons appointed between the effective date of this act and January fifth, nineteen hundred and sixty-five, both dates inclusive, to the offices referred to therein.

SECTION 7. This act shall take effect as of July first, nineteen hundred and sixty-three. *Approved November 16, 1963.*

Chap. 842. AN ACT TO REQUIRE THAT ALL CONTRACTS FOR CONSTRUCTION AND FOR MATERIALS BE AWARDED TO THE LOWEST RESPONSIBLE AND ELIGIBLE BIDDER, AND TO ASSURE FULL COMPETITION IN THE TAKING OF BIDS FOR SUCH CONTRACTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 30 of the General Laws is hereby amended by inserting after section 39L the following section: —

Section 39M. (*a*) Every contract for the construction, reconstruction, alteration, remodeling or repair of any public work, or for the purchase of any material, as hereinafter defined, by the commonwealth or by any county, city, town, district, or housing authority, and estimated by the awarding authority to cost more than five thousand dollars in the case of the commonwealth and more than two thousand dollars in the case of any other such awarding authority, shall be awarded to the lowest responsible and eligible bidder on the basis of competitive bids publicly opened and read by such awarding authority forthwith upon expiration of the time for the filing thereof; provided, however, that such awarding authority may reject any and all bids, if it is in the public interest so to do. This paragraph shall not apply to the award of any contract subject to the provisions of sections forty-four A to forty-four L, inclusive, of chapter one hundred and forty-nine and every such contract shall continue to be awarded as provided therein.

(*b*) Specifications for such contracts, and specifications for contracts awarded pursuant to the provisions of said sections forty-four A to forty-four L of said chapter one hundred and forty-nine, shall be written to provide for full competition for each item of material to be furnished under the contract; except, however, that said specifications may be otherwise written for sound reasons in the public interest stated in writing in the public records of the awarding authority or promptly given in writing by the awarding authority to anyone making a written request therefor, in either instance such writing to be prepared after reasonable investigation. Every such contract shall provide that an item equal to that named or described in the said specifications may be furnished; and an item shall be considered equal to the item so named or described if (1) it is at least equal in quality, durability, appearance, strength and design, (2) it will perform at least equally the function imposed by the

general design for the public work being contracted for or the material being purchased, and (3) it conforms substantially, even with deviations, to the detailed requirements for the item in the said specifications.

(*c*) The term "lowest responsible and eligible bidder" shall mean the bidder whose bid is the lowest of those bidders possessing the skill, ability and integrity necessary for the faithful performance of the work, who shall certify that he is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed in the work, and who, where the provisions of section eight B of chapter twenty-nine apply, shall have been determined to be qualified thereunder.

(*d*) The provisions of this section shall not apply (1) to the extent that they prevent the approval of such specifications by any contributing federal agency, (2) to materials purchased under specifications of the state department of public works at prices established by the said department pursuant to advertisement and bidding in connection with work to be performed under the provisions of chapter eighty-one or chapter ninety, (3) to any transaction between the commonwealth and any of its political subdivisions or between the commonwealth and any public service corporation, and (4) to any contract for which proposals need not be published because of special emergency, as provided in section eight A of chapter twenty-nine.

(*e*) The word "material" as used in this section shall mean and include any article, assembly, system, or any component part thereof.

SECTION 2. This act shall not apply to any contract awarded pursuant to any invitation for bids issued on or before the effective date of this act. *Approved November 16, 1963.*

RELOCATION

Chap. 843. AN ACT PROVIDING FOR PAYMENT BY THE COMMONWEALTH OF CERTAIN MOVING COSTS OF PERSONS DISPLACED BY EMINENT DOMAIN PROCEEDINGS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 79 of the General Laws is hereby amended by inserting after section 6 the following section: —

Section 6A. Any person lawfully occupying real property who is displaced therefrom and caused to move as a result of a taking of such property by eminent domain, shall be paid by the body politic or corporate on behalf of which the taking is made, unless other provision is made by law, the reasonable and necessary expenses incurred by him, as determined by said body, in moving his personal property to another location within the commonwealth, but in no event shall such amount exceed two hundred dollars in the case of an individual or family occupying such real property as a dwelling, or three thousand dollars in the case of any person occupying such real property for business purposes, or for the purposes of operating a farm or non-profit organization.

SECTION 2. The provisions of section six A of chapter seventy-nine of the General Laws, inserted by section one of this act, shall apply only with respect to properties taken by eminent domain on or after January first, nineteen hundred and sixty-four. *Approved November 16, 1963.*

Chap. 844. AN ACT REQUIRING THE FILING OF A STATEMENT WITH THE COMPTROLLER OF THE NAMES AND ADDRESSES OF CERTAIN PERSONS HAVING A FINANCIAL INTEREST IN CONTRACTS TO PROVIDE CONSULTANT SERVICES TO THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 7 of the General Laws is hereby amended by inserting after section 14 the following section: —

Section 14A. No contract to provide consultant services shall be awarded by the commonwealth, or by any department, board, commission or other agency acting in its behalf, unless the person signing such contract on behalf of the party contracting to provide such services files with the comptroller a statement under the penalties of perjury setting forth the names and addresses of all persons having a financial interest therein, not including, however, any person whose only financial interest therein consists of the holding of one per cent or less of the capital stock of a corporation contracting to provide such services.

Approved November 16, 1963.

Chap. 845. AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO SELL AND CONVEY A CERTAIN PARCEL OF LAND IN THE TOWN OF MILTON TO MILTON LEGION POST NO. 114 BUILDING CORPORATION.

Be it enacted, etc., as follows:

For the purpose of enabling Milton Post #114, The American Legion to establish a post headquarters, the metropolitan district commission, in consideration of such sum as an independent, qualified appraiser shall determine to be the value of the parcel of land hereinafter described, is hereby authorized to sell and convey, in the name and on behalf of the commonwealth, to Milton Legion Post No. 114 Building Corporation by a sufficient deed, approved as to its form by the attorney general, a certain parcel of land, under the control of said commission, located in the town of Milton and bounded and described as follows: — Northeasterly by Granite avenue, as laid out by the Massachusetts department of public works July 5, 1927, Section two, five hundred feet; Southeasterly by land of the metropolitan district commission, three hundred and eighty-two feet; Southwesterly by the Southeast Expressway, so called, as laid out by the said department of public works in 1953, one hundred feet; and Northwesterly by the former Granite branch of the New York, New Haven and Hartford Railroad Company, about five hundred and fifty-five feet, and containing approximately one hundred and twenty-seven thousand square feet.

Approved November 16, 1963.

Chap. 846. AN ACT RELATIVE TO THE PAYMENT OF ANNUITIES TO THE SURVIVING WIDOWS OF CERTAIN DECEASED MEMBERS OF THE STATE POLICE.

Be it enacted, etc., as follows:

Section 1 of chapter 526 of the acts of 1963 is hereby amended by inserting after the word "superannuation", in line 4, the words: — or for reasons of disability after having completed at least twenty years of

service, so as to read as follows: — *Section 1.* For the purpose of promoting the public good, and in consideration of long and meritorious service of any member of the uniformed branch of the state police who has been retired for reasons of superannuation or for reasons of disability after having completed at least twenty years of service, and who at the time of his retirement did not have the right to elect to receive a lesser retirement allowance so as to provide a survivor allowance for his widow, the state board of retirement shall pay to the surviving widow of such member an annuity amounting to fifteen hundred dollars; provided that such widow is not receiving a retirement allowance or pension under the provisions of any general or special law.

Approved November 16, 1963.

Chap. 847. AN ACT AUTHORIZING THE CITY OF SOMERVILLE TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Somerville is hereby authorized to appropriate a sum of money not exceeding one hundred and twenty-four thousand dollars for the payment of, and after such appropriation the treasurer of said city is hereby authorized to pay, certain unpaid bills incurred by said city in the year nineteen hundred and sixty-one as shown on a list on file in the office of the director of accounts in the department of corporations and taxation which are unenforceable against said city by reason of its failure to comply with the provisions of its charter; provided, that no such appropriation shall be made in any year after the establishment of the tax rate for such year.

SECTION 2. No bill or payroll shall be approved for payment or paid under authority of this act unless and until certificates have been signed and filed with the auditor of said city, as hereinafter provided, stating under the penalties of perjury that the goods, materials or services for which bills have been submitted were ordered by an official or 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.

Every such certificate that goods, materials or services were so ordered shall be signed and filed by the official or employee of said city who ordered the same or by any official or employee of said city; every such certificate of delivery to said city of goods or materials shall be signed and filed by the vendor thereof, and if such vendor is a corporation shall be signed and filed by the treasurer thereof; every such certificate that goods or materials were received by such city shall be signed and filed by an official or employee of said city; and every such certificate of services rendered to said city shall be signed and filed by the person who rendered such services.

In every instance where the original purchase order or contract was in writing, each certificate filed hereunder shall be accompanied by the original purchase order or contract, or by a certified copy thereof if the original is not available.

SECTION 3. This act shall take effect upon its acceptance during the current year by the city of Somerville. *Approved November 16, 1963.*

Chap. 848. AN ACT AUTHORIZING THE INCORPORATION OF DOMESTIC VARIABLE ANNUITY INSURANCE COMPANIES AND PROVIDING FOR THE REGULATION THEREOF.

Be it enacted, etc., as follows:

SECTION 1. The paragraph defining "Company", in section 1 of chapter 175 of the General Laws, as amended by section 10 of chapter 488 of the acts of 1947, is hereby further amended by adding after the words "ninety-four A", in line 5, the words: — and also including corporations authorized to issue variable annuity contracts.

SECTION 2. Said section 1 of said chapter 175 is hereby further amended by adding at the end the following paragraph: —

A variable annuity contract is an annuity contract issued by a variable annuity insurance company providing for the purchase of a fixed number of annuity units and for the payment of annuity benefits which, in each instance, vary in value, reflecting the investment results of a portfolio of investments in which amounts received in connection with such contracts have been deposited.

SECTION 3. Section 3 of said chapter 175, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "make", in line 1, the words: — a variable annuity contract or.

SECTION 4. Section 47 of said chapter 175 is hereby amended by inserting after clause Seventeenth, added by section 1 of chapter 471 of the acts of 1946, the following clause: —

Eighteenth, to make contracts for the payment of variable annuities.

SECTION 5. Section 48 of said chapter 175, as most recently amended by section 1 of chapter 202 of the acts of 1962, is hereby further amended by adding at the end the following: — Under the eighteenth clause, not less than four hundred thousand dollars, and in addition a net cash surplus of not less than eight hundred thousand dollars, exclusive of said capital.

SECTION 6. Said chapter 175 is hereby further amended by inserting after section 48A the following two sections: —

Section 48B. The assets set aside for variable annuity contracts may be invested wholly or partly in common stocks or other equities, sections sixty-three and sixty-six notwithstanding, except no such company shall invest in or loan upon any common stocks or shares of any institution an amount in excess of ten per cent of the total issued and outstanding common stocks or shares of such institution, nor shall such company invest in or loan upon any common stocks or shares of any institution having unrestricted voting rights for the election of directors or other governing body of such institution in excess of five per cent of the total issued and outstanding common stocks or shares of such institution having such voting rights, nor shall the amount so invested in any one company or institution exceed five per cent of the admitted assets of such variable annuity insurance company. Such company may also make other investments permitted by a domestic life company.

The unit value of the variable annuity contract shall be determined every six months, commencing with the first day of January of each year, and made available to the annuitant and the commissioner. Said unit value will be arrived at by dividing the then market value of the total assets of all investments purchased for variable annuity contracts by the number of variable contract units issued by such company. In

order to establish such valuation at market value, any common stock purchased for such variable annuity contract account shall be common stock, (1) which is listed or admitted to trading in a securities exchange located in the United States of America or Canada, or, (2) which is publicly held and traded in the "over the counter market" as defined by the commissioner and as to which market quotations have been available.

Section 48C. In addition to all provisions of law relating to insurance agents, insurance brokers, and insurance advisers, every person engaged in the negotiation or sale of a variable annuity contract, and such contract, shall be subject to the provisions of chapter one hundred and ten A.

SECTION 7. The second paragraph of section 49 of said chapter 175, as appearing in the Tercentenary Edition, is hereby amended by adding after the word "life", in line 7, the words: — or if organized under the eighteenth clause of said section forty-seven the words "variable annuity".

SECTION 8. The first paragraph of section 66 of said chapter 175, as appearing in the Tercentenary Edition, is hereby amended by striking out the first two sentences and inserting in place thereof the following two sentences: — Except as otherwise provided, no domestic life company shall invest any of its funds in any unincorporated business or enterprise, or in the stocks or evidence of indebtedness of any corporation the owners or holders of which stock or evidence of indebtedness may in any event be or become liable on account thereof to any assessment except for taxes, nor shall such life company invest any of its funds in its own stock or in the stock of any other insurance company, except a variable annuity company. No such life company shall invest in, acquire or hold directly or indirectly more than ten per cent of the capital stock of any corporation, except a variable annuity company, nor shall more than ten per cent of its capital and surplus be invested in the stock of any one corporation.

SECTION 9. Said chapter 175 is hereby further amended by inserting after section 134A the following section: —

Section 134B. Variable annuity contracts may be written on an individual or group basis. No contract on a variable basis shall be issued or delivered in the commonwealth until a copy of the form thereof, including, in the case of a contract on a group basis, the form of any certificate evidencing variable benefits issued pursuant thereto, and any form of application for such contract, has been on file for thirty days with the commissioner unless before the expiration of such thirty days he shall have approved in writing the form of the contract; nor if the commissioner notifies the company in writing within said thirty days that in his opinion the form of the contract does not comply with the laws of the commonwealth, specifying his reasons therefor.

Approved November 16, 1963.

RESOLVES.

Chap. 1. RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED 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 the unpaid special commission established by chapter one hundred and twenty of the resolves of nineteen hundred and sixty-two is hereby revived and continued. Said commission may travel without the commonwealth. *Approved January 28, 1963.*

Chap. 2. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO SEARCH WARRANTS OF MOTOR VEHICLES.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2720, relative to search warrants of motor vehicles, 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 11, 1963.*

Chap. 3. RESOLVE IN FAVOR OF THE PRIEST OF POINTRE (FRANCE)

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 the priest of Pointre (France). the sum of money received by the commonwealth as a result of the escheating of account #388179 in the Provident Institution for Savings which account was deposited in the name of the first judge of probate for Suffolk county for said priest of Pointre on account of a legacy left to him by the will of Desire Prost, Suffolk Probate Number 134941. *Approved February 20, 1963.*

Chap. 4. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO RELEASING FROM CUSTODY CERTAIN PERSONS ARRESTED FOR OPERATING A MOTOR VEHICLE UNDER THE INFLUENCE OF INTOXICATING LIQUOR FOUND NOT TO BE UNDER THE INFLUENCE OF INTOXICATING LIQUOR AFTER HAVING SUBMITTED TO CERTAIN CHEMICAL TESTS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 441, relative to releasing from custody certain persons arrested for operating a motor vehicle under the influence of intoxicating liquor found not to be under

the influence of intoxicating liquor after having submitted to certain chemical tests, 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 26, 1963.*

Chap. 5. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO RESIDENCE REQUIREMENTS IN DIVORCE PROCEEDINGS WHEN THE CAUSE OCCURRED WITHIN THE COMMONWEALTH.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 971, relative to residence requirements in divorce proceedings when the cause occurred within the commonwealth, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year. *Approved March 29, 1963.*

Chap. 6. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROHIBITING THE RELEASE ON BAIL OF A CHILD WHO IS BEING HELD FOR DIAGNOSTIC STUDY BY AN ORDER OF A COURT.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1453, relative to prohibiting the release on bail of a child who is being held for diagnostic study by an order of a 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 29, 1963.*

Chap. 7. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROFESSIONAL ASSOCIATIONS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 262, relative to professional associations, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year. *Approved March 29, 1963.*

Chap. 8. RESOLVE REVIVING AND CONTINUING THE SPECIAL UNPAID COMMISSION ESTABLISHED TO MAKE A STUDY OF THE LAWS RELATING TO CONVALESCENT OR NURSING HOMES, AND TO THE STANDARDS AND COSTS THEREOF.

Resolved, That the unpaid special commission established by chapter one hundred and thirty-eight of the resolves of nineteen hundred and sixty-two is hereby revived and continued. It shall file its final report on or before June first, nineteen hundred and sixty-three.

Approved March 29, 1963.

Chap. 9. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL OF THE LAWS OF THE COMMONWEALTH RELATIVE TO SEARCH AND SEIZURE.

Resolved, That the judicial council be requested to investigate the laws of the commonwealth relative to search and seizure, 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 1, 1963.

Chap. 10. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO EXTENDING THE TIME WITHIN WHICH A PARTY MAY FILE A PETITION TO VACATE JUDGMENT AND PROVIDING FOR SERVICE BY PUBLICATION IN CERTAIN CASES.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2732, relative to extending the time within which a party may file a petition to vacate judgment and providing for service by publication in certain cases, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved April 1, 1963.

Chap. 11. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION RELATIVE TO THE NET INCOME MEASURE OF THE BUSINESS CORPORATION EXCISE.

Resolved, That the state tax commission is hereby authorized and directed to make an investigation and study relative to the advisability of revising and making more equitable the net income measure of the business corporation excise levied under the provisions of sections thirty to fifty-one, inclusive, of chapter sixty-three of the General Laws. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate on or before the fourth Wednesday of January, nineteen hundred and sixty-four.

Approved April 1, 1963.

Chap. 12. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE COMMISSIONER OF INSURANCE RELATIVE TO REGULATING PREMIUM PAYMENTS UNDER ACCIDENT AND HEALTH INSURANCE CONTRACTS.

Resolved, That the commissioner of insurance is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 1429, relative to regulating premium payments under accident and health insurance contracts. Said commissioner shall report to the general court the results of his investi-

gation and study, together with drafts of legislation necessary to carry his recommendations, if any, into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of January, nineteen hundred and sixty-four.

Approved April 5, 1963.

Chap. 13. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE MASS TRANSPORTATION COMMISSION RELATIVE TO THE EXTENSION OF RAPID TRANSIT FACILITIES IN THE CITIES OF CAMBRIDGE AND WALTHAM AND THE TOWNS OF ARLINGTON, LEXINGTON, BEDFORD, BELMONT AND WESTON.

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 2522, relative to providing for the extension of rapid transit facilities in the city of Cambridge, the town of Arlington, the town of Lexington, the town of Bedford, the town of Belmont, the city of Waltham, and the town of Weston. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of January, nineteen hundred and sixty-four.

Approved April 5, 1963.

Chap. 14. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO A LONG RANGE RECREATIONAL PLAN FOR THE ST. MORITZ AREA, SO CALLED, OF THE BLUE HILLS RESERVATION.

Resolved, That the metropolitan district commission is hereby authorized and directed to make an investigation and study relative to a long range recreational plan for the St. Moritz area, so called, of the Blue Hills Reservation, with particular reference to providing swimming pools, tennis, basketball and handball courts, baseball and football fields, an athletic stadium and other recreational facilities. Said commission may expend such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate on or before the last Wednesday of December, nineteen hundred and sixty-three.

Approved April 8, 1963.

Chap. 15. RESOLVE CONTINUING THE INVESTIGATION AND STUDY BY THE DEPARTMENT OF NATURAL RESOURCES RELATIVE TO THE COASTAL WETLANDS IN THE COMMONWEALTH AND CERTAIN SHELLFISH GRANTS AND INCREASING THE SCOPE THEREOF.

Resolved, That the department of natural resources is hereby authorized and directed to continue its investigation and study relative

to the coastal wetlands in the commonwealth and certain shellfish grants, as authorized by chapter seventy-five of the resolves of nineteen hundred and sixty-two. Said department shall, in the course of its investigation and study, consider the subject matter of current house document numbered 1721, relative to protecting the foreshores and shellfish areas in cities and towns. 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 January, nineteen hundred and sixty-four. *Approved April 8, 1963.*

Chap. 16. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION RELATIVE TO INCREASING THE AMOUNT OF REAL PROPERTY OF BLIND PERSONS TO BE EXEMPTED FROM TAXATION.

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 1125, relative to increasing the amount of real property of blind persons to be exempted from taxation. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of January, nineteen hundred and sixty-four. *Approved April 8, 1963.*

Chap. 17. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO REPORTS ON APPEALS IN EQUITY PROCEEDINGS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2275, relative to reports on appeals in equity proceedings, and to include 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 8, 1963.*

Chap. 18. RESOLVE IN FAVOR OF ANDERSON, INCORPORATED.

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 Anderson, Incorporated, a duly organized corporation having a usual place of business in the town of Scituate, in satisfaction of an execution issued on final judgment from the district court of East Norfolk on February fourteenth, nineteen hundred and sixty-two, in an action commenced by said corporation against Fred Carroll for damages resulting from an accident occurring April seventh, nineteen hundred and sixty, involving the operation of the gates at the Fore River bridge by the defendant while in the performance of his official duties as an employee of the commonwealth, the sum of five

thousand eighty-seven dollars and six cents. No payment shall be made hereunder until there is filed with the comptroller an agreement signed by said Anderson, 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 said sum. *Approved April 8, 1963.*

Chap. 19. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION RELATIVE TO CERTAIN TAX LAWS.

Resolved, That the state tax commission is hereby authorized and directed to make an investigation and study of the subject matter of the investigation and study proposed by current senate document numbered 603, relative to assessment practices; of current senate document numbered 604, relative to the taxation of machinery used by unincorporated businesses and by business engaged in processing or semi-manufacturing; of current house documents numbered 1345, relative to establishing a uniform municipal tax rate throughout the commonwealth; 1587, relative to the preservation of open spaces, in private ownership through postponement of payment of part of the real property taxes on "classified open land" until the restrictions on open use of such lands are changed or relaxed; of the investigation and study proposed by current house document numbered 1786, relative to assessment or valuation of property subject to local taxation and related matters; and of current house document numbered 2172, relative to providing for an excise tax on motorboats. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January in the year nineteen hundred and sixty-four.

Approved April 11, 1963.

Chap. 20. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF NATURAL RESOURCES RELATIVE TO THE IMPROVEMENT OF AND ADDITION TO FACILITIES IN CERTAIN STATE FORESTS AND RECREATIONAL NEEDS OUTSIDE THE METROPOLITAN PARKS DISTRICT.

Resolved, That the department of natural resources is hereby authorized and directed to make an investigation and study of the subject matter of current house documents numbered 1020, relative to providing for the development of Upton State Forest in the town of Upton and the construction of camp sites and recreational facilities thereat; 2547, relative to authorizing and directing the department of natural resources to construct and maintain additional facilities in the town forest in the town of Dracut; 2551, relative to authorizing and directing the department of natural resources to improve the Harold Parker State Forest in Andover; of the investigation and study proposed by current house document numbered 2923, relative to appropriation of land by the commonwealth for recreational purposes along the Shawsheen and Ipswich rivers; and of the study proposed by current house

document numbered 2924, relative to recreational needs outside the metropolitan parks district. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of January, nineteen hundred and sixty-four. *Approved April 11, 1963.*

Chap. 21. RESOLVE PROVIDING FOR A STUDY BY THE DEPARTMENT OF NATURAL RESOURCES OF THE ADVISABILITY OF PRESERVING THE WET LANDS, SO CALLED, OF THE NEPONSET RIVER VALLEY FOR CERTAIN PURPOSES.

Resolved, That the department of natural resources is hereby authorized and directed to make a study of the Neponset river valley for the purpose of determining the advisability of preserving the wet lands, so called, including swamps and marshlands, in said valley, for conservation, recreation or other necessary and desirable purposes. Said department shall consult with the appropriate officers and boards of the municipalities and the counties affected, may hold public hearings, and may expend for engineering, technical and clerical assistance and other expenses such sums as may be appropriated therefor. It shall report from time to time to the general court the results of its study, together with its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, and estimated costs thereof, by filing the same with the clerk of the house of representatives, and shall file its final report on or before the last Wednesday of January, nineteen hundred and sixty-four.

Approved April 11, 1963.

Chap. 22. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE DEFENSE OF ACTIONS AGAINST OFFICERS AND EMPLOYEES OF THE COMMONWEALTH.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 714, relative to the defense of actions against officers and employees of the commonwealth, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year. *Approved April 11, 1963.*

Chap. 23. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION RELATIVE TO THE EMPLOYMENT OF RETIRED LICENSED REGISTERED OR PRACTICAL NURSES AS SUBSTITUTE NURSES WITHOUT LOSS OF PENSION RIGHTS.

Resolved, That the retirement law commission is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 2782, providing for employment

of retired licensed registered or practical nurses as substitute nurses without loss of pension rights. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of January, nineteen hundred and sixty-four. *Approved April 12, 1963.*

Chap. 24. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DIVISION OF INSURANCE RELATIVE TO FACILITATING THE CONTINUED OPERATION OF DOMESTIC INSURANCE COMPANIES NOTWITHSTANDING THE EVENT OF A NATIONAL EMERGENCY.

Resolved, That the division of insurance is hereby authorized and directed to make an investigation and study of methods and means to facilitate the continued operation of domestic insurance companies in the event that a national emergency is caused by an attack on the United States or by a nuclear, atomic or other disaster which makes it impossible or impracticable for a company to conduct its business in strict accord with applicable provisions of law, its by-laws, or its charter. Said division shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate on or before May fifteenth, nineteen hundred and sixty-three. *Approved April 15, 1963.*

Chap. 25. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE RETIREMENT LAW COMMISSION RELATIVE TO THE RE-EMPLOYMENT OF CERTAIN RETIRED EMPLOYEES.

Resolved, That the retirement law commission is hereby authorized and directed to make an investigation and study of the subject matter of current senate document numbered 449, relative to authorizing the commonwealth to re-employ certain former employees who are retired, and current house documents numbered 189, relative to the re-employment of certain employees of state hospitals who have been retired or separated from the public service by reason of superannuation, 493, relative to the re-employment of certain retired public employees, and 776, providing for the continuance in employment of certain public employees after having reached age seventy.

Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate on or before the fourth Wednesday of January, nineteen hundred and sixty-four.

Approved April 15, 1963.

Chap. 26. RESOLVE EXTENDING THE TIME WITHIN WHICH THE WATER RESOURCES COMMISSION IS REQUIRED TO COMPLETE ITS STUDY AND FILE ITS FINAL REPORT RELATIVE TO THE WATER RESOURCES OF THE WESTFIELD RIVER VALLEY.

Resolved, That the time within which the water resources commission is required to complete its study and file its final report relative to the water resources of the Westfield river valley, as authorized by chapter eighty-two of the resolves of nineteen hundred and sixty, and continued by chapter thirty of the resolves of nineteen hundred and sixty-two, is hereby extended to the last Wednesday in January in the year nineteen hundred and sixty-four. *Approved April 15, 1963.*

Chap. 27. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO LIMITED ORAL DISCOVERY BY DEPOSITION BEFORE TRIAL IN THE SUPERIOR COURT.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 278, relative to providing for limited oral discovery by deposition before trial in the superior court, 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 April 15, 1963.*

Chap. 28. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO INCREASING THE DAMAGES RECOVERABLE FOR DEATH BY NEGLIGENCE BY A COMMON CARRIER.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 270, increasing the damages recoverable for death by negligence by a common carrier, 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 15, 1963.

Chap. 29. RESOLVE VALIDATING THE ACTS OF MARY A. GAJEWSKI AS A NOTARY PUBLIC.

Resolved, That the acts of Mary A. Gajewski of Saugus as a notary public between April twenty-sixth, nineteen hundred and fifty-eight and January eighth, nineteen hundred and sixty-three, 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 Mary A. Chiulli, she failed to re-register under her new name and pay to the state secretary a fee of one dollar as required by section thirteen of chapter thirty of the General Laws, are hereby confirmed and made valid.

Approved April 15, 1963.

Chap. 30. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION RELATIVE TO PROVIDING FOR MEMBERSHIP IN A CONTRIBUTORY RETIREMENT SYSTEM BY MEMBERS OF THE JUDICIARY.

Resolved, That the retirement law commission is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 485, relative to providing for membership in a contributory retirement system by members of the judiciary. 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 January, nineteen hundred and sixty-four.

Approved April 15, 1963.

Chap. 31. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION RELATIVE TO EXEMPTING CERTAIN PERSONS APPOINTED BY THE SUPREME JUDICIAL, THE SUPERIOR OR A DISTRICT COURT FROM THE LAW PROHIBITING THE PAYMENT OF COMPENSATION TO CERTAIN FORMER PUBLIC EMPLOYEES WHO HAVE RETIRED.

Resolved, That the retirement law commission is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 1044, relative to exempting certain persons appointed by the supreme judicial, the superior or a district court from the law prohibiting the payment of compensation to certain former public employees who have retired. 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 January, nineteen hundred and sixty-four. *Approved April 15, 1963.*

Chap. 32. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE USAGE OF THE WATERFRONT OF DORCHESTER BAY IN THE CITY OF BOSTON.

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 the usage of the entire waterfront of Dorchester Bay in the city of Boston, with particular reference to the use of land bordering Savin Hill beach and all other areas presently under the jurisdiction of the metropolitan district commission along said waterfront. *Approved April 16, 1963.*

Chap. 33. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO AUTHORIZING THE CITY OF BROCKTON TO EXTEND ITS SOURCE OF WATER SUPPLY.

Resolved, That an unpaid special commission, to consist of the commissioner of agriculture or his designee, the commissioner of natural resources or his designee, the commissioner of public health or his designee, the director of the division of water resources of the department of natural resources or his designee, the chairman of the board of selectmen of the towns of Halifax, Hanson, Kingston, Pembroke, Plympton, Whitman and East Bridgewater, the mayor of the city of Brockton or his designee, and one person representing the cranberry industry 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 2969, relative to authorizing the city of Brockton to extend its source of water supply. *Approved April 16, 1963.*

Chap. 34. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO PROCEEDINGS AGAINST DELINQUENT AND WAYWARD CHILDREN, AND OFFENDERS BETWEEN THE AGES OF FOURTEEN AND SEVENTEEN.

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 to make an investigation and study of the subject matter of current senate document numbered 532, relative to proceedings against delinquent and wayward children, and offenders between the ages of fourteen and seventeen. *Approved April 16, 1963.*

Chap. 35. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO THE FEASIBILITY OF CONSTRUCTING A HIGH LEVEL BRIDGE OVER THE NEPONSET RIVER BETWEEN THE CITIES OF BOSTON AND QUINCY.

Resolved, That the department of public works is hereby authorized and directed to make an investigation and study relative to the feasibility of constructing a high level bridge over the Neponset river between the cities of Boston and Quincy to accommodate both vehicular and rail traffic. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December, nineteen hundred and sixty-three. *Approved April 16, 1963.*

Chap. 36. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE RIGHTS OF AN ADOPTED CHILD AS TO SUCCESSION TO PROPERTY.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 451, relative to the rights of an adopted child as to succession to property, 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 18, 1963.

Chap. 37. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PERMITTING IMPLEADER IN CIVIL CASES.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 953, relative to permitting impleader in civil cases, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year. *Approved April 18, 1963.*

Chap. 38. RESOLVE FURTHER CONTINUING THE 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 continue the investigation and study authorized by chapter one hundred and thirty-five of the resolves of nineteen hundred and sixty-two.

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 April, nineteen hundred and sixty-three. *Approved April 23, 1963.*

Chap. 39. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE COMMISSIONER OF INSURANCE RELATIVE TO THE EFFECT ON INSURANCE AGENTS' COMMISSIONS OR SALARIES OF THE LAPSING OF CERTAIN INSURANCE POLICIES.

Resolved, That the commissioner of insurance is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 435, relative to providing that no insurance agent shall be charged with a decrease or deduction from said agent's commission or salary on industrial life insurance policies or monthly debit ordinary after having been paid on for one year. 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 November first, nineteen hundred and sixty-three.

Approved April 23, 1963.

Chap. 40. RESOLVE VALIDATING THE ACTS OF ANN M. SURETTE AS A NOTARY PUBLIC.

Resolved, That the acts of Ann M. Surette of Waltham as a notary public between May third, nineteen hundred and fifty-eight and January seventh, nineteen hundred and sixty-three, 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 Ann M. Wolaszek, she failed to re-register under her new name and pay to the state secretary a fee of one dollar as required by section thirteen of chapter thirty of the General Laws, are hereby confirmed and made valid. *Approved April 23, 1963.*

Chap. 41. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION RELATIVE TO THE COMPUTATION AND RECOMPUTATION OF ALLOWANCE FOR SUPERANNUATION, TO THE MAXIMUM RETIREMENT ALLOWANCE AND TO THE INCLUSION OF CERTAIN COMPENSATION PAID TO POLICEMEN AND FIRE FIGHTERS FOR RETIREMENT PURPOSES UNDER THE CONTRIBUTORY RETIREMENT LAW.

Resolved, That the retirement law commission is hereby authorized and directed to make an investigation and study of the subject matter of current senate document numbered 461, relative to the recomputation of the allowance for superannuation under the contributory retirement systems for certain retired employees, members of such systems; and of current house documents numbered 769, relative to providing that the computation of the amount of superannuation retirement allowances be based on the highest average earnings of certain two-year periods instead of five-year periods; 1299, relative to the maximum retirement allowance under the contributory retirement law; and 1525, relative to providing that compensation paid to policemen and fire fighters for holiday service shall be included as regular compensation for deduction purposes toward retirement. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty-four. *Approved April 23, 1963.*

Chap. 42. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION RELATIVE TO CHANGING THE AVERAGE ANNUAL RATE OF REGULAR COMPENSATION FOR THE PURPOSES OF RETIREMENT, AND RELATIVE TO AUTHORIZING A PERSON RECEIVING A PENSION OR RETIREMENT ALLOWANCE TO RECEIVE ADDITIONAL COMPENSATION FOR CERTAIN SERVICES RENDERED.

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 1730, relative to changing the

average annual rate of regular compensation from an average of five years to an average of two years for the purposes of retirement; and 2787, relative to authorizing a person receiving a pension or retirement allowance from the commonwealth or any of its political subdivisions to also receive compensation for services rendered in a position to which he is appointed by a board of public welfare. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty-four.

Approved April 23, 1963.

Chap. 43. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF NATURAL RESOURCES RELATIVE TO RESTRICTING THE USE OF BEAM OR OTTER TRAWLS, THE APPOINTMENT, POWERS AND DUTIES OF SHELLFISH CONSTABLES, THE CONTROL AND ERADICATION OF DOGFISH, THE TAKING OF LOBSTERS AND THE ENFORCEMENT OF CERTAIN LAWS RELATIVE TO FISH BY LOCAL POLICE.

Resolved, That the department of natural resources is hereby authorized and directed to make an investigation and study of the subject matter of current house documents numbered 295, relative to prohibiting the use of beam or otter trawls in the taking of fish from certain territorial waters of Massachusetts; 296, relative to the appointment, powers and duties of shellfish constables or supervisors; 751, relative to authorizing and directing the division of marine fisheries to establish and maintain a dogfish nuisance control and eradication program; 752, relative to the taking of lobsters; 2309, relative to providing for a shellfish constable to search and seize shellfish for evidence in court, and to arrest persons violating laws relating to shellfish; 2312, relative to authorizing the local police to enforce certain provisions of the laws relating to fish; and 2780, relative to permitting local police officers to enforce certain laws relative to fish. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty-four.

Approved April 23, 1963.

Chap. 44. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO CLARIFYING THE EXISTING STATUTE WITH RESPECT TO THE FILING OF PURCHASE MONEY SECURITY INTERESTS.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 120, relative to clarifying the existing statute with respect to the filing of purchase money security interests, 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 23, 1963.

Chap. 45. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR SERVICE OF PROCESS ON NON-RESIDENT DEFENDANTS IN LIBEL ACTIONS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1461, relative to providing for service of process on non-resident defendants in libel actions, 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 23, 1963.*

Chap. 46. 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 1687, 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 April 23, 1963.*

Chap. 47. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE SURRENDER OF PRINCIPAL BEFORE DEFAULT BY BAIL IN CRIMINAL CASES.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1927, relative to the surrender of principal before default by bail in criminal cases, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year. *Approved April 23, 1963.*

Chap. 48. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO MAKING IT A CRIME TO DESTROY OR INJURE THE PERSONAL PROPERTY OF ANOTHER WILFULLY OR MALICIOUSLY.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2269, relative to making it a crime to destroy or injure the personal property of another wilfully or maliciously, 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 23, 1963.*

Chap. 49. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO ESTABLISHING A CODE OF ETHICS FOR NEWSPAPER PUBLISHERS, EDITORS, COLUMNISTS AND EMPLOYEES IN THE PERFORMANCE OF THEIR OBLIGATIONS TO THE PUBLIC.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1485, relative to establishing a code of ethics for newspaper publishers, editors, columnists and employees in the performance of their obligations to the public, 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 23, 1963.

Chap. 50. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC HEALTH RELATIVE TO PROVIDING STATE AID TO CITIES AND TOWNS FOR THE CONSTRUCTION OF INCINERATORS.

Resolved, That the department of public health is hereby authorized and directed to make an investigation and study of the subject matter of current house documents numbered 2063 and 2067, relative to providing state aid to cities and towns for the construction of incinerators. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty-four.

Approved April 24, 1963.

Chap. 51. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING THAT NEGLIGENCE OF AN OPERATOR OF A MOTOR VEHICLE SHALL NOT BE IMPUTED TO THE OWNER.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 267, relative to providing that negligence of an operator of a motor vehicle shall not be imputed to the owner, 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 24, 1963.

Chap. 52. RESOLVE INCREASING THE SCOPE OF 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 one hundred and thirty-two 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 1002, authorizing the metropolitan district commission to construct two playgrounds for mentally retarded and physically handicapped children in the metropolitan district.

Approved April 29, 1963.

Chap. 53. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION OF THE LAWS OF THE COMMONWEALTH RELATIVE TO WATER POLLUTION.

Resolved, That an unpaid special commission, to consist of one member of the senate, two members of the house of representatives, the commissioner of public health or his designee, the chairman of the water resources commission or his designee, and four persons to be appointed by the governor, all of whom shall be representatives of either a national or state organization for the conservation of natural resources, is hereby established for the purpose of making an investigation and study of the laws of the commonwealth relative to water pollution.

Approved April 30, 1963.

Chap. 54. RESOLVE EXTENDING THE TIME WITHIN WHICH THE WATER RESOURCES COMMISSION IS REQUIRED TO COMPLETE ITS STUDY AND FILE ITS FINAL REPORT RELATIVE TO THE WATER RESOURCES OF THE WARE, QUABOAG AND QUINEBAUG RIVER VALLEYS.

Resolved, That the time within which the water resources commission is required to complete its study and file its final report relative to the water resources of the Ware, Quaboag and Quinebaug river valleys, as authorized by chapter ninety-six of the resolves of nineteen hundred and fifty-eight, and as most recently continued by chapter twelve of the resolves of nineteen hundred and sixty-two, is hereby extended to the first Wednesday of December in the year nineteen hundred and sixty-three.

Approved April 30, 1963.

Chap. 55. RESOLVE FURTHER 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 and revived and continued by chapter one hundred and seventeen of the resolves of nineteen hundred and sixty-two, is hereby further revived and continued. Said commission shall, in the course of its investigation and study, consider the subject matter of house document numbered 1143 of 1962, 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.

Said commission may take testimony under oath.

Said commission may file reports from time to time, and shall file its final report not later than the fourth Wednesday in January, nineteen hundred and sixty-five.

Approved April 30, 1963.

Chap. 56. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO THE STOPPING OF SCHOOL BUSSES ON STATE HIGHWAYS.

Resolved, That the department of public works is hereby authorized and directed to make an investigation and study relative to the stopping of school busses on state highways. 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-three. *Approved April 30, 1963.*

Chap. 57. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR REVIEW BY THE APPELLATE DIVISIONS OF DISTRICT COURTS OF ANY RULING ON A MATTER OF LAW IN CRIMINAL CASES.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 299, providing for review by the appellate divisions of district courts of any ruling on a matter of law in criminal cases, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year. *Approved April 30, 1963.*

Chap. 58. RESOLVE IN FAVOR OF RUTH SLONGWHITE OF EAST PRINCETON.

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 Ruth Slongwhite of East Princeton, the sum of two hundred and sixty-five dollars and eighty cents, as compensation for personal injuries sustained and as reimbursement for medical expenses incurred by her arising out of an accident which occurred on July twenty-sixth, nineteen hundred and sixty on a stone stairway leading to Crowe Hill Pond in the Leominster State Forest. No payment shall be made hereunder until there is filed with the comptroller an agreement signed by said Ruth Slongwhite 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 May 1, 1963.

Chap. 59. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC HEALTH RELATIVE TO THE CARE AND TREATMENT OF CHILDREN SUFFERING FROM INCURABLE DISEASES OR AFFLICTIONS AND THE FEASIBILITY OF THE CONSTRUCTION OF ADDITIONS AND HOSPITAL FACILITIES FOR THE CARE AND TREATMENT OF THE SAME.

Resolved, That the department of public health is hereby authorized and directed to make an investigation and study of the care and treatment of children suffering from incurable diseases or afflictions and the feasibility of the construction of additional hospital facilities for the care and treatment of the same. *Approved May 6, 1963.*

Chap. 60. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE RECORDS LAWS OF THE COMMONWEALTH.

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 commissioner of administration, one person to be appointed by the secretary of the commonwealth, one person to be appointed by the attorney general, one person to be appointed by the state librarian, one person to be appointed by The Massachusetts Historical Society, and one person to be appointed by the Boston chapter of the American Records Management Association, is hereby established for the purpose of making a study of the records laws of the commonwealth. *Approved May 6, 1963.*

Chap. 61. RESOLVE EXTENDING THE TIME WITHIN WHICH THE DIVISION OF MARINE FISHERIES IS REQUIRED TO COMPLETE ITS INVESTIGATION AND STUDY AND FILE ITS REPORT RELATIVE TO RESTRICTING THE USE OF AN OTTER TRAWL IN CERTAIN WATERS OF THE COMMONWEALTH.

Resolved, That the time within which the division of marine fisheries is required to file its final report relative to restricting the use of an otter trawl in certain waters of the commonwealth, as authorized by chapter seventy-eight of the resolves of nineteen hundred and sixty-two, is hereby extended to the fourth Wednesday of December, nineteen hundred and sixty-three. *Approved May 6, 1963.*

Chap. 62. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION RELATIVE TO THE CLASSIFICATION OF FIRE AND POLICE SIGNAL MAINTENANCE REPAIRMEN IN CITIES AND TOWNS IN GROUP 2 UNDER THE RETIREMENT LAW.

Resolved, That the retirement law commission is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 491, relative to providing that fire and police signal maintenance repairmen in cities and towns be classified in Group 2 under the retirement 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, nineteen hundred and sixty-three.

Approved May 6, 1963.

Chap. 63. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION RELATIVE TO AUTHORIZING HEALTH DISTRICTS TO JOIN A CONTRIBUTORY SYSTEM.

Resolved, That the retirement law commission is hereby authorized and directed to make an investigation and study of the subject matter

of current house document numbered 496, relative to authorizing health districts to join a contributory 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 last Wednesday of January, nineteen hundred and sixty-four.

Approved May 6, 1963.

Chap. 64. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DIVISION OF FISHERIES AND GAME RELATIVE TO THE ISSUANCE OF SPORTING LICENSES AND CERTAIN RELATED MATTERS, TO THE TAKING OF FISH, AND TO THE MOLESTING OF DEER BY DOGS IN CERTAIN COUNTIES.

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 447, relative to lowering the age at which a sporting, hunting, fishing or trapping license shall be issued without a fee, and of current house documents numbered 297, relative to providing for the issuance of certain sporting licenses to persons over the age of sixty-five years without the payment of a fee; 749, relative to making persons on social security eligible for free fishing licenses; 753, relative to establishing an open season on trout fishing; 1286, relative to prohibiting the taking of fish for commercial use in Quincy Bay, Hingham Bay, Weymouth Fore River and Weymouth Back River; 1518, relative to the molesting, attacking or killing of deer by dogs in Worcester county; 2310, relative to requiring that hunting licenses bear upon their face the blood type of the licensee; 2548, relative to prohibiting the issuance of sporting or hunting licenses to any person who is color blind; 2550, relative to requiring all applicants for a sporting and hunting license to be examined as to eyesight, for color blindness and ability to handle firearms; and 2778, relative to providing that applicants for hunting licenses furnish evidence that they are not color blind. 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, nineteen hundred and sixty-three.

Approved May 6, 1963.

Chap. 65. RESOLVE EXTENDING THE TIME WITHIN WHICH THE WATER RESOURCES COMMISSION IS REQUIRED TO COMPLETE ITS INVESTIGATION AND STUDY AND FILE ITS FINAL REPORT RELATIVE TO THE WATER RESOURCES IN THE COUNTIES OF PLYMOUTH AND BRISTOL AND IN CERTAIN TOWNS IN THE COUNTY OF NORFOLK AND INCREASING THE SCOPE THEREOF.

Resolved, That the time within which the water resources commission is required to complete its investigation and study and file its final report relative to the ground water supplies in the counties of Plymouth

and Bristol, as authorized by chapter three hundred and fourteen of the acts of nineteen hundred and fifty-seven, and relative to such supplies in the towns of Avon, Holbrook, Plainville and Stoughton in the county of Norfolk, as authorized by chapter eighty-three of the resolves of nineteen hundred and fifty-nine, and most recently continued by chapter twenty-eight of the resolves of nineteen hundred and sixty-two, is hereby extended to the last Wednesday of December, nineteen hundred and sixty-four. Said commission shall also investigate and study such supplies in the town of Foxborough. *Approved May 6, 1963.*

Chap. 66. RESOLVE IN FAVOR OF EDWARD L. CONNELLY.

Resolved, That for the purpose of promoting the public good and in consideration of his long and meritorious service, there shall be allowed and paid out of the state treasury to Edward L. Connelly, former superintendent of the metropolitan district commission police, from the amount appropriated in item 2931–06 of section two of chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-two, the sum of seventeen hundred and forty-four dollars which is the sum he would have received as vacation allowances upon his retirement if he had been eligible for the same under the rules and regulations applicable to the position from which he retired. *Approved May 6, 1963.*

Chap. 67. RESOLVE FURTHER 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, and revived and continued by chapter eighty-three of the resolves of nineteen hundred and sixty-two, is hereby further revived and continued.

Approved May 13, 1963.

Chap. 68. RESOLVE CONTINUING THE 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 continue the investigation and study authorized by chapter seventy-three of the resolves of nineteen hundred and sixty-two.

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 June, nineteen hundred and sixty-three.

Approved May 13, 1963.

Chap. 69. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE MASS TRANSPORTATION COMMISSION RELATIVE TO COMPLETING THE EXERCISE OF THE OPTION TO PURCHASE THE BOSTON-BRAINTREE SEGMENT OF THE OLD COLONY RAILROAD, THE PROBLEM OF PROVIDING MASS TRANSPORTATION TO THE SOUTH SHORE AREA OF THE COMMONWEALTH, AND CERTAIN LAWS REGULATING THE CARRYING OF PASSENGERS BY COMMON CARRIERS.

Resolved, That the mass transportation commission is hereby authorized and directed to make an investigation and study of the subject matter of the investigation and study proposed by current house document numbered 2387, relative to the over-all problem of providing mass transportation to the South Shore area of the commonwealth; and of current house documents numbered 2631, relative to directing the board of managers of the South Shore Transportation District created by chapter four hundred and fifty-two of the acts of nineteen hundred and sixty-one to establish rail transportation service between South Station in Boston and Hingham station in Hingham before the first day of January in nineteen hundred and sixty-five and to prepare plans to extend this service to Greenbush station in Scituate; 2632, relative to repealing the law providing for rapid transit passenger transportation between the town of Braintree and the city of Boston; 2633, relative to completing the exercise of the option to purchase the Boston-Braintree segment of the Old Colony railroad and to provide for the creation of the South Shore and Cape Cod Transportation District; 2867, relative to further defining the definition of charter and special services under the common carriers of passengers by motor vehicle law; and 2868, relative to extending the penalty for certain violations of the law regulating common carriers of passengers by motor vehicle.

Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of January, nineteen hundred and sixty-four. *Approved May 13, 1963.*

Chap. 70. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ESTABLISHMENT OF A HALF-WAY HOUSE FOR THE REHABILITATION OF ALCOHOLICS.

Resolved, That a 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, is hereby established for the purpose of making an investigation and study of the subject matter of current house document numbered 2066, relative to the establishment of a half-way house for the rehabilitation of alcoholics.

Approved May 13, 1963.

Chap. 71. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE MASS TRANSPORTATION COMMISSION RELATIVE TO AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO CONVEY A CERTAIN PARCEL OF LAND LOCATED IN CAMBRIDGE, ARLINGTON AND BELMONT TO THE METROPOLITAN TRANSIT AUTHORITY.

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 1511, relative to further authorizing the metropolitan district commission to convey a certain parcel of land located in Cambridge, Arlington and Belmont to the Metropolitan Transit Authority. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of January, nineteen hundred and sixty-four. *Approved May 13, 1963.*

Chap. 72. RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO AUTHORIZING PUBLIC UTILITY COMPANIES TO GRANT REDUCED RATES TO THEIR EMPLOYEES AND RETIRED EMPLOYEES.

Resolved, That the unpaid special commission established by chapter eighty-six of the resolves of nineteen hundred and sixty-two is hereby revived and continued. *Approved May 14, 1963.*

Chap. 73. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION RELATIVE TO THE RETIREMENT OF EMPLOYEES OF THE MASSACHUSETTS PARKING AUTHORITY.

Resolved, That the retirement law commission is hereby authorized and directed to make an investigation and study of so much of the subject matter of current house document numbered 1228, as relates to the retirement of employees of the Massachusetts Parking Authority. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of January, nineteen hundred and sixty-four. *Approved May 15, 1963.*

Chap. 74. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO ALL PHASES OF OUR CIVIL DEFENSE PROGRAM.

Resolved, That a special commission, to consist of three members of the senate, six members of the house of representatives, the adjutant general, the director of civil defense, and two persons to be appointed by the governor, is hereby established for the purpose of making an

investigation and study relative to all phases of our civil defense program. 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 73, relative to all phases of our civil defense program; and of current senate document numbered 493, relative to effecting better co-ordination between the Massachusetts National Guard and the Massachusetts Civil Defense Agency during periods of emergency and to create facilities for a better understanding and preservation of our national goals; and of current house documents numbered 306, relative to requiring that fallout shelters be provided for in all new public schools; 1061, relative to requiring fallout shelters in the construction of public schools in the commonwealth; 1539, relative to authorizing the relocation of the executive department in event of enemy attack; 1540, relative to authorizing the protection of persons in state institutions in event of enemy attack; 1541, relative to authorizing certain political subdivisions to construct or establish, equip, maintain and operate, fallout shelters and other shelters against the effects of enemy attack; 2071, relative to protecting the public; and of the investigation and study proposed by current house document numbered 2072, relative to present and future atomic defenses of the commonwealth; and of current house document numbered 2336, relative to promoting the safety of school children by the construction of blast or fallout shelters at school. Said commission shall report to the general court on or before the first Wednesday of December in the current year. *Approved May 15, 1963.*

Chap. 75. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO CONVEYING A CERTAIN PARCEL OF LAND IN THE TOWN OF MILTON TO SAID TOWN FOR PARK PURPOSES.

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 2774, relative to authorizing the metropolitan district commission to convey certain land in the town of Milton for park purposes to said town. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before the first Wednesday of December, nineteen hundred and sixty-three. *Approved May 20, 1963.*

Chap. 76. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION OF CERTAIN MATTERS RELATING TO TAXATION.

Resolved, That the state tax commission is hereby authorized and directed to make an investigation and study of the subject matter of current senate documents numbered 584, relative to exempting from the income tax law the income from an annuity, pension, endowment or retirement fund of any other state government and 614, relative to the Boston Terminal Corporation in reorganization, the assessment of its real estate, and the payment of taxes thereon, and current house docu-

ments numbered 1789, relative to the payments in lieu of taxes by the city of Westfield to the town of Montgomery and of the investigation and study proposed by 2847, relative to the feasibility of reducing the tax on unearned income. 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 first day of April, nineteen hundred and sixty-four. *Approved May 20, 1963.*

Chap. 77. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE COUNTY COMMISSIONERS OF ESSEX COUNTY RELATIVE TO SITTINGS OF THE FIRST DISTRICT COURT OF ESSEX AND THE CONSTRUCTION OF A COURT HOUSE FOR SUCH SITTINGS.

Resolved, That the county commissioners of Essex county are hereby authorized and directed to make an investigation and study relative to providing that sittings of the first district court of Essex may also be held in the city of Beverly and that a court house be constructed for such sittings in said city. Said commissioners shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate on or before the fourth Wednesday of January, nineteen hundred and sixty-four. *Approved May 20, 1963.*

Chap. 78. RESOLVE INCREASING THE SCOPE OF THE 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, authorized to make an investigation and study by chapter ninety-five of the resolves of nineteen hundred and sixty-two, shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 488, relative to establishing the Merrimack River Valley Sewerage District and defining its powers and duties. *Approved May 20, 1963.*

Chap. 79. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION RELATIVE TO A GUARANTEED MINIMUM RETIREMENT ALLOWANCE ON THE COMPLETION OF FORTY YEARS OF CREDITABLE SERVICE.

Resolved, That the retirement law commission is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 1040, providing for a guaranteed minimum retirement allowance on the completion of forty years of creditable service. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of December, nineteen hundred and sixty-three. *Approved May 20, 1963.*

Chap. 80. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC SAFETY OF REQUIRING THAT CERTAIN MATERIALS IN PUBLIC BUILDINGS HEREINAFTER CONSTRUCTED SHALL BE AT LEAST ONE HOUR FIRE RATED AFTER APPROVED TESTS.

Resolved, That the department of public safety is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 3041, that certain materials in public buildings hereinafter constructed shall be at least one hour fire rated after approved tests. 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 Wednesday of January, nineteen hundred and sixty-four. *Approved May 20, 1963.*

Chap. 81. RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE CONSTRUCTION OF FACILITIES FOR THE HOLDING OF ATHLETIC COMPETITIONS IN THE METROPOLITAN AREA.

Resolved, That the unpaid special commission established by chapter eighty-four of the resolves of nineteen hundred and sixty-two is hereby revived and continued. *Approved May 21, 1963.*

Chap. 82. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ACQUISITION OF AIRPORTS BY CITIES AND TOWNS, DEVICES FOR THE CONTROL OF POLLUTION AND THE EXTENSION OF EXISTING RUNWAYS AT LOGAN INTERNATIONAL AIRPORT.

Resolved, That an unpaid special commission, to consist of two members of the senate, five members of the house of representatives, and four persons to be appointed by the governor, of whom two shall be members of the Massachusetts Port Authority, is hereby established for the purpose of making an investigation and study of the subject matter of current senate document numbered 100, relative to providing for the construction of additional runways, and the extension of existing runways at Logan International Airport, and of current house documents numbered 578, relative to increasing the term for which cities and towns may borrow money for airport purposes in anticipation of the proceeds of a grant or grants to be received from the federal government or the commonwealth, and 1802, relative to directing the airport management board to provide devices to control the pollution of air by emission of gases and fumes from jet aircraft in the East Boston perimeter of the Logan International Airport. *Approved May 22, 1963.*

Chap. 83. RESOLVE INCREASING THE SCOPE OF THE INVESTIGATION AND STUDY BY 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 most recently revived and continued by chapter fifty-five of the resolves of nineteen hundred and sixty-three, shall, in the course of its investigation and study, consider the subject matter of the investigation and study proposed by current house document numbered 538, relative to the care and treatment of patients in all mental institutions, and certain related matters. *Approved May 27, 1963.*

Chap. 84. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO STATE AID FOR HIGHWAYS, DISTRIBUTION OF HIGHWAY FUNDS, AND THE DEVELOPMENT OF A PROGRAM FOR CERTAIN SECONDARY HIGHWAYS.

Resolved, That a special commission, consisting of two members of the senate, three members of the house of representatives, and three persons to be appointed by the governor, one of whom shall be a mayor or city manager, one a selectman, and one a superintendent of streets of a city or town, is hereby established to make an investigation and study relative to the relationship between the state department of public works and municipalities, the problems of construction and maintenance of highways under the provisions of chapters eighty-one and ninety of the General Laws and non-state highways, numbered routes and other highways and streets, and the establishment of an accelerated program for secondary highways and other highways and streets which are not state highways. Said commission shall study the methods of distributing aid from the Highway Fund to municipalities, of financing snow and ice removal on the highways, and such other matters relating to highways and streets other than state highways, as it may deem advisable. *Approved June 4, 1963.*

Chap. 85. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION RELATIVE TO THE FEASIBILITY AND ADVISABILITY OF CONFORMING THE PROVISIONS OF THE INCOME TAX LAW WITH THOSE OF THE INTERNAL REVENUE CODE.

Resolved, That the state tax commission is hereby authorized and directed to make an investigation and study relative to the feasibility and advisability of conforming the administrative and substantive provisions of chapters sixty-two, sixty-two A and sixty-two B of the General Laws with comparable provisions in the Internal Revenue Code. Said commission shall also study, but shall not be limited to, the provisions of law relating to persons or entities subject to tax, definitions of taxable income, exemptions, exclusions, deductions, credits, filing of returns,

assessment, collection, abatement, verification, general administration and penalties, both civil and criminal, for the purpose of recommending such changes in the general laws as may appear necessary or desirable in order that the laws conform to federal provisions. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of January, nineteen hundred and sixty-four.

Approved June 4, 1963.

Chap. 86. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION RELATIVE TO INHERITANCE AND ESTATE TAXATION.

Resolved, That the state tax commission is hereby authorized and directed to make an investigation and study of the taxation of legacies and successions and of transfers of certain estates under chapters sixty-five and sixty-five A of the General Laws, in order to develop a basis for adopting, in substitution thereof, an estate tax measured by the aggregate value of the property of the decedent subject to succession on his death with deductions and exemptions applicable thereto and the making of such other changes in the laws as may appear to be necessary or desirable, which tax and changes will yield an estimated amount of revenue at least equivalent to the revenue derived under the provisions of said chapters sixty-five and sixty-five A. Said commission shall report to the general court, the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of January, nineteen hundred and sixty-four.

Approved June 4, 1963.

Chap. 87. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE WATER RESOURCES COMMISSION OF THE WATER RESOURCES OF THE CONNECTICUT RIVER VALLEY.

Resolved, That the water resources commission is hereby authorized and directed to make an investigation and study in co-operation with the United States Corps of Engineers of the water resources of the Connecticut river valley. *Approved June 4, 1963.*

Chap. 88. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION RELATIVE TO AUTHORIZING CERTAIN STATE EMPLOYEES TO BECOME MEMBERS OF THE CONTRIBUTORY RETIREMENT SYSTEM AFTER HAVING REACHED THE MAXIMUM AGE FOR MEMBERSHIP.

Resolved, That the retirement law commission is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 3333, relative to authorizing cer-

tain state employees to become members of the contributory retirement system after having reached the maximum age for membership. 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 January, nineteen hundred and sixty-four. *Approved June 4, 1963.*

Chap. 89. RESOLVE EXTENDING THE TIME WITHIN WHICH THE SPECIAL UNPAID COMMISSION ESTABLISHED TO MAKE A STUDY OF THE LAWS RELATING TO CONVALESCENT OR NURSING HOMES, AND TO STANDARDS AND COSTS THEREOF SHALL COMPLETE ITS STUDY AND FILE ITS FINAL REPORT.

Resolved, That the time within which the unpaid special commission established by chapter one hundred and thirty-eight of the resolves of nineteen hundred and sixty-two, and revived and continued by chapter eight of the resolves of nineteen hundred and sixty-three shall complete its study and file its final report is hereby extended to July first, nineteen hundred and sixty-three. *Approved June 4, 1963.*

Chap. 90. RESOLVE FURTHER CONTINUING THE 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 continue the investigation and study authorized by chapter forty-seven of the resolves of nineteen hundred and sixty-two.

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 second Wednesday in June, nineteen hundred and sixty-three.

Approved June 10, 1963.

Chap. 91. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF NATURAL RESOURCES RELATIVE TO THE CONSTRUCTION OF AN OUTDOOR SKATING RINK AT LAKE QUINSIGAMOND STATE PARK.

Resolved, That the department of natural resources is hereby authorized and directed to make an investigation and study relative to the construction of an outdoor skating rink at Lake Quinsigamond state park.

Said department shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before the first Wednesday of December, nineteen hundred and sixty-three.

Approved June 10, 1963.

Chap. 92. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE SALE, EXCHANGE, TRANSFER AND USE OF SPACE HEATERS WITHIN THE COMMONWEALTH.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives, four persons to be appointed by the governor, one of whom shall be a representative of the Fire Chiefs' Association of Massachusetts, one of whom shall be a representative of the Associated Firefighters of Massachusetts, A.F.L.-C.I.O., one of whom shall represent oil dealers and one of whom shall represent manufacturers of space heaters, the state fire marshal and the commissioner of public safety or their designees, is hereby established for the purpose of making an investigation and study of the sale, exchange, transfer and use of space heaters within the commonwealth.

Approved June 10, 1963.

Chap. 93. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO PROVIDING FOR REIMBURSEMENT OF PROPERTY OWNERS AND ABUTTERS IN THE CITY OF CHELSEA FOR DAMAGES CAUSED BY FLOODING FROM A CULVERT AT THE NORTHEAST EXPRESSWAY.

Resolved, That an unpaid special commission, to consist of the chairman of the state housing board or his designee, the commissioner of public works or his designee, and the mayor of the city of Chelsea or his designee, is hereby established for the purpose of making an investigation and study of the subject matter of current house document numbered 1610, providing for reimbursement of property owners and abutters in the city of Chelsea for damages caused by flooding from a culvert at the Northeast Expressway. Said commission shall report to the general court on or before May first, nineteen hundred and sixty-three.

Approved June 10, 1963.

Chap. 94. RESOLVE VALIDATING THE ACTS OF ELEANOR A. SCOPA AS A NOTARY PUBLIC.

Resolved, That the acts of Eleanor A. Scopa of Winchester as a notary public between April fifth, nineteen hundred and fifty-nine and April twenty-third, nineteen hundred and sixty-three, 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 Eleanor A. DeMelis, 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 June 10, 1963.

Chap. 95. RESOLVE IN FAVOR OF GERTRUDE M. VOLIN OF PITTSFIELD.

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 Gertrude M. Volin of Pittsfield, the

sum of nine hundred dollars as compensation for personal injuries sustained and reimbursement for medical expenses incurred by her arising out of an accident which occurred on October thirty-first, nineteen hundred and sixty-two, on the premises of the Berkshire Community College in said city. No payment shall be made hereunder until there is filed with the comptroller an agreement signed by said Gertrude M. Volin 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 fund.

Approved June 25, 1963.

Chap. 96. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ESTABLISHMENT OF A MOSQUITO CONTROL PROJECT WITHIN THE COUNTY OF ESSEX.

Resolved, That a special commission, to consist of one member of the senate, three members of the house of representatives, the chairman of the state reclamation board and the chairman of the county commissioners of Essex county, is hereby established for the purpose of making an investigation and study relative to the establishment of a mosquito control project within the county of Essex and determining the methods of paying for the cost of any such project. Said commission shall, in the course of its investigation and study, consider the subject matter of current house document numbered 501. *Approved July 3, 1963.*

Chap. 97. RESOLVE 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 AND INCREASING THE MEMBERSHIP THEREOF.

Resolved, That the time for the filing of the final report of the unpaid special commission established by item 0405–02 of section two of chapter five hundred and forty-three of the acts of nineteen hundred and sixty-one, most recently extended by item 0405–03 of section two of chapter seven hundred and ninety-one of the acts of nineteen hundred and sixty-two, is hereby further extended to November first, nineteen hundred and sixty-five; and that the membership of said commission is hereby increased by the addition of two members of the senate, four members of the house of representatives, and four persons to be appointed by the governor. *Approved July 9, 1963.*

Chap. 98. RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY 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 the special commission established by chapter one hundred and nineteen of the resolves of nineteen hundred and sixty-two is hereby revived and continued. *Approved July 9, 1963.*

Chap. 99. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ADOPTION OF REGULATORY AND PROTECTIVE MEASURES PERTAINING TO IONIZING RADIATION WITHIN THE COMMONWEALTH.

Resolved, That a special commission, to consist of one member of the senate, three members of the house of representatives, the commissioners of public health, labor and industries, public safety and administration, the chairman of the Massachusetts commission on atomic energy, and the director of civil defense, or their respective designees, and six persons to be appointed by the governor, all of whom shall have training or experience in medicine, radiology, public health, atomic and radiation physics, radiobiology, radiation law, or the industrial uses of radioactive materials, is hereby established for the purpose of making an investigation and study relative to the adoption of regulatory and protective measures pertaining to ionizing radiation within the commonwealth. Said commission shall, in the course of its investigation and study, consider the subject matter of current house document numbered 1338, and shall also consider the advisability of a co-operative program between the commonwealth and the United States Atomic Energy Commission, provided for in the Atomic Energy Act of 1954, as amended by Public Law 86–373. Said commission may file reports from time to time, and shall file its final report on or before the first Wednesday in December, nineteen hundred and sixty-three.

Approved July 9, 1963.

Chap. 100. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO CERTAIN ELECTION LAWS.

Resolved, That a 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 of current house documents numbered 1396, relative to limiting the length of campaigns for public office; 1657, relative to facilitating communication between candidates and the electorate; 1659, relative to providing for limitation of and financing of political candidates; and 2211, relative to limiting the campaign expenditures of candidates for all constitutional offices.

Approved July 9, 1963.

Chap. 101. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO CERTAIN VETERANS' LAWS.

Resolved, That a 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 of current senate documents numbered 426, relative to providing for compilation of all veterans' laws in one volume; and 427, relative to providing for the payment by the commonwealth of annuities to certain amputee war veterans; and of current house documents numbered 294,

relative to providing suitable recognition of certain residents of Massachusetts who shall have served in the armed forces of the United States and Massachusetts in the Berlin or Cuban crises; 126, relative to providing for payment of veterans' benefits to persons residing in one town and having lawful settlement in another town; and 2533, relative to veterans' benefits. *Approved July 9, 1963.*

Chap. 102. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DIVISION OF THE BLIND RELATIVE TO BLIND PERSONS OPERATING VENDING STANDS IN PUBLIC BUILDINGS RECEIVING PROCEEDS FROM AUTOMATIC VENDING MACHINES.

Resolved, That the division of the blind is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 541, relative to blind persons operating vending stands in public buildings receiving proceeds from automatic vending machines. Said division shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of January, nineteen hundred and sixty-four. *Approved July 15, 1963.*

Chap. 103. 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 AND INCREASING THE MEMBERSHIP THEREOF.

Resolved, That the special commission established by chapter seventy-seven of the resolves of nineteen hundred and fifty-two, and most recently revived and continued by chapter one hundred and thirty-two of the resolves of nineteen hundred and sixty-two, is hereby further revived and continued, but shall not concern itself with the administration of the department of mental health and the law relating to the admittance, treatment and release of patients in mental institutions. The membership of said commission is hereby increased by two members of the house of representatives, by the commissioners of public welfare and public health, or such person as each of them may designate, by the commissioner of rehabilitation or his designee, and by a representative of the Massachusetts Association for Retarded Children to be appointed by the governor. Said commission shall file its report on or before the last Wednesday of March, nineteen hundred and sixty-four.

Approved July 15, 1963.

Chap. 104. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO PARKING FACILITIES FOR RESIDENTS IN WARD THREE AND THE BACK BAY SECTION OF THE CITY OF BOSTON.

Resolved, That a special commission to consist of two members of the senate, three members of the house of representatives and three

members to be appointed by the governor is hereby established for the purpose of making an investigation and study of the subject matter of current house documents numbered 159, directing the Boston Traffic Commission to remove all parking meters from a certain part of the Back Bay, and to re-establish for the benefit of certain owners of land or their designated tenants the right to park their motor vehicles on the streets in front of their property; 247, directing the Boston Traffic Commission to allow owners of land or their tenants in Ward 3 to park their motor vehicles on the streets fronting their property; 1222, to license parking by property owners in residential areas; and 1813, to provide parking facilities for the property owners in the public alleys in the rear of Commonwealth avenue, Beacon, Marlborough and Newbury streets in the city of Boston. *Approved July 15, 1963.*

Chap. 105. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ERECTION OF A STATUE OR OTHER SUITABLE MEMORIAL TO THE LATE CHARLES F. HURLEY.

Resolved, That a special commission, to consist of two members of the senate, two 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 the erection of a statue or other suitable memorial to the late Charles F. Hurley, former state treasurer and former governor of the commonwealth.

Approved July 15, 1963.

Chap. 106. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION OF THE ELECTION LAWS GOVERNING ABSENTEE VOTING.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives, five persons to be appointed by the governor, one of whom shall be a member of the City Clerks' Association, and one of whom shall be a member of the Boston ballot law commission, and the secretary of the commonwealth or his designee, is hereby established for the purpose of making an investigation and study of the election laws governing absentee voting, including the procedure of the voter applying for and completing the absentee ballot, the recording, counting, safekeeping and other procedures and matters relating to absentee voting and absentee ballots.

Approved July 15, 1963.

Chap. 107. 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 special commission established by chapter thirty-four of the resolves of nineteen hundred and sixty-one and revived and continued by chapter ninety-four of the resolves of nineteen hundred and

sixty-two is hereby further revived and continued. Said commission may report from time to time to the general court but shall file its final report on or before the last Wednesday in January, nineteen hundred and sixty-four. *Approved July 15, 1963.*

Chap. 108. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ADVISABILITY OF ESTABLISHING A STATE FIRE ACADEMY AND OTHER MATTERS RELATED THERETO.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives, the commissioner of public safety, and seven persons to be appointed by the governor, of whom one shall be a representative of the Fire Chiefs' Club of Massachusetts, one a representative of the Massachusetts Institute of Fire Department Instructors, and one a representative of the Associated Firefighters of Massachusetts, AFL:CIO, and three of whom shall, at the time of their appointment, be holding the position of chief of the fire department in a municipality, and one shall be a person experienced in fire prevention and control activity, is hereby established for the purpose of making an investigation and study relative to the feasibility of establishing a state fire academy, its location, tuitions and such other matters relating thereto as said commission shall deem advisable.

Approved July 15, 1963.

Chap. 109. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION OF THE PROBLEM OF DREDGING THE CONNECTICUT RIVER WITHIN THE CONFINES OF THE COMMONWEALTH.

Resolved, That a special commission, to consist of three members of the senate, eight members of the house of representatives, a representative of the division of motorboats to be designated by the director thereof, a representative of the division of waterways to be designated by the director thereof and two persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the problem of dredging the Connecticut river within the confines of the commonwealth to render it more navigable by pleasure craft. Said commission may study said problem in conjunction with a similar commission which may be established by the state of Connecticut or in conjunction with any appropriate agency of the federal government.

Approved July 15, 1963.

Chap. 110. RESOLVE FURTHER EXTENDING THE TIME WITHIN WHICH THE WATER RESOURCES COMMISSION SHALL FILE ITS FINAL REPORT RELATIVE TO THE WATER RESOURCES IN THE WATERSHED OF THE CONCORD, SUDBURY AND ASSABET RIVER VALLEYS.

Resolved, That the time within which the water resources commission shall make its report to the general court relative to the water resources in the watershed of the Concord, Sudbury and Assabet river valleys, as authorized by chapter eighty-three of the resolves of nine-

teen hundred and sixty, is hereby further extended to the first Wednesday in December, nineteen hundred and sixty-three, and it may report from time to time prior to said date, with respect to various phases of the work as they are completed. *Approved July 15, 1963.*

Chap. 111. RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO ESTABLISHING JUVENILE COURTS, FAMILY COURTS OR JUVENILE OR DOMESTIC RELATIONS DIVISIONS IN THE DISTRICT COURTS.

Resolved, That the unpaid special commission established by chapter one hundred and twenty-nine of the resolves of nineteen hundred and sixty-two is hereby revived and continued. Said commission shall report to the general court not later than the fourth Wednesday of December, nineteen hundred and sixty-four. *Approved July 15, 1963.*

Chap. 112. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED 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 the special commission, established by chapter one hundred and twenty of the resolves of nineteen hundred and sixty-two, and revived and continued by chapter one of the resolves of nineteen hundred and sixty-three, shall, in the course of its investigation and study, consider the subject matter of current house documents numbered 943, relative to further regulating the rates of payments to hospitals by non-profit hospital service corporations; and 2715, relative to decreasing the limits of the contingent reserve fund at the end of any calendar year for non-profit hospital service corporations.

Approved July 15, 1963.

Chap. 113. RESOLVE AUTHORIZING THE CONTINUANCE OF AN INVESTIGATION RELATIVE TO THE STUDY OF THE ELIMINATION OR CONTROL OF SUBMERGED WEEDS IN CERTAIN GREAT PONDS OF THE COMMONWEALTH.

Resolved, That the department of public health, the department of public works and the department of natural resources, acting as a joint board, and directed by chapter sixty-seven of the resolves of nineteen hundred and fifty-three, to make a survey and investigation relative to the elimination and control of submerged weeds in certain great ponds and tidal estuaries in the commonwealth and most recently authorized by chapter one hundred and two of the resolves of nineteen hundred and sixty to continue its survey and investigation, is hereby further authorized and directed to continue said survey and investigation. The said joint board shall report to the general court the final results of its investigation and its recommendations, if any, together with drafts of legislation necessary to carry out the same by filing the same with the clerk of the house of representatives on or before the first Wednesday in December, nineteen hundred and sixty-four.

Approved July 15, 1963.

Chap. 114. 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 special commission, established by chapter eighty-nine of the resolves of nineteen hundred and sixty-one and most recently revived and continued by chapter fifty-five of the resolves of nineteen hundred and sixty-three, shall, in the course of its investigation and study, consider the advisability and feasibility of establishing half way houses for the use of patients who have sufficiently recovered so as not to require full hospital treatment but who are not yet ready to return to their homes. Said commission shall also consider the subject matter of current house documents numbered 820, relative to limiting the liability of parents for the support of mentally deficient children in state hospitals and establishing a board of appeals to hear and determine disputes by parents and other persons as to the amount of charges assessed to them for the care and support of mentally deficient children; and 2834, relative to restricting confinement of sexual deviates and persons convicted of sex crimes, so called, to the treatment center at Bridgewater.

Approved July 15, 1963.

Chap. 115. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE A STUDY RELATIVE TO ALL PHASES OF OUR CIVIL DEFENSE PROGRAM.

Resolved, That the special commission established by chapter seventy-four of the resolves of nineteen hundred and sixty-three, shall, in the course of its study, consider the subject matter of current house documents numbered 1540, relative to authorizing the protection of persons in state institutions in event of enemy attack; and 2934, relative to the responsibilities of the commissioners of public health, agriculture and natural resources and of the milk control commission during the effective period of a state of emergency declared by the governor.

Approved July 15, 1963.

Chap. 116. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE SIZE OF THE LEGISLATURE AND THE ADVISABILITY AND FEASIBILITY OF MODERNIZING THE LEGISLATIVE PROCEDURE IN THE GENERAL COURT WITH A VIEW TO SHORTENING THE LENGTH OF ITS SESSIONS.

Resolved, That a special commission, to consist of four members of the senate, seven members of the house of representatives, and four persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to the size of the legislature and the advisability and feasibility of modernizing legislative procedure in the general court with a view to shortening the length of its sessions. Said commission shall, in the course of its investigation and study, consider the subject matter of current house document numbered 2117, relative to improving the efficiency of legislative operations.

Approved July 15, 1963.

Chap. 117. RESOLVE REVIVING AND CONTINUING AND INCREASING THE SCOPE OF 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 special commission established by chapter one hundred and six of the resolves of nineteen hundred and sixty-one, and revived and continued by chapter one hundred and fourteen of the resolves of nineteen hundred and sixty-two, is hereby further revived and continued. Said commission shall, in the course of its investigation and study, consider the subject matter of current house document numbered 1769, relative to providing for hospital care of sexually dangerous persons and persons addicted to narcotics and alcoholic beverages confined in the correctional institutions of the commonwealth.

Approved July 15, 1963.

Chap. 118. RESOLVE EXTENDING THE TIME WITHIN WHICH THE UNPAID SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO IMPROVING AND EXTENDING EDUCATIONAL FACILITIES IN THE COMMONWEALTH SHALL COMPLETE ITS INVESTIGATION AND STUDY AND FILE ITS FINAL REPORT.

Resolved, That the time within which the unpaid special commission established by chapter one hundred and eight of the resolves of nineteen hundred and sixty-two shall complete its investigation and study and file its final report is hereby extended to the last Wednesday in December, nineteen hundred and sixty-four. The commission may, in lieu of establishing a salary for its secretary as provided in said chapter one hundred and eight, determine that his compensation be paid upon any other basis that it deems appropriate, including a per diem basis.

Approved July 18, 1963.

Chap. 119. RESOLVE REVIVING AND CONTINUING AND INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE PROBLEMS OF TAXATION.

Resolved, That the unpaid special commission, known as the special commission on taxation, established under the provisions of 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, is hereby revived and further continued for the purpose of continuing its investigation and study relative to the problems of taxation. Said commission shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 195, relative to authorizing certain deductions for political contributions; 577, relative to the regulation of public utility rights of way and easements; 581, relative to providing a certain real estate tax exemption to certain World War I veterans; and of the inves-

tigation and study proposed by current senate document numbered 601, relative to real estate exempt from taxation with special reference to determining whether or not taxes can be levied on such property; of current house documents numbered 336, relative to providing for a limited exemption from taxation of real property of totally disabled veterans of World War I; 349, relative to exempting from taxation certain veterans of World War I; 351, relative to providing a certain real estate tax exemption to certain World War I veterans; of the investigation and study proposed by 564, relative to enactment of legislation providing certain tax relief for veterans and others, and protecting veterans in court proceedings; 828, relative to providing a certain real estate tax exemption to certain World War I veterans; 1779, relative to extending certain exemptions from real estate taxes to the widows of blind veterans; 1784, relative to providing a certain real estate tax exemption to certain World War I veterans; 2377, relative to providing for the commonwealth to reimburse cities and towns for loss of taxes through abatements granted to veterans and certain others; 2382, relative to the exemption from taxation of certain disabled veterans and their widows, 2608, relative to providing for certain exemption from real estate taxation to veterans suffering from non-service connected disabilities; 2609, relative to providing a certain real estate tax exemption to certain World War I veterans; and 2612, relative to granting tax abatement to certain disabled persons. *Approved July 22, 1963.*

Chap. 120. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO CERTAIN PROPOSED HIGHWAY AND WATERWAYS PROJECTS.

Resolved, That the department of public works is hereby authorized and directed to make an investigation and study of the subject matter of current senate documents numbered 22, authorizing and directing the division of waterways to dredge a portion of Winthrop harbor; 205, relative to the improvement of Marblehead harbor; and 207, authorizing and directing the department of public works to develop the Connecticut river for navigation; and of current house documents numbered 85, relative to the jurisdiction, repair and maintenance of state highways, or portions thereof, bridges and other state roadways by the city or town in which they are located; 86, relative to railroad warning signs; 90, for the construction of a central office building for the Massachusetts department of public works; 95, relative to state participation in the construction by the federal government of a breakwater in Marblehead harbor; 137, authorizing and directing the department of public works to dredge and fill the Winthrop basin in the town of Winthrop; 138, authorizing the division of waterways of the department of public works to dredge Lake Ripple in the town of Grafton; 142, authorizing and directing the department of public works to construct shore protective structures from the existing wall at Fort Point road in the town of Weymouth along River street to Neck street in said town; 145, authorizing and directing the department of public works to dredge Fore river in the vicinity of the Wessagusset yacht club in the town of Weymouth; 146, authorizing and directing the department of public works to construct a revetment system and launching ramp in the

vicinity of Beach road in the town of Weymouth; 150, authorizing the department of public works to construct access roads to and from the bridge on route 495 which spans the city of Lawrence and the town of North Andover; 152, authorizing the department of public works to reconstruct, relocate and improve a certain portion of route 140; 158, authorizing the department of public works to construct a pedestrian tunnel under Broadway at Lowell state teachers college in the city of Lowell; 161, providing for the reconstruction and widening of route 140 into a dual highway from the city of New Bedford to the Fall River expressway in the city of Taunton; 231, authorizing and directing the department of public works to complete the wall on Rice avenue in the city of Revere; 232, relative to establishing the harbor in the city of Lynn as a harbor of refuge by the division of waterways of the department of public works; 234, relative to the construction of a boat ramp in the city of New Bedford; 235, providing for the elimination of a public nuisance in the city of New Bedford caused by pollution in the Acushnet river; 397, authorizing and directing the department of public works to dredge Belle Isle Inlet in the East Boston district of Boston and the city of Revere; 399, providing for the dredging of a channel and basin in Hither creek in the town of Nantucket by the department of public works; 400, authorizing and directing the department of public works to dredge Acushnet river; 401, providing for the acquisition by the commonwealth of land in the town of Westport and maintenance thereof as a state reservation; 402, authorizing the department of public works to open a channel through East Beach road in the town of Westport and to dredge the Westport river in said town; of the investigation and study proposed by 409, relative to widening Fore river bridge at the Quincy-Weymouth line; 410, establishing Polpis road in Nantucket as a state highway; 416, authorizing the department of public works to reconstruct, relocate and improve a certain portion of route 140 where it passes through the town of Grafton; 421, authorizing the department of public works to remove the old Westport point bridge in the town of Westport; 507, authorizing the department of public health to make a study relative to the sanitary conditions of the waters of Manchester, Beverly, Salem and Marblehead; 654, authorizing and directing the department of public works to drain Belle Isle creek in the East Boston district of Boston and the city of Revere; 656, authorizing the department of public works to dredge and widen the entrance of Polpis harbor in the town of Nantucket; 658, authorizing the department of public works to construct a wading pool at Fort Phoenix beach in the town of Fairhaven; 661, providing that the Gooseberry Neck section of Horseneck beach in the town of Westport be opened to sports fishermen; 662, authorizing and directing the department of public works to construct a highway connecting McLellan highway in the East Boston district of the city of Boston to Veterans road in the town of Winthrop; 912, authorizing and directing the division of waterways of the department of public works to make repairs and alterations to the state fish pier located in the city of Gloucester; 1197, authorizing and directing the department of public works to dredge and widen a certain section of Kiln brook in the town of Lexington; 1198, authorizing the department of public works to improve the Braintree Great pond in the towns of Braintree and Randolph; 1200, authorizing the department of public works to improve Brant rock beach

in the town of Marshfield; 1201, authorizing the department of public works to repair or reconstruct the sea wall in the Brant rock and Green harbor district of the town of Marshfield; 1202, authorizing and directing the department of public works to dredge Acushnet river; 1203, to provide a special fund for the division of waterways in the department of public works for the purpose of dredging channels when requested by cities and towns; 1206, providing that the Rock island cove causeway be declared a shore protection project; 1398, authorizing the department of public works to dredge and place suitable material on Parkwood beach in the town of Wareham, so as to prevent further erosion of Parkwood drive; 1399, authorizing and directing the department of public works to widen the channel in the Wareham river and to dredge a mooring basin; 1400, authorizing and directing the department of public works to dredge and place suitable material at Tempest Knob beach in the town of Wareham to prevent the further erosion of the beach and destruction of the sea walls; 1401, authorizing and directing the dredging of a small boat basin in Mirror Cove, so called, on the Wareham River; 1404, authorizing and directing the department of public works to construct foreshore protection works in the town of Scituate and appropriating a sum of money; 1405, providing that the department of public works shall not expend certain funds for highway construction in the city of Medford until such project has been approved by the city council of said city; 1414, providing for the reconstruction of certain roads leading to the Soldiers' Home in the city of Chelsea by the department of public works; 1415, authorizing and directing the department of public works to reconstruct and enlarge a certain culvert in the city of Chelsea; 1607, authorizing and directing the water resources commission to investigate and study the public water supply resources of the Ipswich river; 1661, authorizing and directing the division of waterways to dredge the Monatiquot river in the town of Braintree; 1662, authorizing and directing the department of public works, division of waterways, to construct shore protective installations along the shore of Plum island within the city of Newburyport and the town of Newbury; 1676, relative to the widening of a section of route 5 in the town of West Springfield and of making any other changes of highway design or traffic control which appear to be desirable in said town; 1868, authorizing and directing the department of public works to clean and dredge the Merrymount yacht club channel in the city of Quincy; 1870, 1871, 1872, 1873 and 1874 authorizing and directing the department of public works to provide riprap near Oyster river in the town of Chatham; 1875, authorizing and directing the department of public works to construct stone groins in the Ridgevale-Forest beach area in the town of Chatham; 1876, authorizing and directing the department of public works to make a study and survey of Aunt Lydia's cove harbor and shore line in the town of Chatham; 1877, authorizing the department of public works to install launching ramps in the Green harbor basin in the Green harbor district of the town of Marshfield; 1878, authorizing the department of public works to install a float in the Green harbor basin in the Green harbor district of the town of Marshfield; 1879, authorizing the department of public works to core the jetty in the Green harbor district of the town of Marshfield; 1880, authorizing the department of public works to dredge the Green harbor basin in the Green harbor district of

the town of Marshfield; 1890, providing for the construction of a connector highway from the town of Winthrop to the McLellan highway, route C–1 in the East Boston section of the city of Boston; 1900, authorizing the department of public works to construct, relocate and resurface certain highways located in the towns of Northbridge, Uxbridge, Millville and Blackstone; 1901, providing for the construction of a new state highway in the town of Sutton, extending from the Douglas line to the Millbury town line; 1902, authorizing the department of public works to construct a four-lane highway on route 146 through the town of Northbridge to the Worcester-Providence highway in the town of Uxbridge; 1905, allocating state highway fund monies to help municipalities meet certain traffic control standards and agreements; 2217, authorizing and directing the department of public works to install riprap on a portion of the bank of the Connecticut river in the town of Hadley; 2218, relative to the construction of shore walls along a portion of the Malden river; 2219, authorizing and directing the division of waterways to complete the Keyup brook project in the town of Erving; 2220, authorizing and directing the division of waterways to install riprap at the Hillside drive slide project in the towns of Montague and Turners Falls; 2221, authorizing and directing the department of public works to construct certain improvements on Horseneck beach in the city of Fall River; 2223, authorizing the division of waterways of the department of public works to appropriate funds for the construction of a harbor or refuge and marina in the town of Provincetown; 2243, specifying that advance planning for highway construction provide for the protection of water resources, fish and wildlife and recreational values and that these values be considered a normal cost of highway construction and included therein; 2435, authorizing and directing the division of waterways of the department of public works to dredge Belle isle fishing inlet and the waters adjacent to Orient heights and the Harbor view section in the East Boston district of the city of Boston; 2453, authorizing and directing the department of public works to prepare plans and specifications for a highway and bridge connecting route 3 in the town of Chelmsford and the Pawtucket boulevard in the city of Lowell and to relocate a portion of route 113; 2688, authorizing and directing the department of public works to dredge various areas in the Bass river in the town of Yarmouth; 2696, authorizing and directing the department of public works to extend the Lowell connector into the Northern canal area of the city of Lowell; 2962, authorizing and directing the department of public works to construct a garage and winter workshop in the city of Fall River; 3149, relative to the replacement and resurfacing of state highways and public ways; and 3203, providing for the construction of a high level bridge across the Danvers river connecting the cities of Beverly and Salem. Said department shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty-four.

Approved July 22, 1963.

Chap. 121. RESOLVE 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.

Resolved, That a special commission, to consist of the commissioner of public health or his designee, who shall be the chairman, and six persons to be appointed by the governor, one of whom shall be a resident of the town of Orange, one of whom shall be a resident of the town of Athol, and one of whom shall be a resident of the town of New Salem, and three of whom shall be members of the Metropolitan Water Consumers' Association, is hereby established for the purpose of making an investigation and study 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. *Approved July 25, 1963.*

Chap. 122. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE MASSACHUSETTS REHABILITATION COMMISSION RELATIVE TO EXPANDING THE SCOPE OF SERVICES RENDERED BY THE MASSACHUSETTS REHABILITATION COMMISSION TO PREPARE HANDICAPPED INDIVIDUALS FOR INDEPENDENT LIVING.

Resolved, That the Massachusetts rehabilitation commission is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 3410, (Appendix L) relative to expanding the scope of services rendered by the Massachusetts rehabilitation commission to prepare handicapped individuals for independent living. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of January, nineteen hundred and sixty-four. *Approved July 29, 1963.*

Chap. 123. RESOLVE FURTHER REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE A STUDY OF THE LAWS RELATING TO CONVALESCENT OR NURSING HOMES, AND TO STANDARDS AND COSTS THEREOF.

Resolved, That the unpaid special commission established by chapter one hundred and thirty-eight of the resolves of nineteen hundred and sixty-two and revived and continued by chapter eight of the resolves of nineteen hundred and sixty-three is hereby further revived and continued. *Approved July 31, 1963.*

Chap. 124. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE COMMISSIONER OF ADMINISTRATION RELATIVE TO THE FEES AND OTHER CHARGES IMPOSED BY THE COMMONWEALTH AND THE POLITICAL SUBDIVISIONS THEREOF.

Resolved, That the commissioner of administration is hereby authorized and directed to make an investigation and study relative to the adequacy of all fees and other charges, except taxes, made by the commonwealth and its political subdivisions, for the purpose of recommending such changes or additions therein as may appear necessary or desirable in order to increase the revenue derived by the commonwealth and its political subdivisions from such non-tax sources. Said investigation and study shall include but shall not be limited to the fees and other charges made by the courts, registries, councils, departments, commissions, offices, bureaus, boards, divisions, institutions, tribunals and other agencies of the commonwealth and its political subdivisions for registrations, permits, licenses, certificates, waivers, commissions, applications, examinations, inspections, copies of records and the filing of documents or for any other purpose whatsoever. 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 his recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of January, nineteen hundred and sixty-four.

Approved August 2, 1963.

Chap. 125. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION RELATIVE TO BROADENING THE ALLOWANCE OF THE DEDUCTION OF MEDICAL EXPENSES FROM INCOME RECEIVED FROM CERTAIN INTANGIBLES, ANNUITIES AND CAPITAL GAINS IN DETERMINING THE TAX DUE THEREFROM.

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 1785, relative to broadening the allowance of the deduction of medical expenses from income received from certain intangibles, annuities and capital gains in determining the tax due therefrom. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate on or before the last Wednesday of December, nineteen hundred and sixty-three.

Approved August 2, 1963.

Chap. 126. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION RELATIVE TO TAX ASSESSMENT AND TAX COLLECTION PROCEDURES OF THE TOWN OF GAY HEAD.

Resolved, That the state tax commission is hereby authorized and directed to make an investigation and study relative to the tax assessment and collection procedures of the town of Gay Head and making

recommendations for improvements in said procedures. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before the fourth Wednesday of December, nineteen hundred and sixty-three. *Approved August 2, 1963.*

Chap. 127. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE MOUNT TOM STATE RESERVATION COMMISSION RELATIVE TO THE FURTHER DEVELOPMENT OF THE MOUNT TOM STATE RESERVATION.

Resolved, That the Mount Tom state reservation commission is hereby authorized and directed to make an investigation and study of the subject matter of current senate documents numbered 440, authorizing and directing the development of recreation facilities on the Mount Tom state reservation; and 441, providing for the further development of the Mount Tom state reservation. 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-three. *Approved August 5, 1963.*

Chap. 128. 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 47, directing the metropolitan district commission to extend the sea wall at Revere beach in the city of Revere; 433, directing the metropolitan district commission to construct a solarium in the bathhouse being constructed at Revere beach in the city of Revere; and 700, report of the legislative research council (under an order adopted by the House on July 9, 1962 and by the Senate on July 10, 1962) relative to providing for the construction and maintenance by the metropolitan district commission of a sea aquarium in the Castle Island section of the city of Boston; and of current house documents numbered 288, authorizing and directing the metropolitan district commission to complete the wall at Revere beach in the city of Revere; 724, providing for the construction and maintenance by the metropolitan district commission of a swimming pool and artificial ice skating rink in the city of Newton; 999, authorizing the metropolitan district commission to construct groins the length of Revere beach in the city of Revere; 1004, authorizing and directing the metropolitan district commission to construct and maintain a sea aquarium in the Castle Island section of the city of Boston; 1267, providing for the construction and maintenance by the metropolitan district commission of recreational facilities within the Washington Park urban renewal area of the Roxbury district of the city of Boston; 1991, providing for an investigation and study by the metropolitan district commission relative to the acquiring of certain park land in the city of Newton for the purpose of providing a recreational area; 2001, directing the metro-

politan district commission to expend one quarter of one per cent of certain appropriations for the purpose of maintaining and making certain capital improvements to the Bunker Hill Monument; 2505, providing for an investigation and study by the metropolitan district commission relative to the feasibility of acquiring the Old Pine street dump in the city of Newton and developing the same for recreational purposes; 2772, authorizing the metropolitan district commission to take over the care, control and maintenance of Chestnut Hill avenue and Saint Thomas More road in the Brighton district of the city of Boston; and 3152, authorizing and directing the metropolitan district commission to assume control of certain land and construct recreational facilities thereon in the Roxbury district of 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, nineteen hundred and sixty-three. *Approved August 5, 1963.*

Chap. 129. RESOLVE ESTABLISHING A SPECIAL UNPAID COMMISSION TO MAKE AN INVESTIGATION AND STUDY OF THE LAWS RELATIVE TO PRE-PRIMARY CONVENTIONS OF POLITICAL PARTIES.

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 of the laws relating to pre-primary conventions of political parties, and the manner in which such conventions are conducted, both in this and in other states, with a view to making such improvements in calling and conducting state pre-primary conventions as will expedite the work of such conventions and advance the wishes of the delegates. *Approved August 8, 1963.*

Chap. 130. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF MENTAL HEALTH RELATIVE TO PROVIDING PSYCHIATRIC SERVICES IN BERKSHIRE COUNTY.

Resolved, That the department of mental health is hereby authorized and directed to make an investigation and study of the need for providing psychiatric services in Berkshire county. Said department shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 83, authorizing and directing the department of mental health to construct and operate facilities in Berkshire county for mentally retarded children. Said department may expend for such purposes such sums as may be appropriated therefor to employ such professional consultants and other assistants as may be necessary to carry out the objectives of this resolve. Said department 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 senate on or before the fourth Wednesday of December, nineteen hundred and sixty-three.

Approved August 8, 1963.

Chap. 131. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE OPERATION OF CERTAIN VESSELS BETWEEN THE MAINLAND AND THE ISLAND OF MARTHA'S VINEYARD OR THE ISLAND OF NANTUCKET.

Resolved, That a 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 of current house documents numbered 850, relative to providing adequate seasonal passenger service to the town of Oak Bluffs; 1604, relative to authorizing the Woods Hole, Martha's Vineyard and Nantucket Steamship Authority to provide service between the islands of Martha's Vineyard and Nantucket and various points on the mainland of the commonwealth; 2182, relative to restricting the operation of vessels for the carriage of passengers or freight for hire between the mainland of the commonwealth and the island of Martha's Vineyard or the island of Nantucket; 2869, relative to further regulating the operation of vessels for the carriage of passengers, vehicles or freight for hire between Woods Hole and Martha's Vineyard; and 2870, relative to further regulating the operation of certain vessels between the mainland of the commonwealth and the island of Martha's Vineyard or the island of Nantucket.

Approved August 8, 1963.

Chap. 132. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO THE METROPOLITAN SEWERAGE DISTRICT.

Resolved, That the metropolitan district commission is hereby authorized and directed to make an investigation and study of current house document numbered 2012, revising the basis for apportionment of assessments for interest and principal requirements due from towns in the metropolitan sewerage 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 first Wednesday of January, nineteen hundred and sixty-four. *Approved August 8, 1963.*

Chap. 133. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE SIZE OF THE LEGISLATURE AND THE ADVISABILITY AND FEASIBILITY OF MODERNIZING THE LEGISLATIVE PROCEDURE IN THE GENERAL COURT WITH A VIEW TO SHORTENING THE LENGTH OF ITS SESSIONS.

Resolved, That the special commission established by chapter one hundred and sixteen of the resolves of nineteen hundred and sixty-three shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 850, Report submitted by the legislative research council relative to alternative methods of legislative printing. *Approved August 12, 1963.*

Chap. 134. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE A STUDY OF THE LAWS RELATING TO CONVALESCENT OR NURSING HOMES, AND TO THE STANDARDS AND COSTS THERETO.

Resolved, That the special commission established by chapter one hundred and thirty-eight 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 488, authorizing the inclusion of licensed rest homes under the medical assistance law, so called. *Approved August 12, 1963.*

Chap. 135. RESOLVE IN FAVOR OF ANNE C. DENAHY OF GROTON.

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 Anne C. Denahy of Groton, the sum of eight thousand five hundred sixty-nine dollars and forty-eight cents as reimbursement for damages sustained by her on September nineteenth, nineteen hundred and sixty-one when, while a visitor to the Worcester state hospital she was brutally attacked and choked by an inmate of said hospital, causing her to suffer a fractured elbow and other injuries, resulting in a long period of hospitalization and loss of wages. No payment shall be made hereunder until there has been filed with the comptroller an agreement signed by Anne C. Denahy that the amount, if any, paid or to be paid for legal services in connection with the passage of this resolve shall not exceed ten per cent of said sum.
Approved August 19, 1963.

Chap. 136. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ESTABLISHMENT OF A STATE BOARD OF EXAMINERS OF BIOANALYTICAL LABORATORIES.

Resolved, That a special commission, consisting of two members of the senate, three members of the house of representatives, and six persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to the establishment of a state board of examiners of bioanalytical laboratories. Said commission shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 542.
Approved August 19, 1963.

Chap. 137. RESOLVE IN FAVOR OF DOROTHY R. NOBLE OF PITTSFIELD.

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 Dorothy R. Noble of Pittsfield, the sum of eleven hundred dollars and sixty-three cents as compensation for medical expenses, loss of wages and certain other expenses incurred by her arising out of an accident on October thirty-first, nineteen hun-

dred and sixty-two, which occurred on the premises of the Berkshire Community College in said city. No payment shall be made hereunder until there has been filed with the comptroller an agreement signed by said Dorothy R. Noble 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 August 19, 1963.

Chap. 138. RESOLVE IN FAVOR OF STANLEY A. MERCER, PAULINE M. MERCER AND WESLEY J. MERCER, CO-PARTNERS AND DOING BUSINESS AS MERCER CONSTRUCTION COMPANY.

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 Stanley A. Mercer, Pauline M. Mercer and Wesley J. Mercer, co-partners and doing business as Mercer Construction Company, the sum of seven hundred and thirty-seven dollars and forty-four cents for placing revetment and performing miscellaneous work along the west bank of the Housatonic river near Holmes road in the city of Pittsfield in the year nineteen hundred and fifty-seven at the request of the division of waterways, which bill is legally unenforceable because of the expiration of the time within which an action could be brought to recover said sum. *Approved August 26, 1963.*

Chap. 139. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION RELATIVE TO PROVIDING FOR PENSION CREDITS FOR CERTAIN JUNIOR CLERK TYPISTS EMPLOYED AT THE BOSTON CITY HOSPITAL.

Resolved, That the retirement law commission is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 3605, relative to providing for pension credits for certain junior clerk typists employed at the Boston city hospital.

Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of January, nineteen hundred and sixty-four.

Approved August 26, 1963.

Chap. 140. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION RELATIVE TO PROVIDING FOR AN INCREASED ALLOWANCE FOR EARNINGS OF A PERSON PENSIONED OR RETIRED FOR DISABILITY.

Resolved, That the retirement law commission is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 3242, relative to providing for an increased allowance for earnings of a person pensioned or retired for disability. Said commission shall report to the general court the results

of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate on or before the last Wednesday of December, nineteen hundred and sixty-three.

Approved September 9, 1963.

Chap. 141. RESOLVE VALIDATING THE ACTS OF ERMA C. DEVLIN AS A NOTARY PUBLIC.

Resolved, That the acts of Erma C. Devlin of Holyoke as a notary public between April twenty-fifth, nineteen hundred and fifty-nine and July twenty-sixth, nineteen hundred and sixty-three, 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 Erma C. Collins, she failed to re-register under her new name and pay to the state secretary a fee of one dollar as required by section thirteen of chapter thirty of the General Laws, are hereby confirmed and made valid.

Approved September 9, 1963.

Chap. 142. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION OF THE DESIRABILITY OF PROHIBITING PUBLIC OFFICIALS WHO RESIGN PRIOR TO THE DISPOSITION OF CRIMINAL CHARGES AGAINST THEM FOR MISCONDUCT IN OFFICE FROM RECEIVING PENSION AND RETIREMENT ALLOWANCES.

Resolved, That the retirement law commission is hereby authorized and directed to make an investigation and study of the desirability of prohibiting a public official, who resigns before criminal indictments or complaints brought against him for misconduct in office have been disposed of, from receiving his pension or retirement allowance.

Said commission shall determine the frequency of such resignations under such conditions and the most effective procedure to be adopted for the protection of the rights of the accused official and the public.

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 December first, nineteen hundred and sixty-three.

Approved September 9, 1963.

Chap. 143. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE WATER RESOURCES COMMISSION RELATIVE TO WATER RESOURCES IN THE COUNTIES OF BRISTOL AND PLYMOUTH.

Resolved, That the water resources commission is hereby authorized and directed to make an investigation and study of the methods of supplying water to the municipalities in Bristol and Plymouth counties in view of the expanding use of water for domestic and industrial purposes. Said commission shall study the availability of water supply sources, including the advisability of obtaining water from the metropolitan

water supply system, and determine how such water sources can best be utilized or allocated for water supply purposes by the municipalities in said counties acting either individually or jointly. Said commission may expend for the employment of engineers, geologists and other experts and assistants, and for other expenses, such sums as may be appropriated therefor. Said commission may report to the general court from time to time the results of its investigation and study and its recommendations, if any, together with plans showing possible water resources developments for said municipalities and estimates of cost, and drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives, and shall file its final report not later than the fourth Wednesday of January, nineteen hundred and sixty-five.

Approved September 9, 1963.

Chap. 144. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE COMMISSIONER OF ADMINISTRATION RELATIVE TO THE COLLECTION, TREATMENT AND DISPOSAL OF SOLID WASTE ORIGINATING IN THE METROPOLITAN BOSTON AREA.

Resolved, That the commissioner of administration, in co-operation with the department of public health, the department of natural resources and the metropolitan district commission, is hereby authorized and directed to make an investigation and study relative to the collection, treatment and disposal of solid waste originating in the metropolitan Boston area. Said investigation and study shall include the quantities and character of solid wastes currently produced, the adequacy of present methods of collection and disposal, the feasibility of providing regional disposal facilities, and the location of areas suitable for land reclamation projects.

Said commissioner shall consult with the appropriate officers and boards of the cities and towns affected, shall have access to all plans, reports and specifications of said cities and towns and of any person, corporation or industry located therein relative to the collection and disposal of solid waste, and may request and receive such assistance of federal, state and local governmental agencies as will facilitate and promote his investigation and study. Said commissioner may expend for engineering, technical and clerical assistance and for expenses such sums as may be appropriated therefor.

Said commissioner shall report from time to time 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, and shall file his final report with the clerk of the house of representatives on or before the last Wednesday of January, nineteen hundred and sixty-four. *Approved September 13, 1963.*

Chap. 145. RESOLVE VALIDATING THE ACTS OF TERESA J. LYNCH OF BELMONT AS A NOTARY PUBLIC.

Resolved, That the acts of Teresa J. Lynch of Belmont as a notary public, between February fourteenth, nineteen hundred and fifty-eight and July twenty-second, nineteen hundred and sixty-three, 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 Teresa J. Yantosca, she failed to re-register under her new name and pay to the state secretary a fee of one dollar as required by section thirteen of chapter thirty of the General Laws, are hereby confirmed and made valid.

Approved September 16, 1963.

Chap. 146. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE NUMBER AND THE GRANTING OF ALCOHOLIC BEVERAGE LICENSES IN THE CITY OF BOSTON.

Resolved, That a 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 of the number and the granting of licenses for the sale of alcoholic beverages in the city of Boston and the limitation thereof, with particular reference to (1) the displacement of alcoholic beverages licensees from licensed premises in said city by reason of the action of a public authority as in the cases of land takings for the government center, for the extension of the Massachusetts Turnpike, and for urban renewal and redevelopment; (2) the desirability and feasibility of the payment of compensation to such licensees by the public authority causing such displacement or by other public authority; (3) the payment by remaining licensees for the extinguishment of such licenses; and (4) the problem of the encroachment of such licensees upon residential districts and districts in which there are already sufficient licenses. *Approved September 20, 1963.*

Chap. 147. RESOLVE VALIDATING THE ACTS OF MILLY H. RIPLEY AS A NOTARY PUBLIC.

Resolved, That the acts of Milly H. Ripley of West Springfield as a notary public between November twenty-second, nineteen hundred and fifty-eight and August sixteenth, nineteen hundred and sixty-three, 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 Milly H. Yunker, she failed to re-register under her new name and pay to the state secretary a fee of one dollar as required by section thirteen of chapter thirty of the General Laws, are hereby confirmed and made valid.

Approved September 20, 1963.

Chap. 148. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE FEASIBILITY OF PLACING THE ESSEX SANATORIUM UNDER THE SUPERVISION AND CONTROL OF THE DEPARTMENT OF MENTAL HEALTH OR THE DEPARTMENT OF PUBLIC HEALTH.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives, the commissioner of mental health or his designee, the commissioner of public health or his designee, and five persons to be appointed by the governor, is hereby

established for the purpose of making an investigation and study relative to the feasibility of placing the Essex Sanatorium under the supervision and control of the department of mental health or the department of public health. *Approved September 27, 1963.*

Chap. 149. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO POSSIBLE IMPROVEMENTS IN THE METHODS OF COUNTING VOTES.

Resolved, That a 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 possible improvements in the methods of counting votes, including magnetic counting devices, and the various types of voting machines used within the commonwealth, their operation, the facilities provided for voters, including lighting in operating the same, and such other matters relating thereto which such commission shall deem advisable.

Approved September 27, 1963.

Chap. 150. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ADOPTION OF MEASURES WHICH WILL CREATE PERMANENT EMPLOYMENT OPPORTUNITIES IN CERTAIN "REDEVELOPMENT AREAS", SO CALLED, WITHIN THE COMMONWEALTH, AND PROVIDE FOR THE ESTABLISHMENT OF INDUSTRIAL DEVELOPMENT PROJECTS IN SAID AREAS.

Resolved, That a special commission to consist of two members of the senate, three members of the house of representatives, one person to be designated by the attorney general from his staff, and nine persons to be appointed by the governor, one of whom shall be a member of the Associated Industries of Massachusetts, and one of whom shall be a member of the Massachusetts Council AFL:CIO, is hereby established for the purpose of making an investigation and study of the adoption of measures which will create permanent employment opportunities in certain "redevelopment areas", so called, within the commonwealth, provide for the establishment of industrial development projects in such areas, and promote and assist economic development by private enterprise. Said commission may travel without the commonwealth.

Approved September 27, 1963.

Chap. 151. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO PROVIDING FOR REIMBURSEMENT OF PROPERTY OWNERS AND ABUTTERS IN THE CITY OF CHELSEA FOR DAMAGES CAUSED BY FLOODING FROM A CULVERT AT THE NORTHEAST EXPRESSWAY.

Resolved, That an unpaid special commission, to consist of the chairman of the state housing board or his designee, the commissioner of public works or his designee, and the mayor of the city of Chelsea or his designee, is hereby established for the purpose of making an investigation and study of the subject matter of current house document num-

bered 1610, providing for reimbursement of property owners and abutters in the city of Chelsea for damages caused by flooding from a culvert at the Northeast Expressway. *Approved October 2, 1963.*

Chap. 152. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION OF THE LAWS OF THE COMMONWEALTH RELATIVE TO LOANS AND CREDIT.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives, the commissioner of banks or his designee, and seven persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to the extension and modification of the laws relating to the general subject of loans and credit in the commonwealth. Said commission shall, in the course of its investigation and study, consider the effectiveness, the enforcement and the administration of the present laws relating to loans and credit, illegal lending operations and the problems of law enforcement created thereby, practices in the matter of installment credit which practices are against the public interest, the necessity of a "truth in credit" law, so called, the feasibility of a usury law, and any proposals relating to the general subject of loans and credit.

Said commission may require by summons the attendance and testimony under oath of witnesses and the production of books and papers and may call upon officials of the commonwealth or any of its political subdivisions for such assistance and information as it may require.

Approved October 7, 1963.

Chap. 153. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO IMPROVING AND EXTENDING EDUCATIONAL FACILITIES IN THE COMMONWEALTH.

Resolved, That the special commission, established by chapter one hundred and eight of the resolves of nineteen hundred and sixty-two, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 81, relative to changing the job group classifications of certain positions in the department of education; 183, establishing the salary of the president of the southeastern Massachusetts technological institute; and 186, changing the job group classification for certain employees of the New Bedford institute of technology; and of current house documents numbered 29, creating three assistant commissioners in the department of education; and 34, changing the job group classifications of certain positions in the department of education. *Approved October 10, 1963.*

Chap. 154. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO PROVIDING THAT NUMBER PLATES ISSUED FOR REGISTERED MOTOR VEHICLES OR TRAILERS BE OF THE REFLECTIVE TYPE.

Resolved, That a 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 to make an investigation and study of the subject matter of current senate document numbered 24, relative to providing that number plates issued for registered motor vehicles or trailers be reflective type plates.

Approved October 14, 1963.

Chap. 155. RESOLVE VALIDATING THE ACTS OF DOROTHY D. FISCHER OF NATICK AS A NOTARY PUBLIC.

Resolved, That the acts of Dorothy D. Fischer of Natick as a notary public between June twenty-fifth, nineteen hundred and sixty and June fourteenth, nineteen hundred and sixty-three, both dates inclusive, in so far as the same were invalid by reason of the fact that, upon the change of her name from Dorothy D. Jones, 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 October 16, 1963.*

Chap. 156. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO AUTHORIZING THE BOSTON REDEVELOPMENT AUTHORITY TO EXERCISE CERTAIN POWERS IN REGARD TO CERTAIN TIDELANDS ALONG THE ATLANTIC AVENUE AND COMMERCIAL STREET WATERFRONT IN THE CITY OF BOSTON.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives, one person to be appointed by the mayor of the city of Boston, one person to be appointed by the commissioner of public works, and two persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the subject matter of current senate document numbered 910, relative to authorizing the Boston Redevelopment Authority to exercise certain powers in regard to certain tidelands along the Atlantic Avenue and Commercial Street waterfront in the city of Boston. *Approved November 13, 1963.*

Chap. 157. RESOLVE IN FAVOR OF THE CHILDREN OF THE LATE WILLIAM F. JOYCE.

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 William F. Joyce, Jr., Sandra A. Joyce, Pamela G. Joyce, Patricia M. Joyce and James K. Joyce, children of the late William F. Joyce, who died while a member of the present house of representatives, or, if any of said children is a minor, to the guardian of such child, 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, to be divided among said children equally. *Approved November 13, 1963.*

Chap. 158. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE MORE EFFECTIVE USE OF THE SERVICES OF SPECIAL JUSTICES OF THE DISTRICT COURTS, AND CERTAIN RELATED MATTERS.

Resolved, That a special 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 for the purpose of making an investigation and study relative to the more effective use of the services of special justices of the district courts, and for the purpose of determining the advisability of using special justices on a full-time basis and the elimination of part-time justices. Said commission shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 272 and 281; and of current house documents numbered 1682, 1928, 1929, 1930, 2471, 2472 and 2473.

Approved November 14, 1963.

Chap. 159. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION OF PLANS AND COSTS FOR ADDITIONAL WATER SUPPLY SOURCES.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives, the commissioner of the metropolitan district commission or his designee, the commissioner of public health or his designee, the chairman of the water resources commission or his designee, and two persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the various plans and the estimated costs thereof for providing additional water supply sources throughout the commonwealth, with particular reference to the engineering plans and estimated costs of supplying water for the metropolitan water supply system by means of the diversion of the water of Miller's river and other water sources into said system.

Said commission shall report from time to time to the general court, but shall file its final report not later than the last Wednesday in December, nineteen hundred and sixty-four. *Approved November 15, 1963.*

Chap. 160. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO ASSISTING CITIES AND TOWNS IN THE METROPOLITAN PARKS DISTRICT TO PLAN AND DEVELOP THEIR NATURAL RESOURCES AND PROTECT THEIR WATERSHED RESOURCES.

Resolved, That a special commission to consist of two members of the senate, two members of the house of representatives, the commissioner of the metropolitan district commission, the commissioner of natural resources, and the president of the Massachusetts Association of Conservation Commissions, is hereby established for the purpose of making an investigation and study relative to the advisability of providing assistance to cities and towns within the metropolitan parks district which desire to plan and develop their natural resources and protect their watershed resources. Said commission shall report to the general court on or before the first Wednesday of March, nineteen hundred and sixty-four. *Approved November 16, 1963.*

Chap. 161. RESOLVE EXTENDING THE TIME WITHIN WHICH THE COMMISSIONER OF INSURANCE SHALL FILE HIS REPORT RELATIVE TO PROVIDING THAT NO INSURANCE AGENT SHALL BE CHARGED WITH A DECREASE OR DEDUCTION FROM SAID AGENT'S COMMISSION OR SALARY ON INDUSTRIAL LIFE INSURANCE POLICIES OR MONTHLY DEBIT ORDINARY AFTER HAVING BEEN PAID ON FOR ONE YEAR.

Resolved, That the time within which the commissioner of insurance shall file his report to the general court on the subject matter of current house document numbered 435, relative to providing that no insurance agent shall be charged with a decrease or deduction from said agent's commission or salary on industrial life insurance policies or monthly debit ordinary after having been paid on for one year, as authorized by chapter thirty-nine of the resolves of nineteen hundred and sixty-three, is hereby extended to the second Wednesday of March, nineteen hundred and sixty-four. *Approved November 16, 1963.*

Chap. 162. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION OF THE LAWS OF THE COMMONWEALTH RELATIVE TO THE ILLEGAL USE OF FIREARMS, THE CURRENT PROGRAMS OF PRISONER REHABILITATION AND PSYCHIATRIC TREATMENT, AND THE PROCEDURES EMPLOYED IN THE RELEASE OF PRISONERS ON PAROLE.

Resolved, That a special commission to consist of three members of the senate, five members of the house of representatives and seven persons to be appointed by the governor, is hereby established to make an investigation and study of (1) the laws of the commonwealth relative to the illegal possession, purchase, sale, transportation and use of firearms, machine guns, switch knives, and other dangerous weapons, and of the penalties provided for violations thereof, to determine whether the protection of the public requires that mandatory sentences of imprisonment be imposed for such violations; (2) the laws of the commonwealth relative to the release of prisoners on parole, and of the procedures employed in carrying out the provisions of such laws, to determine whether proper safeguards are observed for the protection of the public, and whether the protection of the public would be further promoted by the establishment of "halfway houses", so called, to provide an orderly return to society of prisoners released on parole and to provide a place of supervised return for prisoners who temporarily fail to achieve satisfactory rehabilitation; (3) the current programs for rehabilitation of prisoners, including instruction in trades and crafts during confinement, to determine whether such programs are being utilized to the best advantage and whether they should be further expanded; (4) the psychiatric treatment of prisoners while confined and while on parole to determine whether psychiatric facilities and personnel are adequate and utilized to the fullest extent and whether adequate reports of such treatment are currently available to the parole board; and (5) such other matters as may be necessary for the better protection of the public and improved procedures for a more effective operation of the parole system.

Said commission may travel without the commonwealth. Said commission shall report to the general court on or before the fifth Monday of March, nineteen hundred and sixty-four.

Approved November 16, 1963.

Chap. 163. RESOLVE CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO ALL PHASES OF THE CIVIL DEFENSE PROGRAM.

Resolved, That the time within which the special commission, established by chapter seventy-four of the resolves of the current year, shall report to the general court relative to various phases of the civil defense program is hereby extended to the last Wednesday of December, nineteen hundred and sixty-four. *Approved November 16, 1963.*

Chap. 164. RESOLVE PROVIDING FOR THE PAYMENT BY THE COMMONWEALTH OF A SUM OF MONEY TO RALPH PIETRO AND EVA PIETRO.

Resolved, That, for the purpose of discharging a moral obligation of the commonwealth, and after appropriation has been made therefor, there shall be allowed and paid out of the state treasury the sum of ten thousand dollars to Ralph Pietro and Eva Pietro, father and mother of Richard Pietro, who, while a patient at the Wrentham state school, was murdered by another patient on March thirtieth, nineteen hundred and sixty-two. *Approved November 16, 1963.*

Chap. 165. RESOLVE EXTENDING THE TIME WITHIN WHICH THE DEPARTMENT OF MENTAL HEALTH SHALL MAKE ITS REPORT RELATIVE TO PROVIDING PSYCHIATRIC SERVICES IN BERKSHIRE COUNTY.

Resolved, That the time within which the department of mental health shall make its report to the general court relative to providing psychiatric services in Berkshire county, as authorized by chapter one hundred and thirty of the resolves of nineteen hundred and sixty-three, is hereby extended to the first Wednesday of March, nineteen hundred and sixty-four. *Approved November 16, 1963.*

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.

The general court, during its first annual session held in 1963, passed 848 Acts and 165 Resolves, which received executive approval, and 1 Act from which executive approval was withheld but has become law by virtue of chapter 1, section 1, Article II of the Constitution of the Commonwealth.

The governor returned 5 Acts with his objections thereto in writing. Upon said 4 Acts his objections were sustained, and upon 1 Act his objections were not sustained.

One (1) Act entitled, "An Act authorizing the county commissioners of Berkshire county to pay to Arthur S. Menard a sum of money for certain professional engineering services rendered to said county" (Chapter 738) was passed, but failed to receive executive approval; as, however, it was not returned, with objections thereto, within five days after it had been received in the executive department, the general court not having been prorogued in the meantime, said act has the force of law, under the provisions of the Constitution governing such cases and has been so certified.

Four (4) Acts entitled, respectively, "An Act repealing the appropriation for the acquisition of land for a mental health center"; "An Act providing for the appointment of parking control officers"; "An Act providing for the taking of land of the Charles River Park Inc. by the state housing authority for the purpose of middle and low rent housing"; and "An Act placing the question of adopting the Plan A form of city government on the ballot to be used at the municipal election in the city of Haverhill in the current year" were passed and laid before the governor for his approval; were returned by him with his objections thereto, to the branch in which they respectively originated; were reconsidered, and the vote being taken on their passage, the objections of the governor thereto notwithstanding, they were rejected, and said acts thereby became void.

One (1) Act entitled, "An Act prohibiting certain lie detector tests" (Chapter 797) was passed and laid before the governor for his approval; was returned by him with his objections thereto, to the branch in which it originated; was reconsidered, agreeably to the provisions of the Constitution, and the vote being taken on its passage, the objections of the governor thereto notwithstanding, it was passed, and said act has thereby the force of law.

Nineteen (19) Acts entitled, respectively, "An Act relative to incurring liabilities prior to annual appropriations" (Chapter 62); "An Act extending the time for the licensing of certain master gas fitters or journeymen gas fitters without examination" (Chapter 377); "An Act providing that the assistant adjutant general who is designated executive officer of the military division shall hold the grade of brigadier general" (Chapter 395); "An Act regulating the removal, filling and dredging of

certain areas bordering on the coastal waters of the commonwealth" (Chapter 426); "An Act providing a penalty for abandoning motor vehicles on public or private ways or on certain property" (Chapter 525); "An Act to provide for an additional court officer in the municipal court of the Dorchester district" (Chapter 564); "An Act abolishing the use of prisoners' cages in courtrooms of the commonwealth" (Chapter 665); "An Act establishing the governor's highway safety committee" (Chapter 674); "An Act increasing the membership and increasing the term and salary of the members of the Massachusetts Commission Against Discrimination" (Chapter 719); "An Act providing for the entry of the commonwealth into an interstate compact on vehicle equipment safety" (Chapter 721); "An Act allowing continued employment after age seventy to certain skilled persons whether or not they are members of a contributory retirement system" (Chapter 749); "An Act providing that certain licenses and authorizations for placing and maintaining fill or erecting and maintaining structures on certain land, now or formerly in tidewater, in the Dorchester district of the city of Boston be irrevocable" (Chapter 784); "An Act providing that certain licenses for placing and maintaining fill and structures over certain tidewaters of Mystic River in the city of Everett and Island End River in said city and the city of Chelsea be irrevocable" (Chapter 785); "An Act providing for an administrative assistant to the chief justice of the superior court" (Chapter 787); "An Act providing for an administrative assistant to the chief justice of the superior court" (Chapter 787); "An Act providing a tax abatement for certain elderly persons" (Chapter 808); "An Act relative to the procedure against violators of motor vehicle laws" (Chapter 818); "An Act abolishing the present public works commission and establishing in place thereof a new public works commission consisting of five members, and further reorganizing the department of public works" (Chapter 821); "An Act relative to the accelerated highway program" (Chapter 822); and "An Act authorizing the issuance of an alcoholic beverages license to the Valladolid Building Association of Lynn, Mass." (Chapter 838) 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 62 thereby took effect at 4:40 P.M. on February 25, 1963; said Chapter 377 at 11:45 A.M. on May 13, 1963; said Chapter 395 at 4:00 P.M. on May 16, 1963; said Chapter 426 at 3:30 P.M. on May 22, 1963; said Chapter 525 at 4:15 P.M. on July 29, 1963; said Chapter 564 at 3:50 P.M. on July 25, 1963; said Chapter 665 at 4:45 P.M. on August 22, 1963; said Chapter 674 at 4:40 P.M. on September 4, 1963; said Chapter 719 at 11:45 A.M. on November 27, 1963; said Chapter 721 at 4:55 P.M. on September 24, 1963; said Chapter 749 at 11:00 A.M. on October 21, 1963; said Chapter 784 at 12:25 P.M. on November 4, 1963; said Chapter 785 at 12:26 P.M. on November 4, 1963; said Chapter 787 at 3:35 P.M. on November 5, 1963; said Chapter 808 at 11:30 A.M. on November 13, 1963; said Chapter 818 at 5:30 P.M. on November 14, 1963; said Chapter 821 at 1:10 P.M. on November 15, 1963; said Chapter 822 at 8:10 P.M. on November 15, 1963; and said Chapter 838 at 5:05 P.M. on November 16, 1963.

The general court was prorogued on Saturday, November 16, 1963, at seven o'clock and eleven minutes P.M., the session having occupied 319 days.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Three.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION AUTHORIZING THE GENERAL COURT TO ENACT LEGISLATION TO PROVIDE FOR CONTINUITY OF GOVERNMENT.

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution [if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following]:

ARTICLE OF AMENDMENT.

ART. . The general court shall have full power and authority to provide for prompt and temporary succession to the powers and duties of public offices, of whatever nature and whether filled by election or appointment, the incumbents of which may become unavailable for carrying on the powers and duties of such offices in periods of emergency resulting from disaster caused by enemy attack, and to adopt such other measures as may be necessary and proper for insuring continuity of the government of the commonwealth and the governments of its political subdivisions.

IN JOINT SESSION, July 18, 1962.

The foregoing legislative amendment of the Constitution is agreed to in joint session of the two houses of the General Court, the said amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

THOMAS A. CHADWICK,
Clerk of the Joint Session.

IN JOINT SESSION, May 8, 1963.

The foregoing legislative amendment is agreed to in joint session of the two houses of the General Court, the said amendment having received the affirmative votes of a majority of all the members elected; and this fact is hereby certified to the Secretary of the Commonwealth, in accordance with a provision of the Constitution.

THOMAS A. CHADWICK,
Clerk of the Joint Session.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Three.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION PROVIDING FOR A TWO-THIRDS VOTE OF EACH HOUSE OF THE GENERAL COURT ON LEGISLATION PLEDGING THE CREDIT OF THE COMMONWEALTH.

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution [if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following]:

ARTICLE OF AMENDMENT.

ART. . Article LXII of the Amendments to the Constitution is hereby amended by striking out section 1 and inserting in place thereof the following section: — *Section 1.* The commonwealth may give, loan or pledge its credit only by a vote, taken by the yeas and nays, of two-thirds of each house of the General Court present and voting thereon. The credit of the commonwealth shall not in any manner be given or loaned to or in aid of any individual, or of any private association, or of any corporation which is privately owned and managed.

IN JOINT SESSION, March 29, 1961.

The foregoing legislative amendment of the Constitution is agreed to in joint session of the two houses of the General Court, the said amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

IRVING N. HAYDEN,
Clerk of the Joint Session.

IN JOINT SESSION, May 8, 1963.

The foregoing legislative amendment is agreed to in joint session of the two houses of the General Court, the said amendment having received the affirmative votes of a majority of all the members elected; and this fact is hereby certified to the Secretary of the Commonwealth, in accordance with a provision of the Constitution.

THOMAS A. CHADWICK,
Clerk of the Joint Session.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Three.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION PROVIDING FOUR-YEAR TERMS FOR THE GOVERNOR, LIEUTENANT-GOVERNOR, SECRETARY, TREASURER AND RECEIVER-GENERAL, ATTORNEY-GENERAL AND AUDITOR OF THE COMMONWEALTH.

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution [if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following]:

ARTICLE OF AMENDMENT.

ART. . Article LXIV of the Amendments to the Constitution, as amended by Article LXXX of said Amendments, is hereby annulled, and the following is adopted in place thereof: —

ARTICLE LXIV. *Section 1.* The governor, lieutenant-governor, secretary, treasurer and receiver-general, attorney-general, and auditor shall be elected quadrennially and councillors, senators and representatives shall be elected biennially. The terms of the governor and lieutenant-governor shall begin at noon on the Thursday next following the first Wednesday in January succeeding their election and shall end at noon on the Thursday next following the first Wednesday in January in the fifth year following their election. If the governor elect shall have died before the qualification of the lieutenant-governor elect, the lieutenant-governor elect upon qualification shall become governor. If both the governor elect and the lieutenant-governor elect shall have died both said offices shall be deemed to be vacant and the provisions of Article LV of the Amendments to the Constitution shall apply. The terms of the secretary, treasurer and receiver-general, attorney-general, and auditor shall begin with the third Wednesday in January succeeding their election and shall extend to the third Wednesday in January in the fifth year following their election and until their successors are chosen and qualified. The terms of the councillors shall begin at noon on the Thursday next following the first Wednesday in January succeeding their election and shall end at noon on the Thursday next following the first Wednesday in January in the third year following their election. The terms of senators and representatives shall begin with the first Wednesday in January succeeding their election and shall extend to the first Wednesday in January in the third year following their election and until their successors are chosen and qualified.

Section 2. The General Court shall assemble every year on the first Wednesday in January.

Section 3. The first election to which this article shall apply shall be held on the Tuesday next after the first Monday in November in the year nineteen hundred and sixty-six, and thereafter elections for the choice of a governor, lieutenant-governor, secretary, treasurer and receiver-general, attorney-general, and auditor shall be held quadrennially on the Tuesday next after the first Monday in November and elections for the choice of councillors, senators and representatives shall be held biennially on the Tuesday next after the first Monday in November.

IN JOINT SESSION, March 29, 1961.

The foregoing legislative amendment of the Constitution is agreed to in joint session of the two houses of the General Court, the said amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

IRVING N. HAYDEN,
Clerk of the Joint Session.

IN JOINT SESSION, May 8, 1963.

The foregoing legislative amendment is agreed to in joint session of the two houses of the General Court, the said amendment having received the affirmative votes of a majority of all the members elected; and this fact is hereby certified to the Secretary of the Commonwealth, in accordance with a provision of the Constitution.

THOMAS A. CHADWICK,
Clerk of the Joint Session.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Three.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION PROVIDING THAT THE GOVERNOR OR THE COUNCIL MAY REQUIRE AN OPINION OF THE JUSTICES OF THE SUPREME JUDICIAL COURT ON CERTAIN MATTERS.

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution [if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following]:

ARTICLE OF AMENDMENT.

ART. . Article II of Chapter III of the Constitution of the commonwealth is hereby annulled and the following is adopted in place thereof: —

ARTICLE II. Each branch of the legislature, as well as the governor or the council, shall have authority to require the opinions of the justices of the supreme judicial court, upon important questions of law, and upon solemn occasions.

IN JOINT SESSION, July 18, 1962.

The foregoing legislative amendment of the Constitution is agreed to in joint session of the two houses of the General Court, the said amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

THOMAS A. CHADWICK,
Clerk of the Joint Session.

IN JOINT SESSION, May 8, 1963.

The foregoing legislative amendment is agreed to in joint session of the two houses of the General Court, the said amendment having received the affirmative votes of a majority of all the members elected; and this fact is hereby certified to the Secretary of the Commonwealth, in accordance with a provision of the Constitution.

THOMAS A. CHADWICK,
Clerk of the Joint Session.

RETURN OF VOTES ON QUESTION NO. 1, BEING A LEGISLATIVE AMENDMENT TO THE CONSTITUTION, SUBMITTED UNDER THE PROVISIONS OF ARTICLE XLVIII OF THE AMENDMENTS TO THE CONSTITUTION TO THE VOTERS OF THE COMMONWEALTH AT THE STATE ELECTION HELD NOVEMBER 6, 1962.

Votes on Question No. 1 (Proposed Amendment to the Constitution).

Do you approve of the adoption of an amendment to the Constitution summarized below which was approved by the General Court in a joint session of the two branches held May 13, 1959, received 143 votes in the affirmative and 118 in the negative, and in a joint session of the two branches held March 29, 1961, received 144 votes in the affirmative and 121 in the negative?

Summary.

The proposed amendment imposes no new taxes but gives the General Court the power to pass an income tax at graduated or proportioned rates and is a change in the constitutional limitations now in effect on the power of the General Court to pass tax measures. The proposed amendment would add a new Article to the Constitution of the Commonwealth by which full power and authority is granted to the General Court, in the alternative to the power and authority to tax incomes in the manner provided in Article XLIV of the Amendments to the Constitution, to impose a tax on incomes at rates which are proportioned or graduated according to the amount of income received, irrespective of the source from which it may be derived, and to grant reasonable exemptions, deductions and abatements. It further provides that any property the income of which is taxed under the provisions of the proposed Article may be exempted from the imposition and levying of proportional and reasonable assessments, rates and taxes as at present authorized by the Constitution, and that the Article shall not be construed to limit the power of the General Court to impose and levy reasonable duties and excises.

County of Barnstable.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Barnstable	619	5,135	767	6,521
Bourne	268	1,632	322	2,222
Brewster	63	552	99	714
Chatham	239	1,265	225	1,729
Dennis	204	1,699	320	2,223
Eastham	94	529	85	708
Falmouth	910	3,198	731	4,839
Harwich	274	1,651	249	2,174
Mashpee	45	114	71	230
Orleans	175	1,006	161	1,342
Provincetown	188	819	327	1,334
Sandwich	87	712	139	938
Truro	46	277	70	393
Wellfleet	98	484	80	662
Yarmouth	282	2,449	352	3,083
Totals	3,592	21,522	3,998	29,112

County of Berkshire.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Adams	722	3,621	1,224	5,567
Alford	30	53	21	104
Becket	72	191	47	310
Cheshire	203	580	169	952
Clarksburg	126	462	123	711
Dalton	780	1,622	388	2,790
Egremont	122	214	73	409
Florida	34	148	74	256
Great Barrington	851	1,232	762	2,845
Hancock	41	109	39	189
Hinsdale	172	278	105	555
Lanesborough	304	637	183	1,124
Lee	602	1,065	443	2,110
Lenox	501	964	344	1,809
Monterey	72	115	55	242
Mount Washington	11	13	10	34
New Ashford	11	45	14	70
New Marlborough	95	154	83	332
NORTH ADAMS	1,259	5,222	1,644	8,125
Otis	24	84	75	183
Peru	16	39	20	75
PITTSFIELD	5,263	10,757	8,145	24,165
Richmond	119	236	78	433
Sandisfield	47	79	62	188
Savoy	22	87	34	143
Sheffield	258	364	176	798
Stockbridge	368	471	166	1,005
Tyringham	32	57	23	112
Washington	30	54	13	97
West Stockbridge	157	237	149	543
Williamstown	588	1,821	336	2,745
Windsor	46	64	34	144
Totals	12,978	31,075	15,112	59,165

County of Bristol.

Acushnet	340	1,712	468	2,520
ATTLEBORO	1,498	6,996	1,673	10,167
Berkley	110	365	140	615
Dartmouth	761	4,776	1,270	6,807
Dighton	243	949	261	1,453
Easton	567	2,732	556	3,855
Fairhaven	741	4,532	989	6,262
FALL RIVER	7,532	22,041	13,952	43,525
Freetown	208	771	217	1,196
Mansfield	560	2,266	476	3,302
NEW BEDFORD	5,633	29,211	9,150	43,994
North Attleborough	805	3,995	1,017	5,817
Norton	361	1,524	281	2,166
Raynham	252	1,412	353	2,017
Rehoboth	367	1,143	423	1,933
Seekonk	723	2,072	707	3,502
Somerset	880	3,714	1,233	5,827
Swansea	793	2,804	961	4,558
TAUNTON	1,885	9,922	4,162	15,969
Westport	513	1,834	757	3,104
Totals	24,772	104,771	39,046	168,589

County of Dukes County.

Chilmark	25	80	29	134
Edgartown	115	402	192	709
Gay Head	7	13	28	48
Gosnold	6	30	7	43
Oak Bluffs	124	343	215	682
Tisbury	216	565	293	1,074
West Tisbury	51	95	49	195
Totals	544	1,528	813	2,885

County of Essex.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Amesbury	552	3,239	901	4,692
Andover	927	6,488	1,112	8,527
BEVERLY	1,808	11,761	2,285	15,854
Boxford	150	866	101	1,117
Danvers	1,045	7,001	964	9,010
Essex	93	740	171	1,004
Georgetown	193	1,230	235	1,658
GLOUCESTER	1,156	7,286	2,383	10,825
Groveland	184	1,111	222	1,517
Hamilton	302	1,866	313	2,481
HAVERHILL	2,635	12,798	4,282	19,715
Ipswich	475	2,652	785	3,912
LAWRENCE	4,702	20,164	8,327	33,193
LYNN	6,011	27,631	7,476	41,118
Lynnfield	463	3,370	371	4,204
Manchester	222	1,533	271	2,026
Marblehead	1,168	7,392	956	9,516
Merrimac	235	1,005	231	1,471
Methuen	1,670	9,329	2,682	13,681
Middleton	156	921	175	1,252
Nahant	231	1,268	233	1,732
Newbury	135	1,138	180	1,453
NEWBURYPORT	828	4,386	1,456	6,670
North Andover	580	4,014	932	5,526
PEABODY	2,320	10,283	3,175	15,778
Rockport	282	1,904	437	2,623
Rowley	105	815	180	1,100
SALEM	3,042	12,109	3,621	18,772
Salisbury	174	1,116	277	1,567
Saugus	1,187	6,714	1,099	9,000
Swampscott	538	3,891	2,077	6,506
Topsfield	192	1,331	86	1,609
Wenham	123	1,075	123	1,321
West Newbury	96	631	126	853
Totals	33,980	179,058	48,245	261,283

County of Franklin.

Ashfield	91	291	91	473
Bernardston	73	314	106	493
Buckland	106	461	144	711
Charlemont	41	246	89	376
Colrain	83	328	113	524
Conway	64	201	85	350
Deerfield	208	846	307	1,361
Erving	75	345	121	541
Gill	54	319	72	445
Greenfield	1,277	5,356	1,160	7,793
Hawley	10	47	25	82
Heath	14	82	25	121
Leverett	65	185	37	287
Leyden	15	90	23	128
Monroe	15	39	18	72
Montague	481	2,417	737	3,635
New Salem	16	153	18	187
Northfield	149	635	142	926
Orange	180	1,802	337	2,319
Rowe	26	84	31	141
Shelburne	113	539	161	813
Shutesbury	29	66	24	119
Sunderland	103	311	89	503
Warwick	29	132	31	192
Wendell	14	67	25	106
Whately	65	243	110	418
Totals	3,396	15,599	4,121	23,116

County of Hampden.

Agawam	838	4,838	1,009	6,685
Blandford	66	231	56	353
Brimfield	88	386	99	573

County of Hampden — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Chester	75	224	112	411
CHICOPEE	3,046	12,558	5,708	21,312
East Longmeadow	344	2,796	1,209	4,349
Granville	62	235	78	375
Hampden	170	707	119	996
Holland	40	172	62	274
HOLYOKE	1,344	9,690	10,322	21,356
Longmeadow	646	4,143	554	5,343
Ludlow	861	3,802	1,276	5,939
Monson	307	1,294	465	2,066
Montgomery	21	105	30	156
Palmer	567	3,193	976	4,736
Russell	68	318	95	481
Southwick	364	1,179	319	1,862
SPRINGFIELD	4,698	27,380	25,937	58,015
Tolland	13	35	17	65
Wales	44	163	58	265
West Springfield	1,520	7,133	1,590	10,243
WESTFIELD	1,447	6,864	1,925	10,236
Wilbraham	417	2,595	411	3,423
Totals	17,046	90,041	52,427	159,514

County of Hampshire.

Amherst	1,256	1,931	528	3,715
Belchertown	208	950	266	1,424
Chesterfield	37	135	74	246
Cummington	64	179	51	294
Easthampton	614	3,708	1,082	5,404
Goshen	20	145	25	190
Granby	216	1,001	213	1,430
Hadley	224	723	345	1,292
Hatfield	145	543	267	955
Huntington	85	337	137	559
Middlefield	29	53	27	109
NORTHAMPTON	1,569	7,054	2,059	10,682
Pelham	73	193	57	323
Plainfield	21	71	22	114
South Hadley	853	3,833	937	5,623
Southampton	107	658	126	891
Ware	486	2,243	1,047	3,776
Westhampton	17	194	24	235
Williamsburg	147	590	187	924
Worthington	28	168	56	252
Totals	6,199	24,709	7,530	38,438

County of Middlesex.

Acton	454	2,554	238	3,246
Arlington	2,837	19,658	2,598	25,093
Ashby	148	464	123	735
Ashland	410	2,261	315	2,986
Ayer	234	952	266	1,452
Bedford	517	2,518	314	3,349
Belmont	1,877	11,401	1,624	14,902
Billerica	939	4,980	691	6,610
Boxborough	51	270	31	352
Burlington	727	4,159	528	5,414
CAMBRIDGE	6,851	27,448	6,394	40,693
Carlisle	83	550	58	691
Chelmsford	890	6,072	767	7,729
Concord	926	4,381	441	5,748
Dracut	683	4,667	874	6,224
Dunstable	40	246	48	334
EVERETT	935	8,680	9,516	19,131
Framingham	2,767	13,486	2,095	18,348
Groton	280	1,110	201	1,591
Holliston	358	2,132	226	2,716
Hopkinton	292	1,452	316	2,060
Hudson	486	3,059	700	4,245

County of Middlesex — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Lexington	1,868	6,797	3,028	11,693
Lincoln	528	1,223	151	1,902
Littleton	200	1,507	165	1,872
LOWELL	5,614	28,670	7,123	41,407
MALDEN	3,170	18,351	3,957	25,478
MARLBOROUGH	900	6,756	1,357	9,013
Maynard	475	2,262	600	3,337
MEDFORD	3,355	21,166	5,045	29,566
MELROSE	1,570	11,467	1,505	14,542
Natick	1,713	8,756	1,324	11,793
NEWTON	6,439	31,401	4,618	42,458
North Reading	557	2,538	374	3,469
Pepperell	229	1,179	205	1,613
Reading	943	7,365	782	9,090
Sherborn	118	753	89	960
Shirley	138	738	197	1,073
SOMERVILLE	5,050	26,065	6,913	38,028
Stoneham	1,165	5,842	860	7,867
Stow	179	827	134	1,140
Sudbury	688	2,596	226	3,510
Tewksbury	743	3,946	522	5,211
Townsend	189	1,081	187	1,457
Tyngsborough	153	958	257	1,368
Wakefield	1,255	8,603	1,288	11,146
WALTHAM	1,571	10,480	8,426	20,477
Watertown	2,544	12,357	2,458	17,359
Wayland	818	3,439	354	4,611
Westford	342	2,026	414	2,782
Weston	546	3,224	295	4,065
Wilmington	555	3,709	418	4,682
Winchester	1,065	7,565	960	9,590
WOBURN	1,647	10,213	1,668	13,528
Totals	69,112	376,360	84,264	529,736

County of Nantucket.

Nantucket	230	888	566	1,684

County of Norfolk.

Avon	250	1,328	284	1,862
Bellingham	438	1,708	684	2,830
Braintree	1,804	11,164	1,383	14,351
Brookline	2,694	13,906	9,830	26,430
Canton	1,089	4,089	683	5,861
Cohasset	340	2,135	330	2,805
Dedham	1,087	8,722	1,403	11,212
Dover	193	1,299	129	1,621
Foxborough	456	2,923	384	3,763
Franklin	816	2,656	871	4,343
Holbrook	599	2,909	509	4,017
Medfield	341	1,765	282	2,388
Medway	354	1,766	357	2,477
Millis	235	1,374	247	1,856
Milton	1,450	11,362	1,443	14,255
Needham	1,324	10,639	1,043	13,006
Norfolk	163	808	131	1,102
Norwood	1,508	8,052	1,515	11,075
Plainville	195	1,137	205	1,537
QUINCY	4,449	29,402	5,372	39,223
Randolph	1,099	6,167	1,074	8,340
Sharon	770	3,234	394	4,398
Stoughton	1,115	4,713	983	6,811
Walpole	1,011	4,315	691	6,017
Wellesley	1,380	9,590	1,055	12,025
Westwood	479	4,289	379	5,147
Weymouth	2,336	15,630	1,892	19,858
Wrentham	229	1,320	338	1,887
Totals	28,204	168,402	33,891	230,497

County of Plymouth.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Abington	589	3,037	563	4,189
Bridgewater	451	2,141	577	3,169
BROCKTON	4,787	21,612	4,909	31,308
Carver	93	376	125	594
Duxbury	209	2,127	240	2,576
East Bridgewater	337	1,691	397	2,425
Halifax	134	578	95	807
Hanover	358	1,935	297	2,590
Hanson	232	1,184	272	1,688
Hingham	873	5,231	654	6,758
Hull	437	2,066	529	3,032
Kingston	271	1,246	391	1,908
Lakeville	170	949	196	1,315
Marion	109	992	164	1,265
Marshfield	569	2,523	354	3,446
Mattapoisett	154	1,153	178	1,485
Middleborough	649	2,930	762	4,341
Norwell	318	1,800	210	2,328
Pembroke	303	1,510	287	2,100
Plymouth	992	4,044	1,446	6,482
Plympton	53	243	42	338
Rochester	65	443	69	577
Rockland	731	3,522	795	5,048
Scituate	690	3,854	478	5,022
Wareham	447	2,005	622	3,074
West Bridgewater	299	1,571	286	2,156
Whitman	568	3,098	751	4,417
Totals	14,888	73,861	15,689	104,438

County of Suffolk.

BOSTON	21,361	120,777	103,951	246,089
CHELSEA	1,350	8,293	3,882	13,525
REVERE	1,956	12,024	4,316	18,296
Winthrop	814	5,313	2,581	8,708
Totals	25,481	146,407	114,730	286,618

County of Worcester.

Ashburnham	167	963	162	1,292
Athol	484	3,806	771	5,061
Auburn	976	3,873	1,187	6,036
Barre	220	908	465	1,593
Berlin	119	499	109	727
Blackstone	495	1,123	514	2,132
Bolton	64	424	98	586
Boylston	175	758	161	1,094
Brookfield	101	480	149	730
Charlton	185	825	256	1,266
Clinton	692	3,752	1,334	5,778
Douglas	188	807	306	1,301
Dudley	235	1,938	589	2,762
East Brookfield	109	414	136	659
FITCHBURG	2,543	11,960	3,710	18,213
GARDNER	917	5,937	1,138	7,992
Grafton	529	2,352	948	3,829
Hardwick	141	540	252	933
Harvard	144	674	88	906
Holden	668	3,671	647	4,986
Hopedale	217	1,471	341	2,029
Hubbardston	65	357	79	501
Lancaster	169	1,133	275	1,577
Leicester	593	1,887	881	3,361
LEOMINSTER	1,782	7,797	2,377	11,956
Lunenburg	334	1,994	426	2,754
Mendon	111	655	183	949
Milford	824	4,538	2,028	7,390
Millbury	675	2,245	1,077	3,997
Millville	148	381	198	727
New Braintree	17	131	38	186

County of Worcester — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
North Brookfield	192	990	378	1,560
Northborough	453	1,970	308	2,731
Northbridge	791	3,141	993	4,925
Oakham	40	166	47	253
Oxford	593	2,167	655	3,415
Paxton	148	842	160	1,150
Petersham	57	269	69	395
Phillipston	32	209	36	277
Princeton	104	418	96	618
Royalston	33	205	62	300
Rutland	166	694	142	1,002
Shrewsbury	1,123	4,854	1,346	7,323
Southborough	259	1,344	208	1,811
Southbridge	584	5,347	1,618	7,549
Spencer	582	1,944	949	3,475
Sterling	187	993	206	1,386
Sturbridge	160	1,099	324	1,583
Sutton	217	871	328	1,416
Templeton	227	1,443	290	1,960
Upton	182	860	270	1,312
Uxbridge	460	2,070	826	3,356
Warren	191	933	376	1,500
Webster	586	4,419	1,521	6,526
West Boylston	392	1,743	324	2,459
West Brookfield	150	575	188	913
Westborough	437	2,424	487	3,348
Westminster	202	1,271	207	1,680
Winchendon	417	1,557	501	2,475
WORCESTER	14,137	48,664	16,174	78,975
Totals	37,189	161,775	50,012	248,976

AGGREGATE OF VOTES.

Counties.	Yes.	No.	Blanks.	Total Ballots.
BARNSTABLE	3,592	21,522	3,998	29,112
BERKSHIRE	12,978	31,075	15,112	59,165
BRISTOL	24,772	104,771	39,046	168,589
DUKES COUNTY	544	1,528	813	2,885
ESSEX	33,980	179,058	48,245	261,283
FRANKLIN	3,396	15,599	4,121	23,116
HAMPDEN	17,046	90,041	52,427	159,514
HAMPSHIRE	6,199	24,709	7,530	38,438
MIDDLESEX	69,112	376,360	84,264	529,736
NANTUCKET	230	888	566	1,684
NORFOLK	28,204	168,402	33,891	230,497
PLYMOUTH	14,888	73,861	15,689	104,438
SUFFOLK	25,481	146,407	114,730	286,618
WORCESTER	37,189	161,775	50,012	248,976
Totals	277,611	1,395,996	470,444	2,144,051

RETURN OF VOTES ON QUESTION NO. 2, BEING A LEGISLATIVE AMENDMENT TO THE CONSTITUTION, SUBMITTED UNDER THE PROVISIONS OF ARTICLE XLVIII OF THE AMENDMENTS TO THE CONSTITUTION TO THE VOTERS OF THE COMMONWEALTH AT THE STATE ELECTION HELD NOVEMBER 6, 1962.

Votes on Question No. 2 (Law Submitted upon Referendum after Passage).

Do you approve of a law summarized below, which was approved by both branches of the General Court by vote not recorded?

Summary.

This act increases the compensation each member of the General Court shall receive for each regular annual session from fifty-two hundred dollars to sixty-seven hundred dollars and increases the additional compensation the President of the Senate and the Speaker of the House of Representatives shall receive from fifty-two hundred dollars to sixty-seven hundred dollars. The act also increases the additional compensation the floor leaders of the major political parties in the Senate and House of Representatives, the Chairman of the Senate Committee on Ways and Means and the Chairman and Vice-Chairman of the House Committee on Ways and Means shall receive from twenty-six hundred dollars to thirty-three hundred and fifty dollars, and provides that a member of the General Court chosen to fill a vacancy, or who resigns his seat during a regular annual session, shall receive a per diem compensation at the increased rate of compensation for each regular annual session.

County of Barnstable.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Barnstable	791	4,826	904	6,521
Bourne	291	1,550	381	2,222
Brewster	87	519	108	714
Chatham	297	1,179	253	1,729
Dennis	290	1,605	328	2,223
Eastham	100	503	105	708
Falmouth	813	3,169	857	4,839
Harwich	317	1,567	290	2,174
Mashpee	26	117	87	230
Orleans	178	969	195	1,342
Provincetown	182	774	378	1,334
Sandwich	137	635	166	938
Truro	55	258	80	393
Wellfleet	101	467	94	662
Yarmouth	393	2,291	399	3,083
Totals	4,058	20,429	4,625	29,112

County of Berkshire.

Adams	572	3,571	1,424	5,567
Alford	19	63	22	104
Becket	59	191	60	310
Cheshire	177	560	215	952
Clarksburg	96	452	163	711
Dalton	498	1,843	449	2,790
Egremont	71	266	72	409
Florida	36	152	68	256
Great Barrington	560	1,485	800	2,845
Hancock	34	115	40	189
Hinsdale	126	308	121	555
Lanesborough	192	721	211	1,124
Lee	450	1,185	475	2,110
Lenox	324	1,087	398	1,809
Monterey	61	133	48	242
Mount Washington	11	11	12	34
New Ashford	9	46	15	70
New Marlborough	64	186	82	332
North Adams	1,094	5,130	1,901	8,125
Otis	25	85	73	183
Peru	15	37	23	75
Pittsfield	3,017	12,371	8,777	24,165
Richmond	69	284	80	433
Sandisfield	34	89	65	188
Savoy	12	85	46	143
Sheffield	205	401	192	798

County of Barnstable — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Stockbridge	216	603	186	1,005
Tyringham	21	67	24	112
Washington	26	52	19	97
West Stockbridge	100	289	154	543
Williamstown	453	1,831	461	2,745
Windsor	33	75	36	144
Totals	8,679	33,774	16,712	59,165

County of Bristol.

Acushnet	342	1,594	584	2,520
ATTLEBORO	1,600	6,621	1,946	10,167
Berkley	97	364	154	615
Dartmouth	809	4,523	1,475	6,807
Dighton	269	883	301	1,453
Easton	551	2,681	623	3,855
Fairhaven	806	4,275	1,181	6,262
FALL RIVER	6,614	21,902	15,009	43,525
Freetown	143	819	234	1,196
Mansfield	560	2,164	578	3,302
NEW BEDFORD	5,405	28,136	10,453	43,994
North Attleborough	860	3,657	1,300	5,817
Norton	332	1,502	332	2,166
Raynham	310	1,297	410	2,017
Rehoboth	390	1,122	421	1,933
Seekonk	665	2,080	757	3,502
Somerset	785	3,685	1,357	5,827
Swansea	636	2,890	1,032	4,558
TAUNTON	2,361	8,572	5,036	15,969
Westport	425	1,852	827	3,104
Totals	23,960	100,619	44,010	168,589

County of Essex.

Amesbury	518	3,145	1,029	4,692
Andover	1,188	5,972	1,367	8,527
BEVERLY	2,047	11,024	2,783	15,854
Boxford	200	800	117	1,117
Danvers	1,213	6,547	1,250	9,010
Essex	145	655	204	1,004
Georgetown	229	1,166	263	1,658
GLOUCESTER	1,746	6,389	2,690	10,825
Groveland	245	1,030	242	1,517
Hamilton	435	1,639	407	2,481
HAVERHILL	2,741	12,183	4,791	19,715
Ipswich	580	2,429	903	3,912
LAWRENCE	4,849	18,725	9,619	33,193
LYNN	5,211	27,717	8,190	41,118
Lynnfield	568	3,176	460	4,204
Manchester	327	1,369	330	2,026
Marblehead	1,417	6,917	1,182	9,516
Merrimac	173	1,025	273	1,471
Methuen	1,558	9,037	3,086	13,681
Middleton	171	853	228	1,252
Nahant	229	1,245	258	1,732
Newbury	168	1,074	211	1,453
NEWBURYPORT	902	4,154	1,614	6,670
North Andover	652	3,787	1,087	5,526
PEABODY	2,410	9,614	3,754	15,778
Rockport	446	1,678	499	2,623
Rowley	107	769	224	1,100
SALEM	2,931	11,236	4,605	18,772
Salisbury	188	1,083	296	1,567
Saugus	1,053	6,681	1,266	9,000
Swampscott	651	4,045	1,810	6,506
Topsfield	305	1,188	116	1,609
Wenham	213	937	171	1,321
West Newbury	89	616	148	853
Totals	35,905	169,905	55,473	261,283

County of Franklin.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Ashfield	94	277	102	473
Bernardston	80	286	127	493
Buckland	118	409	184	711
Charlemont	55	230	91	376
Colrain	83	307	134	524
Conway	69	186	95	350
Deerfield	257	763	341	1,361
Erving	75	328	138	541
Gill	60	288	97	445
Greenfield	1,474	4,911	1,408	7,793
Hawley	15	40	27	82
Heath	20	71	30	121
Leverett	47	200	40	287
Leyden	16	86	26	128
Monroe	19	36	17	72
Montague	546	2,213	876	3,635
New Salem	26	134	27	187
Northfield	179	571	176	926
Orange	226	1,661	432	2,319
Rowe	29	78	34	141
Shelburne	149	487	177	813
Shutesbury	25	67	27	119
Sunderland	108	299	96	503
Warwick	20	133	39	192
Wendell	6	70	30	106
Whately	67	226	125	418
Totals	3,863	14,357	4,896	23,116

County of Hampden.

Agawam	724	4,848	1,113	6,685
Blandford	49	250	54	353
Brimfield	70	397	106	573
Chester	102	189	120	411
CHICOPEE	2,489	12,758	6,065	21,312
East Longmeadow	282	2,908	1,159	4,349
Granville	34	258	83	375
Hampden	130	724	142	996
Holland	37	169	68	274
HOLYOKE	1,703	8,877	10,776	21,356
Longmeadow	709	4,061	573	5,343
Ludlow	1,045	3,865	1,029	5,939
Monson	270	1,286	510	2,066
Montgomery	18	103	35	156
Palmer	556	2,930	1,250	4,736
Russell	47	318	116	481
Southwick	329	1,200	333	1,862
SPRINGFIELD	3,457	28,366	26,192	58,015
Tolland	18	29	18	65
Wales	35	166	64	265
West Springfield	1,358	7,242	1,643	10,243
WESTFIELD	1,219	6,865	2,152	10,236
Wilbraham	434	2,533	456	3,423
Totals	15,115	90,342	54,057	159,514

County of Hampshire.

Amherst	1,035	2,055	625	3,715
Belchertown	188	988	248	1,424
Chesterfield	42	129	75	246
Cummington	38	193	63	294
Easthampton	593	3,531	1,280	5,404
Goshen	29	137	24	190
Granby	167	1,030	233	1,430
Hadley	179	726	387	1,292
Hatfield	139	509	307	955
Huntington	81	317	161	559
Middlefield	21	57	31	109
NORTHAMPTON	1,394	6,841	2,447	10,682

County of Hampshire — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Pelham	62	192	69	323
Plainfield	22	70	22	114
South Hadley	761	3,855	1,007	5,623
Southampton	94	651	146	891
Ware	407	2,248	1,121	3,776
Westhampton	31	170	34	235
Williamsburg	154	561	209	924
Worthington	31	155	66	252
Totals	5,468	24,415	8,555	38,438

County of Middlesex.

Acton	517	2,418	311	3,246
Arlington	2,958	19,130	3,005	25,093
Ashby	82	506	147	735
Ashland	469	2,118	399	2,986
Ayer	218	944	290	1,452
Bedford	602	2,402	345	3,349
Belmont	2,025	11,029	1,848	14,902
Billerica	857	4,976	777	6,610
Boxborough	50	271	31	352
Burlington	715	4,066	633	5,414
CAMBRIDGE	7,483	25,209	8,001	40,693
Carlisle	115	516	60	691
Chelmsford	914	5,998	817	7,729
Concord	1,191	3,903	654	5,748
Dracut	635	4,654	935	6,224
Dunstable	30	259	45	334
EVERETT	1,035	7,942	10,154	19,131
Framingham	3,375	12,333	2,640	18,348
Groton	256	1,115	220	1,591
Holliston	432	1,967	317	2,716
Hopkinton	271	1,438	351	2,060
Hudson	553	2,853	839	4,245
Lexington	1,600	6,680	3,413	11,693
Lincoln	517	1,188	197	1,902
Littleton	228	1,464	180	1,872
LOWELL	4,860	28,873	7,674	41,407
MALDEN	3,267	17,529	4,682	25,478
MARLBOROUGH	1,297	6,127	1,589	9,013
Maynard	395	2,272	670	3,337
MEDFORD	3,301	20,366	5,899	29,566
MELROSE	1,663	11,159	1,720	14,542
NATICK	1,905	8,263	1,625	11,793
NEWTON	6,378	30,374	5,706	42,458
North Reading	607	2,409	453	3,469
Pepperell	245	1,131	237	1,613
Reading	1,280	6,803	1,007	9,090
Sherborn	158	683	119	960
Shirley	127	686	260	1,073
SOMERVILLE	5,448	24,542	8,038	38,028
Stoneham	1,069	5,724	1,074	7,867
Stow	176	782	182	1,140
Sudbury	676	2,484	350	3,510
Tewksbury	593	4,020	598	5,211
Townsend	156	1,092	209	1,457
Tyngsborough	145	955	268	1,368
Wakefield	1,549	7,955	1,642	11,146
WALTHAM	1,884	9,287	9,306	20,477
Watertown	2,382	12,033	2,944	17,359
Wayland	881	3,264	466	4,611
Westford	290	2,048	444	2,782
Weston	791	2,938	336	4,065
Wilmington	611	3,562	509	4,682
Winchester	1,349	7,149	1,092	9,590
WOBURN	1,794	9,661	2,073	13,528
Totals	72,405	359,550	97,781	529,736

County of Nantucket.

Nantucket	351	706	627	1,684

County of Norfolk.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Avon	256	1,262	344	1,862
Bellingham	440	1,667	723	2,830
Braintree	1,840	10,986	1,525	14,351
Brookline	2,869	12,604	10,957	26,430
Canton	1,065	3,923	873	5,861
Cohasset	356	2,088	361	2,805
Dedham	1,436	7,958	1,818	11,212
Dover	314	1,133	174	1,621
Foxborough	599	2,665	499	3,763
Franklin	737	2,620	986	4,343
Holbrook	563	2,842	612	4,017
Medfield	412	1,646	330	2,388
Medway	395	1,666	416	2,477
Millis	288	1,286	282	1,856
Milton	1,854	10,633	1,768	14,255
Needham	1,840	9,890	1,276	13,006
Norfolk	152	802	148	1,102
Norwood	1,924	7,313	1,838	11,075
Plainville	302	986	249	1,537
QUINCY	4,650	28,481	6,092	39,223
Randolph	994	6,043	1,303	8,340
Sharon	692	3,254	452	4,398
Stoughton	1,103	4,610	1,098	6,811
Walpole	1,093	4,054	870	6,017
Wellesley	2,005	8,740	1,280	12,025
Westwood	700	3,952	495	5,147
Weymouth	2,482	15,092	2,284	19,858
Wrentham	272	1,317	298	1,887
Totals	31,633	159,513	39,351	230,497

County of Plymouth.

Abington	576	2,937	676	4,189
Bridgewater	441	2,073	655	3,169
BROCKTON	4,583	20,948	5,777	31,308
Carver	82	374	138	594
Duxbury	423	1,799	354	2,576
East Bridgewater	316	1,666	443	2,425
Halifax	126	559	122	807
Hanover	388	1,859	343	2,590
Hanson	213	1,151	324	1,688
Hingham	1,000	4,970	788	6,758
Hull	375	2,054	603	3,032
Kingston	287	1,177	444	1,908
Lakeville	203	871	241	1,315
Marion	179	890	196	1,265
Marshfield	562	2,480	404	3,446
Mattapoisett	190	1,055	240	1,485
Middleborough	610	2,899	832	4,341
Norwell	315	1,741	272	2,328
Pembroke	270	1,520	310	2,100
Plymouth	991	3,809	1,682	6,482
Plympton	47	241	50	338
Rochester	75	424	78	577
Rockland	667	3,459	922	5,048
Scituate	688	3,699	635	5,022
Wareham	453	1,919	702	3,074
West Bridgewater	274	1,565	317	2,156
Whitman	526	3,024	867	4,417
Totals	14,860	71,163	18,415	104,438

County of Suffolk.

BOSTON	23,159	107,525	115,405	246,089
CHELSEA	1,501	7,739	4,285	13,525
REVERE	1,946	11,392	4,958	18,296
Winthrop	967	5,089	2,652	8,708
Totals	27,573	131,745	127,300	286,618

County of Worcester.

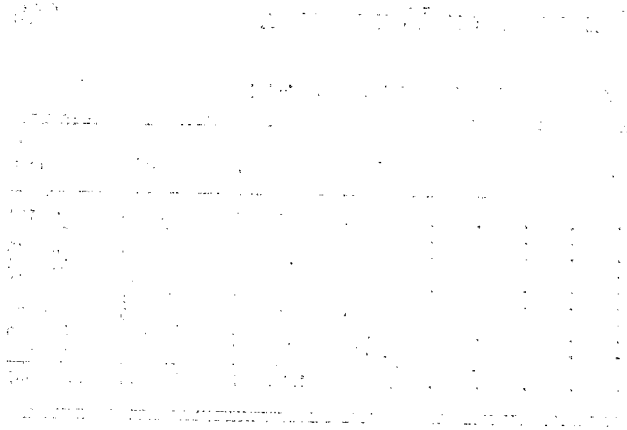
Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Ashburnham	170	909	213	1,292
Athol	437	3,784	840	5,061
Auburn	687	4,124	1,225	6,036
Barre	210	847	536	1,593
Berlin	98	515	114	727
Blackstone	476	1,116	540	2,132
Bolton	62	420	104	586
Boylston	111	806	177	1,094
Brookfield	100	458	172	730
Charlton	153	832	281	1,266
Clinton	719	3,553	1,506	5,778
Douglas	139	828	334	1,301
Dudley	216	1,817	729	2,762
East Brookfield	85	421	153	659
FITCHBURG	2,035	11,946	4,232	18,213
GARDNER	1,032	5,373	1,587	7,992
Grafton	467	2,348	1,014	3,829
Hardwick	143	523	267	933
Harvard	133	673	100	906
Holden	521	3,708	757	4,986
Hopedale	250	1,389	390	2,029
Hubbardston	50	364	87	501
Lancaster	142	1,138	297	1,577
Leicester	503	1,951	907	3,361
LEOMINSTER	1,728	7,371	2,857	11,956
Lunenburg	275	2,011	468	2,754
Mendon	116	627	206	949
Milford	921	4,058	2,411	7,390
Millbury	489	2,348	1,160	3,997
Millville	133	369	225	727
New Braintree	21	123	42	186
North Brookfield	163	978	419	1,560
Northborough	389	1,982	360	2,731
Northbridge	683	3,171	1,071	4,925
Oakham	23	173	57	253
Oxford	446	2,241	728	3,415
Paxton	118	856	176	1,150
Petersham	27	300	68	395
Phillipston	26	211	40	277
Princeton	95	415	108	618
Royalston	28	205	67	300
Rutland	132	714	156	1,002
Shrewsbury	832	5,047	1,444	7,323
Southborough	314	1,213	284	1,811
Southbridge	737	4,668	2,144	7,549
Spencer	505	1,949	1,021	3,475
Sterling	119	1,033	234	1,386
Sturbridge	190	993	400	1,583
Sutton	139	911	366	1,416
Templeton	234	1,384	342	1,960
Upton	159	852	301	1,312
Uxbridge	428	2,021	907	3,356
Warren	205	866	429	1,500
Webster	557	4,158	1,811	6,526
West Boylston	253	1,865	341	2,459
West Brookfield	129	578	206	913
Westborough	454	2,350	544	3,348
Westminster	165	1,271	244	1,680
Winchendon	328	1,583	564	2,475
WORCESTER	11,248	50,412	17,315	78,975
Totals	31,748	161,150	56,078	248,976

AGGREGATE OF VOTES.

Counties.	Yes.	No.	Blanks.	Total Ballots.
BARNSTABLE	4,058	20,429	4,625	29,112
BERKSHIRE	8,679	33,774	16,712	59,165
BRISTOL	23,960	100,619	44,010	168,589
DUKES COUNTY	473	1,566	846	2,885
ESSEX	35,905	169,905	55,473	261,283

AGGREGATE OF VOTES. — Concluded.

Counties.	Yes.	No.	Blanks.	Total Ballots.
FRANKLIN	3,863	14,357	4,896	23,116
HAMPDEN	15,115	90,342	54,057	159,514
HAMPSHIRE	5,468	24,415	8,555	38,438
MIDDLESEX	72,405	359,550	97,781	529,736
NANTUCKET	351	706	627	1,684
NORFOLK	31,633	159,513	39,351	230,497
PLYMOUTH	14,860	71,163	18,415	104,438
SUFFOLK	27,573	131,745	127,300	286,618
WORCESTER	31,748	161,150	56,078	248,976
Totals	276,091	1,339,234	528,726	2,144,051



APPENDIX

The following table and index have been prepared by CHARLES J. INNES, ESQ., and FREDERICK B. WILLIS, ESQ., counsel, respectively, to the Senate and House of Representatives, in accordance with section fifty-one of chapter three of the General Laws.

TABLE OF CHANGES

SHOWING

TO WHAT EXTENT THE GENERAL LAWS OF THE COMMONWEALTH, AS APPEARING IN THE TERCENTENARY EDITION, HAVE BEEN AFFECTED BY LEGISLATION PASSED BY THE GENERAL COURT SINCE JANUARY FIRST, NINETEEN HUNDRED AND THIRTY-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; section revised, 1963, 506 § 1. (See 1948, 655 §§ 3, 4; 1949, 784 § 3, 801 § 2; 1950, 247 § 2; 1951, 803 § 2; 1956, 742 §§ 2, 3; 1960, 783 § 3; 1963, 506 §§ 4, 7.)

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* For table showing changes in legislation made during the years 1921 to 1931, inclusive, see Table of Changes contained in pages 485–597 of the Acts and Resolves of 1932.

† References in this table are to the Tercentenary Edition of the General Laws, as most recently amended, unless otherwise specified.

SECT. 9A repealed, 1952, 635 § 1.

SECT. 9B added, 1953, 263 § 1 (relative to travel and expense allowances for members of the general court); revised, 1963, 506 § 2. (See 1963, 506 §§ 5–7.)

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; revised, 1963, 506 § 3. (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; revised, 1963, 368.

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; 1963, 744 § 1. (See 1963, 744 § 8.)

SECT. 2 amended, 1946, 591 § 2; 1949, 722; 1955, 730 § 1; 1963, 744 § 2. (See 1955, 730 § 43; 1963, 744 § 8.)

SECT. 3 amended, 1943, 314 § 1; 1949, 781 § 1; revised, 1963, 744 § 7. (See 1943, 314 § 2; 1949, 781 § 2; 1963, 744 § 8.)

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); revised, 1963, 297.

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, 1963, 668 § 1; 1962, 757 § 1; 1959, 418 § 1; 1958, 662 § 2; 1962, 487 § 1; 1963, 773 § 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; section amended, 1946, 591 § 3; 1950, 705; first sentence amended, 1956, 196 § 1; 1958, 236 § 1; revised, 1963, 801 § 1; paragraph added at end, 1946, 584 § 18; 1951, 753 § 2; same paragraph amended, 1963, 801 § 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; 1963, 801 § 3.

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; 1963, 801 § 4.

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; 1963, 801 § 5; 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; section revised, 1963, 719 § 1. (See 1950, 479 §§ 6, 7; 1963, 719 § 2.)

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.)

SECT. 57, first paragraph amended, 1963, 801 § 6.

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; fifth sentence revised, 1963, 801 § 7; sixth sentence stricken out and two sentences inserted, 1949, 577; sixth sentence, as so appearing, revised, 1963, 801 § 8; 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; 1963, 801 § 9. (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. 75, third sentence revised, 1963, 801 § 10.

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).

SECTS. 109–114 added, under caption, 1963, 668 § 2 (establishing the metropolitan area planning council). (See 1963, 668 § 3.)

SECT. 115 added, under caption, 1963, 773 § 2 (establishing a consumers' council).

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. 4, second sentence revised, 1963, 801 § 11.

SECT. 4A, first sentence revised, 1963, 801 § 12.

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 14A added, 1963, 844 (requiring the filing of a statement with the comptroller of the names and addresses of certain persons having a financial interest in contracts to provide consultant services to the commonwealth).

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; second paragraph amended, 1962, 757 § 22; 1963, 352; third paragraph amended, 1955, 643 § 7; 1962, 757 § 22; fourth paragraph amended, 1962, 757 § 22. (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 striken 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; revised, 1963, 473 § 1.

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; 1963, 439 § 1. (See 1953, 636 §§ 7 and 9; 1963, 439 § 2.)

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. 30L stricken out and new sections 30L and 30M inserted, 1963, 809 § 1 (establishing a board to determine the rates to be paid to convalescent and nursing homes or rest homes and transferring certain powers and duties of the director of hospital costs and finances to said board). (See 1963, 809 §§ 2, 3.)

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 second sentence, 1947, 66; sentence added at end of first paragraph, 1963, 798 § 2; 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; 1963, 744 § 3. (See 1949, 789 § 5; 1955, 730 § 43; 1963, 744 § 8.)

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.)

SECTS. 26 and 27 added, 1963, 697 § 1 (establishing the Massachusetts historical commission).

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; 1963, 744 § 4. (See 1949, 789 § 5; 1955, 730 § 43; 1963, 744 § 8.)

SECT. 5, first sentence revised, 1941, 596 § 4; 1945, 489; sentence inserted after third sentence, 1963, 776.

SECT. 7 revised, 1948, 533.

SECT. 8 amended, 1932, 180 § 1; revised, 1943, 427 § 1.

SECT. 8A, last sentence stricken out, 1950, 314.

SECT. 11 revised, 1939, 499 § 2; amended, 1945, 292 § 2; revised, 1959, 612 § 1. (See 1959, 612 § 10.)

SECT. 16 amended, 1954, 419 § 5A.

SECT. 17 amended, 1941, 194 § 1.

SECT. 17A added, 1943, 362 § 2 (providing for the receipt and disposal, by the state treasurer, of certain gifts made to the commonwealth for military purposes).

SECT. 18 revised, 1945, 658 § 2. (See 1945, 658 § 11.)

SECT. 19 revised, 1945, 658 § 3. (See 1945, 658 § 11.)

Chapter 11. — Department of the State Auditor.

SECT. 1 amended, 1946, 591 § 8; revised, 1949, 789 § 3; second sentence revised, 1955, 730 § 7; 1963, 744 § 5. (See 1949, 789 § 5; 1955, 730 § 43; 1963, 744 § 8.)

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; 1963, 744 § 6. (See 1949, 789 § 5; 1955, 730 § 43; 1963, 744 § 8.)

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; tenth paragraph revised, 1963, 553 § 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; section revised, 1963, 743 § 1. (See 1947, 675 § 4; 1948, 423 § 7; 1951, 804 § 4; 1956, 684 § 2; 1963, 743 § 4.)

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; tenth paragraph revised, 1963, 553 § 2; section revised, 1963, 743 § 2. (See 1947, 675 § 4; 1948, 423 § 7; 1951, 804 § 4; 1956, 686 § 3; 1963, 743 § 4.)

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; last sentence revised, 1963, 743 § 3. (See 1947, 675 § 4; 1951, 804 § 4; 1956, 686 § 3; 1963, 743 § 4.)

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; 1963, 801 § 13; 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; 1963, 801 § 14. (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; 1963, 801 § 15. (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; 1963, 801 § 16. (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; 1963, 801 § 17. (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; revised, 1963, 801 § 18. (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; revised, 1963, 801 § 19. (See 1955, 730 § 43; 1958, 494 § 2.)

SECT. 20 revised, 1946, 550 § 1; 1947, 417.

SECT. 21, first sentence revised, 1955, 730 § 17; 1963, 801 § 20. (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; 1963, 801 § 21. (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; revised, 1963, 801 § 22.

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; first sentence revised, 1963, 801 § 23. (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; 1963, 801 § 24; 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. 33 and its caption stricken out and new section inserted, under the caption "BOARD OF PUBLIC ACCOUNTANCY", 1963, 663 § 1. (See 1963, 663 §§ 3, 4, 5.)

SECT. 34 revised, 1963, 663 § 1.

SECT. 35, first sentence revised, 1953, 510 § 1; section revised, 1963, 663 § 1.

SECT. 36, first sentence revised, 1945, 517 § 1; first paragraph, sentence added at end, 1963, 191; 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; 1963, 801 § 25. (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; section revised, 1963, 801 § 26. (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; 1963, 801 § 27. (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; 1963, 801 § 28. (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.)

SECT. 50 revised, 1963, 801 § 29.

SECTS. 51–53 added, 1957, 673 § 1 (establishing a board of registration of sanitarians). (See 1957, 673 §§ 4, 5.)

SECT. 53, first sentence revised, 1963, 801 § 30.

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; 1963, 801 § 31.

SECTS. 61–63 added, under caption, 1963, 604 § 1 (establishing a board of radio and television technicians). (See 1963, 604 § 3.)

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. 2, third paragraph amended, 1963, 801 § 32.

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; 1963, 801 § 33. (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; 1963, 642 § 1; last sentence amended, 1953, 407 § 4; revised, 1963, 642 § 2. (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; sentence added at end, 1963, 406.

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. 18A added, 1963, 466 § 1 (authorizing the purchase of annuities for employees of the department).

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. 20A added, 1963, 642 § 3 (establishing a board of trustees of the state colleges).

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; sentence added at end, 1963, 414.

SECT. 28 added, 1963, 293 (authorizing the board of regional community colleges to establish activity fees in said colleges).

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; 1963, 801 § 34; 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, 584 §§ 8–10.)

SECT. 5D, ninth sentence revised, 1963, 801 § 35.

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); first paragraph amended, 1963, 801 § 36.

Chapter stricken out and new chapter 16 (with same title) inserted, 1963, 821 § 1. (See 1963, 821 §§ 2–8.)

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; 1963, 801 § 37. (See 1955, 730 § 43.)

SECT. 3 revised, 1939, 233 § 1; amended, 1946, 591 § 22; fourth sentence revised, 1963, 801 § 38. (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; first paragraph amended, 1963, 558 § 1; second paragraph revised, 1959, 611 § 3; amended, 1963, 527. (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; paragraph added at end, 1963, 558 § 2. (See 1941, 725 §§ 4–6.)

SECT. 7 revised, 1941, 725 § 3. (See 1941, 725 §§ 4–6.)

SECT. 8 amended, 1962, 598 § 1; repealed, 1963, 558 § 3. (See 1962, 598 § 2.)

SECT. 9 repealed, 1963, 558 § 3.

SECT. 9A added, 1962, 521 § 1 (establishing a pesticide board in the department of public health); first sentence revised, 1963, 102.

SECT. 11 added, under caption, 1956, 728 (establishing a commission on hypertension).

SECT. 12 added, under caption, 1963, 763 § 1 (establishing the drug addiction rehabilitation board).

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; 1963, 801 § 39. (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; 1963, 432 § 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; 1963, 801 § 40. (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; 1963, 801 § 41. (See 1955, 730 § 43.)

SECT. 5 revised, 1963, 801 § 42.

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; revised, 1963, 801 § 43. (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, second paragraph amended, 1963, 664 § 1; fourth paragraph amended, 1956, 620 § 1; 1963, 664 § 2.

SECT. 2, first sentence revised, 1956, 620 § 2.

SECT. 3A, second sentence revised, 1963, 801 § 44.

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. 10, second sentence revised, 1963, 801 § 45.

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).

SECTS. 18–25 added, under caption, 1963, 664 § 3 (establishing a division of conservation services). (See 1963, 664 §§ 5–7.)

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; 1963, 801 § 46. (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; paragraph added at end, 1963, 479 § 1.

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); revised, 1963, 456.

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; 1963, 801 § 47. (See 1955, 730 § 43.)

SECT. 11 revised, 1945, 643 § 1; fourth paragraph revised, 1955, 730 § 29; 1963, 801 § 48. (See 1945, 643 § 3; 1955, 730 § 43.)

SECT. 11A added, 1959, 439 § 1 (establishing the board of elevator appeals); fourth paragraph revised, 1963, 801 § 49. (See 1959, 439 § 3.)

SECT. 12 revised, 1957, 639; third sentence revised, 1963, 801 §50.

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; 1963, 801 § 51. (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; 1963, 801 § 52. (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; 1963, 801 § 53. (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; 1963, 801 § 54. (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; 1963, 801 § 55; paragraph (*b*) amended, 1946, 591 § 36; 1949, 720; eighth sentence revised, 1951, 763 § 21A; 1962, 739; 1963, 801 § 56. (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; 1963, 801 § 57; 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; 1963, 801 § 58. (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; first paragraph revised, 1963, 801 § 59. (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); second paragraph amended, 1963, 801 § 60. (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; 1963, 801 § 61. (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; fifth sentence revised, 1963, 801 § 62. (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.

SECT. 10B added, 1963, 630 (establishing fees for filing certain documents with the department).

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); first sentence revised, 1963, 223; second sentence amended, 1962, 497; last sentence of first paragraph revised, 1962, 623 § 1; same sentence stricken out and two sentences inserted, 1963, 557 § 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.)

SECT. 12I, definition of "Undiluted liquefied petroleum gas installer" added, 1963, 557 § 2.

SECT. 12J revised, 1963, 557 § 3.

SECT. 12K, sentence added at end, 1963, 557 § 4.

SECT. 12L, first sentence amended, 1963, 557 § 5.

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; 1963, 801 § 63. (See 1955, 730 § 43.)

SECT. 3 revised, 1941, 596 § 20; sentence inserted after first sentence, 1963, 441.

SECT. 4 revised, 1941, 596 § 21.

SECT. 5A added, 1956, 689 § 3 (establishing the small loans regulatory board); third sentence revised, 1963, 801 § 64. (See 1956, 689 §§ 8A, 9.)

SECT. 6 amended, 1943, 317; 1946, 591 § 40; 1951, 776; second sentence revised, 1955, 730 § 40; 1963, 801 § 65. (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. 1, third sentence revised, 1963, 801 § 66.

SECT. 2, first sentence revised, 1963, 801 § 67; 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; second paragraph revised, 1963, 801 § 68. (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; 1963, 801 § 69.

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. 3A added, 1963, 161 (requiring certain officers of the commonwealth to furnish estimates of the cost of certain proposed legislation).

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; section repealed, 1963, 473 § 2.

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. 7 revised, 1963, 473 § 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. 29A added, 1963, 676 (providing that the commissioner of administration shall make rules and regulations governing the employment of consultants and determine the rate of their compensation).

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; sentence added at end, 1963, 466 § 2. (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, 1963, 639; 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. 39L added, 1963, 446 (relating to the performance of public construction work by foreign corporations and others residing outside of the commonwealth).

SECT. 39M added, 1963, 842 § 1 (requiring that all contracts for construction and for materials be awarded to the lowest responsible and eligible bidder, and to assure full competition in the taking of bids for such contracts). (See 1963, 842 § 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; amended, 1963, 775 § 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; 1963, 775 § 10.)

SECT. 46 revised, 1947, 613 § 1; 1948, 311 § 2; salary schedules revised, 1949, 785 § 1; 1951, 715 §§ 1, 2; 1954, 407 § 1; paragraph (1) amended, 1954, 680 § 10; revised, 1956, 729 § 5; salary schedule revised, 1959, 620 § 1; 1960, 782 § 2; 1963, 775 § 1; 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; 1963, 775 § 10.)

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. 46B added, 1963, 775 § 3 (establishing a salary schedule for the professional positions in the pay plan of the commonwealth). (See 1963, 775, §§ 4, 10.)

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; last sentence stricken out and four sentences inserted, 1963, 240 § 1. (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. 55, first sentence revised, 1963, 801 § 70.

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); first paragraph revised, 1963, 829 § 1; third paragraph stricken out and two paragraphs inserted, 1963, 829 § 2. (See 1962, 798 § 2; 1963, 829 § 3.)

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 (*e*) revised, 1941, 402 § 2; clause (*c*) amended, 1941, 721; section revised, 1945, 725 § 2; paragraph (*b*) revised, 1951, 302; two sentences added at end, 1953, 286 § 1; sentence added at end, 1954, 295 § 1; paragraph (*d*) amended, 1954, 680 § 17; paragraph (*i*) amended, 1961, 287. (See 1939, 238 §§ 52–55; 1953, 286 § 2.)

SECT. 3, clause (*g*) added, 1937, 223 (giving preference to blind persons in the employment of typists in certain cases by state departments, boards and commissions); section amended, 1939, 238 § 12; revised, 1939, 498 § 1; clause (*a*) revised, 1941, 190; section revised, 1945, 702; clause (*a*) revised, 1955, 643 § 10. (See 1939, 238 §§ 51–55; 1955, 643 § 12.)

SECT. 4, fourth paragraph amended, 1938, 72; paragraph in line 19 stricken out and new paragraph inserted, 1941, 49; sixth paragraph 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; 1954, 298; 1963, 162 § 1. (See 1948, 387 § 1; 1963, 162 § 2.)

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; sixth sentence revised, 1963, 119; 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; same paragraph revised, 1963, 396; paragraph inserted after sixth paragraph, 1963, 152 § 1; 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; 1963, 25.

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; revised, 1963, 150. (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; amended, 1963, 26; paragraph (*f*) amended, 1963, 801 § 72; 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; amended, 1963, 432 § 2. (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; 1963, 478.

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" ame ded, 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; next to last sentence revised, 1952, 515 § 2; sentence added at end, 1952, 423 § 1; revised, 1957, 516 § 2; sentence added at end, 1963, 466 § 5; 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 (*e*) revised, 1963, 749 § 1; paragraph (*f*) revised, 1951, 644 § 2; 1956, 609 § 2; (see 1957, 664); definition of *Group B* in paragraph (*g*), amended, 1946, 503 § 1; revised, 1947, 423; amended, 1947, 667 § 3; 1949, 746 § 1; revised, 1950, 728; amended, 1952, 157; revised, 1954, 445 § 1; amended, 1957, 255; revised, 1957, 630 § 1; paragraph (*g*) revised, 1958, 321 § 3; definition of *Group 2* revised, 1958, 550; amended, 1958, 589 § 1; revised, 1960, 602; subdivision (3), first sentence stricken out and two sentences inserted, 1947, 388 § 1; first sentence revised, 1949, 578 § 1 (see 1949, 578 § 1); subdivision revised, 1952, 428 § 1; 1954, 684 § 1; 1955, 695 § 1; first sentence revised, 1960, 535; subdivision (3A) added, 1946, 538 § 1; subdivision (4) revised, 1946, 403 § 2, 492; first sentence amended, 1947, 416; subdivision revised, 1951, 505 § 1; amended, 1954, 684 § 2; 1955, 695 § 3; subdivision (5) amended, 1946, 481; revised, 1946, 603 § 1; paragraph (*a*) added, 1947, 660 § 4; subdivision revised, 1947, 667 § 4; first sentence revised, 1952, 524 § 1; amended, 1954, 684 § 3; subdivision revised, 1955, 695 § 2; 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; amended, 1963, 239 § 1; 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; subdi-

vision (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; 1963, 239 § 2.)

SECT. 5, subdivision (1), first sentence of paragraph (*a*) amended, 1947, 388 § 4; 1958, 321 § 4; paragraph (*c*) revised, 1958, 321 § 5; paragraph (*d*), first two sentences stricken out, 1947, 660 § 5; same paragraph amended, 1948, 15 § 1; revised, 1953, 486; 1959, 574 § 1; paragraph (*f*) added, 1954, 348; paragraph (*g*) added, 1961, 410 § 1; subdivision (2), paragraph (*a*), first paragraph amended, 1947, 388 § 5; 1949, 656; revised, 1950, 809 § 1; 1951, 783 § 1; clause (*i*) revised, 1949, 679; clause (*ii*) revised, 1946, 403 § 6; amended, 1947, 388 § 6; clause (*iv*) added, 1946, 538 § 3; paragraph (*b*) amended, 1950, 809 § 1A; paragraph (*f*) amended, 1950, 809 § 2; paragraph (*g*) added, 1954, 492; stricken out, 1955, 590 § 2; subdivision (2) revised, 1957, 661 § 1; paragraph (*a*) amended, 1958, 321 § 6; 1960, 215; table in paragraph (*a*) revised, 1958, 321 § 7; paragraph (*c*) amended, 1958, 321 § 8; paragraph (*d*) amended, 1958, 321 § 9; subdivision (2) revised, 1961, 190 § 1. (See 1950, 809 § 3; 1951, 783 §§ 2, 3; 1957, 661 § 4; 1959, 574 § 2; 1961, 190 § 3, 410 § 2, 444 §§ 1, 2.)

SECT. 6, subdivision (1) amended, 1947, 667 § 5; 1949, 618 § 2, 657; 1958, 321 § 10; subdivision (2) amended, 1958, 321 § 11; subdivision (3), first sentence of paragraph (*a*) amended, 1946, 603 § 2; 1947, 388 § 7; second sentence of same paragraph amended, 1949, 618 § 3; stricken out and two sentences inserted, 1961, 473; paragraph (*c*) revised, 1952, 181; paragraph (*d*) added, 1956, 289.

SECT. 7, subdivision (1), first sentence amended, 1958, 321 § 12; three sentences added at end, 1949, 618 § 4; subdivision (2), paragraph (*a*) amended, 1958, 321 § 13; clause (*ii*) amended, 1948, 446 § 1; clause (*iii*) amended, 1950, 713; 1951, 545 § 1; paragraph (*b*) amended, 1958, 321 § 14; 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 (1) amended, 1963, 378; 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; revised, 1963, 515. (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); revised, 1963, 497.

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; 1963, 514; 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; 1963, 463 § 1; subdivision (4) amended, 1958, 321 § 26. (See 1948, 446 § 5; 1963, 463 § 2.)

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. 57B added, 1963, 149 (relative to the creditable service of certain police officers and fire fighters for purposes of retirement).

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; 1963, 511 § 1. (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; 1963, 511 § 3.)

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); two paragraphs added at end, 1963, 571 § 1. (See 1960, 724 § 2; 1963, 571 § 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; second sentence revised, 1963, 650; 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); paragraph defining Option B revised, 1963, 237 § 1. (See 1957, 750 § 2.)

SECT. 77B added, 1960, 239 § 1 (increasing the non-contributory pensions of certain laborers).

SECT. 78 revised, 1939, 361 § 1; amended, 1945, 483 § 4. (Affected, 1937, 102 § 7, 283; 1939, 361 § 2.)

SECT. 78A added, 1934, 285 § 7 (providing for the ultimate abolition of non-contributory pensions under certain provisions of general law for laborers); amended, 1937, 102 § 7; revised, 1937, 283 § 1. (See 1937, 283 § 2.)

SECTS. 80–85. See 1949, 636.

SECT. 80, paragraph added at end, 1934, 285 § 8; section amended, 1936, 439 § 1; last paragraph amended, 1937, 102 § 8; section amended, 1945, 483 § 5; first sentence revised, 1960, 728 § 8. (See 1960, 728 § 18.)

SECT. 81 amended, 1933, 103; 1938, 277 § 1. (See 1938, 277 § 3.)

SECTS. 81A and 81B added, 1946, 576 § 2 (additional provisions for the retirement of members of fire departments in certain cities). (See 1946, 576 § 8.)

SECT. 81A revised, 1960, 728 § 9. (See 1960, 728 § 18.)

SECT. 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; paragraph defining Option B revised, 1963, 237 § 2. (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; first sentence amended, 1956, 666 § 1; revised, 1963, 614 § 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; revised, 1963, 614 § 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); first paragraph amended, 1963, 614 § 3; 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; first two sentences stricken out and three sentences inserted, 1963, 482; first sentence revised, 1963, 749 § 2; sentence added at end, 1947, 394; same sentence revised, 1950, 264; 1954, 343, 549; two sentences added at end, 1957, 291; revised, 1963, 457. (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; amended, 1963, 610.

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. 95 amended, 1963, 656 § 1.

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; first paragraph amended, 1963, 656 § 2. (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; two sentences added at end, 1959, 516; four sentences added at end, 1963, 513; 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); second sentence amended, 1963, 625; seventh sentence stricken out and two sentences inserted, 1963, 625.

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. 4 revised, 1963, 408.

SECT. 15, subsection (*c*) revised, 1960, 402 § 1; subsection (*j*) revised, 1963, 395, 801 § 71.

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. 122, subsection (*e*), paragraph (2) amended, 1963, 219.

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. 3, sentence added at end, 1963, 665.

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; 1963, 640 § 1. (See 1943, 102 § 2; 1949, 193 § 2, 767 § 2; 1951, 743 §§ 4–6; 1963, 640 § 2.)

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).

SECT. 39B revised, 1963, 37.

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; 1963, 801 § 73; 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; 1963, 841 § 1. (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; 1963, 841 § 7.)

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; 1963, 833 § 1. (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; 1963, 833 § 2.)

SECT. 52, second paragraph revised, 1938, 73 § 1.

SECT. 54 revised, 1948, 591 § 2. (See 1948, 591 §§ 4–7.)

SECT. 55 amended, 1949, 774 § 6.

Chapter 36. — Registers of Deeds.

SECT. 3 revised, 1937, 219 § 1; 1939, 214 § 3.

SECT. 4 amended, 1947, 352 § 2.

SECT. 5 revised, 1947, 352 § 1; 1960, 761 § 2.

SECT. 6 revised, 1960, 761 § 3.
SECT. 11 revised, 1947, 449 § 2. (See 1947, 449 § 7.)
SECT. 13A amended, 1951, 191.
SECT. 13B added, 1958, 61 (authorizing the filing of certain plans in registries of deeds).
SECT. 14A added, 1963, 697 § 2 (requiring a notice of certification of an historic site or a withdrawal of such certification to be recorded with the registry 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; section revised, 1963, 242 § 1.
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; third and fourth sentences stricken out and sentence inserted, 1963, 731 § 2. (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; paragraph added at end, 1963, 169. (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. 15, paragraph added at end, 1963, 320.

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 noncompliance 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 inserted after third paragraph, 1963, 115; 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; revised, 1963, 60; 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 therein 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); clause (55) added, 1963, 479 § 2 (authorizing the payment to skin divers for certain services); clause (56) added, 1963, 697 § 3 (authorizing the development of places of historical value and the establishment and maintenance of historical commissions). (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. 6J added, 1963, 190 (authorizing cities and towns to purchase stormy weather work clothes and rubber boots for certain employees).

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. 8D added, 1963, 697 § 4 (authorizing cities and towns to establish historical commissions).

SECT. 9 amended, 1933, 245 § 3; 1935, 305; 1936, 271; first paragraph revised, 1946, 51, 209 § 2, 409 § 3; 1947, 468 § 3, 671; amended, 1949, 118 § 3; revised, 1949, 343 § 1; paragraph added at end, 1937, 255; section revised, 1949, 563 § 1; first sentence amended, 1950, 303; 1952, 115, 443; 1953, 469; revised, 1959, 59 § 3; amended, 1960, 203, 626 § 4; 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. 13A, sentence added at end, 1963, 127.

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. 21C added, 1963, 233 (permitting time off without loss of pay for employees in cities and towns to attend union conventions).

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); second paragraph revised, 1963, 147.

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; two sentences added at end, 1963, 591; paragraph added at end, 1963, 578. (See 1961, 435 § 3.)

SECT. 13 revised, 1955, 325 § 1; second paragraph stricken out, 1963, 207 § 1.

SECT. 14, second sentence stricken out and two sentences inserted, 1957, 124; second paragraph, 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. 16 revised, 1963, 207 § 2.

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; 1963, 432 § 3.

SECT. 33, two sentences added at end, 1950, 793 § 4.

SECT. 35 revised, 1937, 143 § 2; first sentence revised, 1963, 66; 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; revised, 1963, 257.

SECT. 40 revised, 1937, 143 § 3; second sentence revised, 1963, 105; 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; last sentence revised, 1963, 68.

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; amended, 1963, 580.

SECT. 81M, sentence added at end, 1957, 265.

SECT. 81N, last sentence revised, 1957, 146; 1959, 144.

SECT. 81O, paragraph added at end, 1963, 804.

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; section revised, 1963, 363 § 1.

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; third sentence amended, 1963, 206.

SECT. 81T, second sentence amended, 1957, 122; last sentence amended, 1960, 266 § 1; revised, 1962, 207 § 1; 1963, 363 § 2.

SECT. 81U, last sentence revised, 1955, 324; section revised, 1958, 377 § 1; second paragraph revised, 1960, 153; fourth paragraph revised, 1960, 266 § 2; fifth paragraph amended, 1963, 581; eighth paragraph amended, 1963, 299. (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. 108G added, 1963, 19 (establishing an alternate schedule of minimum annual compensation for police officers in certain cities and towns).

SECT. 109 revised, 1960, 592 § 2.

SECT. 110, sentence added at end, 1950, 242.

SECT. 110A added, 1947, 265 (authorizing the closing of public offices in cities and towns on Saturdays).

SECT. 111 revised, 1932, 109; amended, 1936, 242; revised, 1937, 15; 1941, 368; fourth sentence stricken out and two sentences inserted, 1943, 280; first paragraph revised, 1946, 301; same paragraph stricken out and three paragraphs inserted, 1948, 330 § 1; same three paragraphs stricken out and one paragraph inserted, 1949, 475 § 1; same paragraph revised, 1951, 242 § 1. (See 1948, 330 § 2; 1951, 242 § 2.)

SECT. 111A amended, 1934, 107; revised, 1949, 172; first sentence stricken out and two sentences inserted, 1956, 46; first sentence amended, 1960, 154.

SECT. 111B added, 1945, 156 (providing sick leaves for laborers, workmen and mechanics regularly employed by certain cities and towns); amended, 1946, 187; sentence added at end, 1949, 686.

SECT. 111C added, 1945, 348 (authorizing attendance at funerals or memorial services of war veterans by certain municipal employees without loss of pay); revised, 1953, 179.

SECT. 111D added, 1949, 384 (relative to vacations without loss of pay for regular members of police and fire forces in certain cities and towns). See 1950, 36 § 1.

SECT. 111E added, 1949, 475 § 2 (providing for payment of compensation to certain municipal employees and their beneficiaries in lieu of vacations in certain cases); amended, 1953, 436 § 2; revised, 1954, 13; sentence added at end, 1956, 45.

SECT. 111F added, 1952, 419 (providing injured leave for certain incapacitated police officers and fire fighters); first sentence amended, 1961, 218; sentence added at end, 1958, 266.

SECT. 111G added, 1952, 488 (relative to annual vacations for certain employees of certain cities and towns).

SECT. 111H added, 1953, 293 (relative to overtime service by police officers of cities and towns); revised, 1954, 573 § 1. (See 1954, 573 § 2.)

SECT. 111I added, 1953, 436 § 3 (relative to the payment of salaries, wages or other sums owing by cities and towns upon the death of their officers and employees); revised, 1954, 562 § 3; amended, 1962, 321 § 2. (See 1953, 436 § 7.)

SECT. 111J added, 1963, 412 (providing that employees of cities and towns who are delegates to a state or national convention of certain veterans' organizations may attend such convention without loss of pay or vacation leave).

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).

SECT. 122 added, 1963, 106 (providing for the appointment of a temporary treasurer in districts).

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; third and fourth sentences stricken out, 1963, 731 § 1; sentence added at end, 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; revised, 1963, 121. (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; 1963, 81; 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, 75 § 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; 1963, 82; 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 (8A) added, 1963, 347 § 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; revised, 1963, 62.

SECT. 13A added, 1943, 61 § 2 (relative to the incurring of liabilities by districts prior to the annual appropriations).

SECT. 16, first sentence stricken out and two sentences inserted, 1956, 98; last sentence stricken out, 1936, 224 § 10. (See 1936, 224 §§ 11, 12.)

SECT. 16A added, 1957, 58 § 1 (authorizing the use of facsimile countersignatures on bonds, notes and certificates of indebtedness issued by certain cities).

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; 1963, 80.

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. 24 revised, 1963, 85.

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 trans-

actions 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; stricken out, 1963, 22 § 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, first sentence revised, 1947, 283; sentence inserted after second sentence, 1939, 326 § 2; stricken out, 1963, 22 § 2.

Chapter 47. — Infirmaries.

SECT. 11 amended, 1961, 396 § 2.

Chapter 48. — Fires, Fire Departments and Fire Districts.

SECT. 8 amended, 1941, 490 § 10; revised, 1954, 104.

SECT. 13 amended, 1938, 204; revised, 1941, 581; 1945, 269; amended, 1951, 274.

SECT. 15 amended, 1932, 180 § 8; 1941, 490 § 11.

SECT. 16 revised, 1943, 103 § 1; amended, 1952, 222.

SECT. 18 revised, 1943, 103 § 2.

SECT. 20A repealed, 1950, 442.

SECT. 24 amended, 1953, 535 § 3; third sentence amended, 1956, 590.
SECT. 28A amended, 1941, 490 § 12; revised, 1953, 496; 1963, 572.
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, 149 § 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. 38 revised, 1963, 160 § 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.
SECT. 42 repealed, 1963, 185.

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; revised, 1963, 113 § 1.

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; 1963, 160 § 3; 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; second paragraph revised, 1963, 160 § 4. (See 1933, 254 §§ 65, 66; 1937, 226; 1938, 186 § 5; 440 § 23.)

SECT. 5 revised, 1938, 440 § 3; 1939, 188 § 1; repealed, 1963, 160 § 5. (See 1938, 440 § 23.)

SECT. 6 revised, 1938, 440 § 4; 1939, 188 § 2; next to last sentence revised, 1949, 196; last sentence stricken out, 1963, 160 § 5A. (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; second sentence amended, 1963, 160 § 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; section revised, 1963, 308.

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. 5, sentence added at end, 1963, 303.

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 inserted after first sentence, 1963, 287; 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; 1938, 341 § 5; first and second sentences revised, 1943, 334 § 3; last three sentences revised, 1954, 183 § 2; 1963, 210. (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; 1963, 307. (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; revised, 1963, 236 § 1; 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; first sentence stricken out and two sentences inserted, 1963, 113 § 2.

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; 1963, 236 § 2; amended, 1963, 284. (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; revised, 1963, 624 § 1.

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; first sentence revised, 1963, 374 § 1.

SECT. 35B, second sentence of second paragraph revised, 1941, 511 § 6; second paragraph revised, 1943, 310 § 6; sentence inserted after fifth sentence, 1963, 184 § 2; eighth sentence (as appearing in 1943, 310 § 6) amended, 1963, 374 § 2; 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; 1963, 111; sentence added at end, 1963, 374 § 3.

SECT. 90 repealed, 1946, 140 § 14.

SECT. 91, second sentence revised, 1963, 374 § 4; last sentence revised, 1963, 374 § 5.

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; 1963, 374 § 6.

SECT. 95 revised, 1936, 404 § 6; amended, 1945, 466 § 5; first sentence amended, 1952, 39 § 2; revised, 1959, 70; section revised, 1960, 685 § 3; 1963, 374 § 7; third sentence amended, 1963, 624 § 2.

SECT. 96 amended, 1936, 404 § 7; 1963, 374 § 8.

SECT. 98 amended, 1945, 466 § 6; revised, 1961, 242 § 2.

SECT. 100 revised, 1936, 404 § 8; 1963, 374 § 9.

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. 103M amended, 1963, 374 § 10.

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 striken out, 1961, 304; seventh sentence revised, 1963, 374 § 11; second paragraph revised, 1947, 95; 1962, 437 § 44; 1963, 374 § 12; 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. 108 revised, 1963, 374 § 13.

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; first sentence stricken out and three sentences inserted, 1963, 374 § 14; 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; revised, 1963, 234; third paragraph amended, 1963, 627 § 1; fourth paragraph amended, 1963, 627 § 2; 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; 1963, 666 § 1. (See 1939, 467 §§ 2, 3, 4; 1947, 182 §§ 2, 3, 4; 1963, 666 §§ 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; paragraph added at end, 1963, 660 § 5. (See 1933, 254 § 66; 1963, 660 § 9.)

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; 1963, 660 § 6. (See 1934, 323 § 11; 1951, 641 §§ 18, 19; 1963, 660 § 9.)

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); revised, 1963, 584 § 3. (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; second sentence amended, 1963, 660 § 7. (See 1933, 307 § 11, 350 § 9; 1936, 362 § 4; 1951, 641 §§ 18, 19; 1955, 780 § 10; 1956, 599 § 5; 1961, 420 § 3; 1963, 660 § 9.)

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; first paragraph revised, 1963, 714 § 6; second paragraph amended, 1963, 660 § 8. (See 1936, 362 §§ 4, 8; 1937, 108 § 3; 1961, 420 § 3; 1963, 660 § 9, 714 § 10.)

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; 1963, 801 § 74. (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; repealed, 1963, 160 § 7. (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, first sentence amended, 1963, 160 § 8; 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; stricken out, 1963, 160 § 9; clause Seventeenth B added, 1950, 796; amended, 1951, 730; stricken out, 1963, 160 § 9; clause Eighteenth revised, 1941, 227 § 2; amended, 1963, 160 § 10; 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; stricken out, 1963, 160 § 11; 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; clause Fortieth added, 1963, 345; clause Forty-first added, 1963, 808 § 1 (see 1963, 808 § 2).

SECT. 5A added, 1941, 227 § 3 (relative to collection of taxes from estates of persons who were relieved therefrom for lack of ability to pay, or otherwise); first sentence revised, 1948, 541.

SECT. 6 amended, 1933, 254 § 25; 1936, 59 § 1; first paragraph amended, 1941, 440; revised, 1946, 410. (See 1933, 254 § 66; 1936, 59 § 3.)

SECTS. 6 and 7. (See 1934, 307.)

SECT. 7, first paragraph amended, 1936, 59 § 2; section amended, 1939, 451 § 21; 1945, 367 § 1. (See 1936, 59 § 3.)

SECT. 7A added, 1945, 367 § 2 (relative to payments in lieu of taxes on certain property held by a municipality or district in another municipality).

SECT. 8 amended, 1933, 80, 254 § 26; paragraph added at end, 1935, 119 § 1. (See 1933, 254 § 66; 1935, 119 § 2.)

SECT. 8A added, under caption, 1956, 400 § 2 (relative to excise tax on farm animals); first paragraph revised, 1960, 130.

SECT. 9 amended, 1933, 254 § 27; revised, 1939, 342 § 4; repealed, 1963, 160 § 12. (See 1933, 254 § 66.)

SECT. 10 amended, 1933, 254 § 28; repealed, 1963, 160 § 12. (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; same two paragraphs amended, 1963, 160 § 13; 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. 23A amended, 1963, 160 § 14.

SECT. 23B revised, 1963, 160 § 15.

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; 1963, 160 § 16; sentence added at end, 1949, 104 § 2.

SECT. 27 amended, 1936, 118 § 2. (See 1936, 118 § 3.)

SECT. 29, second sentence amended, 1963, 160 § 17; last three sentences revised, 1933, 254 § 34; last sentence revised, 1963, 160 § 18. (See 1933, 254 § 66; 1963, 160 § 33.)

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. 44 amended, 1963, 160 § 19.

SECT. 45 amended, 1933, 254 § 38; first sentence revised, 1948, 112 § 2; form appended to section amended, 1933, 254 § 39; section revised, 1963, 160 § 20. (See 1933, 254 § 66.)

SECT. 46 amended, 1963, 160 § 21.

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; third sentence stricken out, 1963, 160 § 22; 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; 1963, 125. (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; amended, 1963, 160 § 23.

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. 71 amended, 1963, 160 § 24.

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; third sentence stricken out, 1963, 160 § 25; 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; repealed and caption preceding section stricken out, 1963, 160 § 26.
SECT. 5 revised, 1933, 168 § 2; amended, 1941, 258 § 3; last sentence revised, 1955, 474 § 1; section repealed, 1963, 160 § 26.
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; repealed, 1963, 160 § 27.
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; amended, 1963, 160 § 28. (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. 29 revised, 1963, 160 § 29.

SECT. 34, first sentence amended, 1947, 313.

SECT. 35 revised, 1938, 150 § 2; 1946, 251 § 1. (See 1946, 251 § 3.)

SECT. 37 amended, 1933, 254 § 53, 325 § 1; 1934, 131 § 2; revised, 1934, 169; amended, 1935, 269; 1936, 146; last sentence revised, 1941, 84 § 1; section revised, 1943, 478 § 1. (See 1933, 254 § 66; 1934, 131 § 3; 1941, 84 § 2.)

SECT. 37A added, 1943, 478 § 2 (relative to the continuance of local tax liens during the existence of legal impediments to sales or takings thereunder); third sentence amended, 1960, 421 § 2.

SECT. 38 amended, 1933, 254 § 54, 325 § 2. (See 1933, 254 § 66, 325 § 21.)

SECT. 39 amended, 1933, 325 § 3.

SECT. 42 revised, 1933, 164 § 2.

SECT. 43, last sentence revised, 1932, 54 § 2; section amended, 1935, 183, 236.

SECT. 45 amended, 1933, 325 § 4; 1937, 209; 1938, 339 § 1.

SECT. 46, paragraph added at end, 1934, 131 § 1.

SECT. 48 amended, 1933, 325 § 5. (See 1933, 325 § 20.)

SECT. 50 revised, 1933, 325 § 6; amended, 1935, 414 § 1; 1936, 93 § 2; amended, 1941, 319 § 1. (See 1935, 414 § 4; 1941, 319 §§ 3, 4.)

SECT. 50A added, 1934, 154 § 2 (providing for protection of interests in real estate held under tax sales or takings).

SECT. 50B added, 1946, 185 (requiring cities and towns to appropriate or provide sums necessary for foreclosure of tax titles by proceedings in the land court).

SECT. 51 amended, 1933, 254 § 55. (See 1933, 254 § 66.)

SECT. 52 revised, 1936, 392 § 1.

SECT. 53 revised, 1933, 164 § 3. (See 1933, 325 § 20.)

SECT. 54 amended, 1933, 325 § 7; 1938, 339 § 2.

SECT. 55 amended, 1933, 325 § 8.

SECT. 58 revised, 1932, 2; 1939, 250 § 2.

SECT. 59 amended, 1933, 254 § 56. (See 1933, 254 § 66.)

SECT. 60 revised, 1945, 130.

SECT. 61 revised, 1933, 325 § 9; amended, 1934, 48; 1936, 93 § 1. (See 1933, 325 § 20.)

SECT. 61A added, 1943, 188 (relative to taking for nonpayment of taxes lands subject to tax titles held by municipalities when the assessment unit is changed).

SECT. 62 revised, 1933, 325 § 10; first paragraph amended, 1934, 218; same paragraph revised, 1935, 414 § 2; second paragraph revised, 1935, 278; section revised, 1936, 392 § 2; second paragraph amended, 1941, 231; sentence inserted before last sentence in second paragraph, 1947, 133; paragraph inserted after the second paragraph, 1938, 415 § 5. (See 1935, 414 § 4.)

SECT. 63 amended, 1933, 325 § 11; revised, 1936, 392 § 3.

SECT. 65 amended, 1933, 325 § 12; 1938, 305.

SECT. 66 amended, 1935, 224 § 1. (See 1935, 224 § 6.)

SECT. 67 amended, 1935, 224 § 2. (See 1935, 224 § 6.)

SECT. 68 amended, 1935, 224 § 3; paragraph added at end, 1935, 354 § 1; section amended, 1935, 414 § 3. (See 1935, 224 § 6, 354 § 3, 414 § 4.)

SECT. 69 amended, 1935, 224 § 4; sentence added at end, 1945, 226 § 1. (See 1935, 224 § 6.)

SECT. 69A added, 1945, 226 § 2 (relative to the conclusiveness of decrees foreclosing tax titles).

SECT. 70 amended, 1935, 224 § 5. (See 1935, 224 § 6.)

SECT. 71 amended, 1941, 319 § 2. (See 1941, 319 §§ 3, 4.)

SECT. 75 amended, 1936, 189 § 1.

SECT. 76 revised, 1935, 318 § 1; amended, 1936, 189 § 2. (See 1935, 318 §§ 2, 8.)

SECT. 76A added, 1935, 354 § 2 (providing for redemption in part from tax sales in certain cases); paragraph added at end, 1939, 181; amended, 1953, 674 § 10. (See 1935, 354 § 3.)

SECT. 76B added, 1938, 415 § 6 (relative to the effect of errors or irregularities in respect to water rates and charges included in a tax title account).

SECT. 76C added, 1945, 268 (providing for notice to certain municipal officers of certain action in connection with tax titles).

SECT. 77, paragraph added at end, 1938, 339 § 3; amended, 1953, 654 § 37.

SECT. 77A added, 1945, 78 (relative to recording of deeds of cities and towns conveying land acquired through foreclosure of tax titles).

SECT. 77B added, 1947, 224 § 1 (making permanent certain temporary provisions of law relative to certain land acquired by municipalities). (See 1947, 224 § 2.) [For prior temporary legislation, see 1938, 358; 1939, 123; 1941, 296.]

SECT. 78 amended, 1933, 325 § 13; repealed, 1936, 194. (See 1933, 325 § 20.)

SECT. 79, second paragraph amended, 1933, 325 § 14; 1935, 173 § 1; section revised, 1941, 594 § 1; third paragraph amended, 1963, 201.

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; 1963, 499. (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; sentence added at end, 1963, 496; 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; 1963, 750 § 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; 1963, 750 § 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 in-

serted 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. 1, definition of "Internal Revenue Code" revised, 1963, 714 § 1. (See 1963, 714 § 10.)

SECT. 5, first paragraph revised, 1963, 714 § 2; fifth paragraph stricken out, 1963, 714 § 3. (See 1963, 714 § 10.)

SECT. 6, last sentence amended, 1963, 405.
SECT. 8 amended, 1963, 714 § 4. (See 1963, 714 § 10.)
SECT. 13, first sentence revised, 1960, 159 § 1; paragraph added at end, 1963, 434 § 1. (See 1960, 159 § 2; 1963, 434 § 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; paragraph (*z*) added, 1963, 703 § 25. (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; 1963, 499.

SECT. 30, paragraph 1 revised, 1963, 654 § 2; paragraph 2 revised, 1943, 459 § 1; paragraph 3, subdivision (*a*) revised, 1939, 24 § 5; sentence added at end, 1947, 622 § 1; paragraph contained in lines 48–51 amended, 1933, 58 § 3; revised, 1943, 459 § 2; stricken out, 1956, 550 § 1; paragraph contained in lines 52–69 revised, 1934, 237 § 1; paragraph 3 revised, 1958, 679 § 1; subdivision (*b*) revised, 1960, 548 § 1; subdivision (*d*) revised, 1960, 548 § 2; paragraph 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 (*a*) amended, 1963, 662; 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; last paragraph amended, 1963, 365 § 1. (See 1947, 622 § 5; 1951, 641 §§ 18, 19; 1963, 365 § 4.)

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; fourth sentence amended, 1963, 365 § 2; sentence added at end, 1951, 641 § 16. (See 1951, 641 §§ 18, 19; 1956, 550 § 13; 1963, 365 § 4.)

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 63B. — Declaration of Estimated Tax by Corporations.

New chapter inserted, 1963, 714 § 5. (See 1963, 714 §§ 9, 10.)

Chapter 64. — Taxation of Stock Transfers.

For prior changes see Table of Changes contained in Acts and Resolves of 1953.

Chapter repealed, 1954, 353 § 1. (See 1954, 353 §§ 2, 3.)

Chapter 64A. — Taxation of Sales of Gasoline (former title, Taxation of Sales of Gasoline and Certain Other Motor Vehicle Fuel).

Title changed, 1956, 619 § 3.

Chapter affected, 1932, 248; 1935, 336; 1936, 398; 1938, 431 § 2; 1939, 408; 1941, 330; 1943, 270; 1945, 571; 1949, 744 § 3.

SECT. 1, paragraph (*c*) revised, 1957, 617 § 1; paragraph (*d*) revised, 1936, 357 § 1; amended, 1948, 492 § 1; revised, 1951, 414 § 1; definition of "Special fuels" stricken out, 1956, 619 § 4; sentence defining "Diesel engine fuel" added, 1947, 666 § 1; paragraph (*e*) revised, 1957, 617 § 2; paragraph (*f*) revised, 1957, 617 § 3; paragraph (*g*) amended, 1941, 490 § 16; paragraph (*i*) added, 1957, 617 § 4. (See 1936, 357 § 3; 1947, 666 §§ 2A, 4; 1956, 619 § 6; 1957, 617 § 13.)

SECT. 2 revised, 1957, 617 § 5; paragraph inserted after fifth paragraph, 1961, 300. (See 1957, 617 § 13.)

SECT. 3, last sentence amended, 1943, 420 § 1; 1957, 383 § 1; section amended, 1957, 617 § 8. (See 1957, 383 § 4, 617 § 13.)

SECT. 4 revised, 1938, 431 § 1; paragraph added at end, 1945, 556; section revised, 1949, 744 § 1; second sentence revised, 1951, 699 § 2; 1952, 556 § 12; 1956, 718 § 12; first paragraph revised, 1960, 411 § 1; section amended, 1953, 654 § 72; paragraph added at end, 1957, 617 § 6. (See 1951, 699 §§ 3–5; 1952, 556 §§ 13–15; 1956, 718 §§ 14, 15; 1957, 617 § 13; 1960, 411 § 3.)

SECT. 4A added, 1947, 666 § 2 (providing for the taxation of Diesel engine fuel); next to last sentence revised, 1948, 464; section stricken out and sections 4A–4E inserted, 1949, 744 § 2 (relative to the sale, distribution and rate of tax on Diesel engine fuel); repealed, 1956, 619 § 5. (See 1947, 666 §§ 2A, 4; 1956, 619 § 6.)

SECT. 4A revised, 1951, 414 § 2; repealed, 1956, 619 § 5.

SECT. 5 amended, 1936, 357 § 2; 1939, 451 § 32; revised, 1943, 420 § 2; amended, 1953, 654 § 73; revised, 1957, 383 § 2; amended, 1957, 617 § 9; revised, 1958, 336. (See 1936, 357 § 3; 1957, 383 § 4, 617 § 13.)

SECT. 6 amended, 1957, 617 § 10. (See 1957, 617 § 13.)

SECT. 7 revised, 1943, 420 § 3; first sentence revised, 1948, 492 § 2; amended, 1952, 377 § 3; 1956, 552 § 1; section amended, 1949, 200; 1953, 654 § 74; section revised, 1957, 383 § 3, 728 § 1; third sentence amended, 1962, 715 § 3; revised, 1963, 503 § 1. (See 1956, 552 § 3; 1957, 383 § 4, 728 § 5; 1963, 503 § 2.)

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; 1961, 139; 1963, 499.

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; 1963, 499 § 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. 33 revised, 1963, 417.
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, 358, 703; 1958, 356; 1959, 591; 1961, 377, 471.

SECT. 4 revised, 1952, 585 § 8.

SECT. 6 amended, 1932, 127 § 3; 1960, 403 § 1.

SECT. 7 amended, 1935, 275; 1937, 213, 327; 1938, 315; revised, 1938, 424; amended, 1941, 351 § 6, 561; revised, 1943, 403; second sentence amended, 1958, 613 § 2D; sentence inserted after second sentence, 1956, 186.

SECT. 7A added, 1946, 439 § 1 (extending to certain members of the armed forces, and to veterans of World War II, university extension courses free of charge); revised, 1954, 627 § 20; 1958, 409. (See 1946, 439 § 2; 1954, 627 §§ 65, 67.)

SECT. 7B added, 1946, 548 § 1 (relative to higher educational opportunities for children of certain deceased members or former members of the armed forces); first paragraph amended, 1948, 381; second paragraph amended, 1947, 399; 1948, 357; section revised, 1950, 758; 1951, 747; amended, 1952, 497; first paragraph revised, 1954, 627 § 21; 1963, 492. (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. 7D added, 1963, 702 (establishing additional special education scholarships).

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.

SECT. 30A added, 1963, 202 (providing for the revocation or suspension of the power of certain educational institutions to grant degrees).

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; revised, 1963, 642 § 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; same sentence stricken out and two sentences inserted, 1963, 530 § 1.

SECT. 4A added, 1963, 530 § 2 (providing penalties for failure to keep open certain schools for one hundred and eighty days during each school year).

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. 6A added, 1963, 9 (permitting the admission of students from outside the commonwealth to certain public schools therein).

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; 1963, 539; 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; 1963, 349 § 1.

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; second sentence stricken out and two sentences inserted, 1963, 132.

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. 37B added, 1963, 466 § 3 (authorizing the purchase of annuities for employees of public educational institutions).

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. 43, sentence added at end, 1963, 466 § 4.

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; revised, 1963, 574.

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; 1963, 740 § 1.
SECT. 65 revised, 1949, 794; 1955, 565; 1956, 448 § 2; 1963, 740 § 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; section revised, 1963, 642 § 5. (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; amended, 1963, 642 § 6.

SECT. 1B added, 1961, 434 (authorizing the board of education to establish activity fees in state colleges); amended, 1963, 642 § 7.

SECT. 1C and 1D added, 1963, 642 § 8.

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; amended, 1963, 642 § 9. (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; amended, 1963, 642 § 10. (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; 1963, 642 § 11.

SECT. 5 amended, 1932, 127 § 15; 1960, 403 § 14; revised, 1963, 642 § 12. (Temporarily affected, 1933, 233; 1934, 130; 1935, 277.)

SECT. 5A added, 1963, 429 (establishing the State College Research Foundation); repealed, 1963, 642 § 12A.

SECT. 6 amended, 1932, 127 § 16; 1960, 403 § 15; revised, 1963, 642 § 12.

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; amended, 1963, 86, 642 § 13. (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; amended, 1963, 642 § 14.

SECT. 9 repealed, 1958, 605 § 4.

SECTS. 10–18 added, 1963, 642 § 15 (relative to the administration of the state colleges). (See 1963, 642 §§ 16, 17.)

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. 24 revised, 1963, 24.

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. 31C added, 1963, 323 (authorizing the county commissioners of Essex county to appropriate money for insurance coverage for students at the Essex Agricultural and Technical Institute who are injured while participating in athletic activities).

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. 37A added, 1963, 562 §1 (authorizing certain industrial, technical, agricultural and vocational schools to establish courses beyond secondary level and authorizing said schools to grant certain degrees to persons completing such courses of instruction).

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; stricken out, 1963, 696 § 1.

SECTS. 42 D–42Q added, 1963, 696 § 2 (relative to the administration of the Bradford Durfee College of Technology and the New Bedford Institute of Technology). (See 1963, 696 §§ 3–5.)

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. 14, second paragraph, second sentence stricken out and two sentences inserted, 1963, 801 § 75.

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).

SECT. 35, sentence added at end, 1963, 727.

Chapter 75A. — Lowell Technological Institute of Massachusetts.

New chapter inserted, 1953, 407 § 3. (See 1953, 407 §§ 1, 7, 8.)

SECT. 1, paragraph added at end, 1963, 701 § 1.

SECT. 1A added, 1963, 701 § 2.

SECTS. 3A and 3B added, 1963, 701 § 3.

SECT. 4, last sentence revised, 1963, 701 § 4.
SECT. 5 revised, 1963, 701 § 5.
SECT. 7 revised, 1963, 701 § 6.
SECT. 8, paragraph added at end, 1963, 701 § 7.
SECT. 9A added, 1963, 701 § 8 (relative to the purchasing power of the board of trustees).
SECT. 12 amended, 1958, 538 § 3; sentence added at end, 1955, 730 § 41A; amended, 1960, 563; revised, 1963, 801 § 76; three paragraphs added at end, 1962, 499 § 1; eight paragraphs added at end, 1963, 701 § 9. (See 1955, 730 § 43; 1963, 701 §§ 11, 12 and 13.)
SECTS. 12A and 12B added, 1963, 701 § 10.
SECT. 17 amended, 1963, 601.

Chapter 75B. — Southeastern Massachusetts Technological Institute.

New chapter inserted, 1960, 543 § 3. (See 1960, 543 §§ 4–10.)

SECT. 12, two sentences added at end, 1963, 801 § 77.

Chapter 75C. — Private Correspondence Schools.

New chapter inserted, 1963, 652 § 1.

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.)
SECT. 19A amended, 1963, 672.
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); revised, 1963, 697 § 5.
SECT. 5B added, 1950, 532 (restricting the taking by eminent domain of property used for agricultural purposes).
SECT. 6A added, 1963, 843 § 1 (providing for payment by the commonwealth of certain moving costs of persons displaced by eminent domain proceedings). (See 1963, 842 § 2.)
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); second paragraph amended, 1963, 793 § 2. (See 1959, 626 § 6; 1963, 793 § 3.)
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; first sentence amended, 1963, 793 § 1. (See 1963, 793 § 3.)
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. 7J added, 1963, 594 § 1 (providing persons displaced from real property taken by the department shall be granted relocation payments). (See 1963, 594 § 2.)

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; 1963, 370 § 2.

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); revised, 1963, 370 § 1.

Chapter 83. — Sewers, Drains and Sidewalks.

SECT. 8 revised, 1963, 370 § 3.

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. 6C added, 1963, 472 (requiring the repossessor of a motor vehicle to return the number plates issued to the former owner).

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; said two sentences stricken out and one sentence inserted, 1963, 409 § 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; 1963, 826 § 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; 1963, 409 § 2, 826 § 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; 1963, 199; 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; second sentence amended, 1963, 745; fourth sentence (as appearing in 1958, 307) revised, 1960, 604; fourth sentence amended, 1963, 278; 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. 8B added, 1963, 713 § 2 (relative to a learner's permit for unlicensed drivers learning to drive). (See 1963, 713 § 4.)

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; first sentence stricken out and two sentences inserted, 1963, 713 § 1; second sentence (as appearing in 1935, 219) stricken out and two sentences inserted, 1948, 130; second sentence revised, 1962, 501; third sentence revised, 1955, 314; paragraph added at end, 1950, 139. (See 1963, 713 § 4.)

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; first sentence revised, 1963, 454.

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; second sentence revised, 1963, 716. (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); first two sentences revised, 1963, 298. (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; sentence inserted after second sentence, 1963, 321; third sentence (as appearing in 1951, 573) revised, 1961, 553. (See 1933, 332 § 5; 1935, 223 § 2; 1936, 388 § 2.) Affected, 1941, 589; 1915, 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. 20C, sixth paragraph amended, 1963, 451 § 1; eighth paragraph amended, 1963, 451 § 2.

SECT. 21 amended, 1936, 406; 1954, 669; revised, 1961, 422 § 1; amended, 1962, 254, 394 § 1; revised, 1963, 332; first sentence amended, 1963, 369 § 1.

SECT. 22, first paragraph amended, 1963, 276; 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); first paragraph amended, 1963, 769; paragraph added at end, 1960, 327. (See 1932, 304 § 2.)

SECT. 22B added, 1963, 525 (providing a penalty for abandoning motor vehicles on public or private ways or on certain property).

SECT. 23, first paragraph revised, 1954, 74; amended, 1963, 331; 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; revised, 1963, 369 § 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. 24C added, 1963, 338 (prohibiting a minor from operating any motor vehicle in which there is any alcoholic beverage unless he is accompanied by his parent or legal guardian).

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; revised, 1963, 349 § 2.

SECT. 32H added, 1963, 802 (requiring lessors of motorcycles to be licensed by the registrar of motor vehicles).

SECT. 33, first four paragraphs stricken out, and five new paragraphs inserted, 1932, 249 § 1; third paragraph (as appearing in 1932, 249 § 1) revised, 1948, 572 § 2; fourth paragraph (as so appearing) amended, 1933, 183 § 1; revised, 1948, 584 § 2; fifth paragraph (as so appearing) revised, 1947, 666 § 3; paragraph in lines 21–41 amended, 1932, 180 § 12; same paragraph stricken out, and two paragraphs inserted, 1933, 332 § 4; two paragraphs so inserted stricken out, and new paragraph inserted, 1935, 409 § 1; the paragraph so inserted amended, 1936, 380 § 1; subdivisions (2) and (3) of the paragraph so inserted revised, 1937, 377; subdivision (2) of said paragraph revised, 1945, 595 § 2; subdivision (3) of said paragraph amended, 1938, 430; subdivision (4) of said paragraph amended, 1939, 354 § 3; subdivision (6) of said paragraph amended, 1939, 354 § 4; revised, 1945, 595 § 3; last sentence revised, 1947, 463; sixth paragraph (inserted by 1935, 409 § 1) revised, 1951, 630 § 1; paragraph inserted after subdivision (6), 1948, 432 § 2; paragraph in lines 69–75 (as appearing in the Ter. Ed.) revised, 1948, 511 § 7; paragraph inserted after "registrar" in line 75 (as appearing in the Ter. Ed.) 1947, 401 § 2; same paragraph revised, 1948, 511 § 7; paragraph in lines 85–87 (as appearing in the Ter. Ed.) revised, 1948, 399 § 2, 619 § 2; paragraph inserted, 1950, 306; last paragraph amended, 1936, 401; paragraph added at end, 1949, 644 § 4; section revised, 1951, 699 § 1; paragraph inserted after paragraph numbered (6), 1952, 173 § 1; fifteenth paragraph revised, 1951, 736 § 3; twenty-fourth paragraph revised, 1952, 459; section revised, 1952, 540; third paragraph revised, 1954, 241; first sentence of fifth paragraph revised, 1953, 304; sentence inserted, 1953, 607; subdivision (3) revised, 1956, 569; eleventh paragraph of subdivision (7) revised, 1959, 414; fourteenth paragraph of subdivision (7) revised, 1955, 488 § 2; section revised, 1959, 571 § 1; amended, 1963, 713 § 3; fourth paragraph (as appearing in 1959, 571 § 1) revised, 1963, 421; 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; 1963, 713 § 4.)

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; revised, 1963, 358 § 1, 476 § 1; paragraph defining "motor vehicle liability policy" revised, 1935, 459 § 2; amended, 1959, 282 § 3; 1961, 177 § 3; revised, 1963, 358 § 2, 476 § 2. (See 1935, 459 § 5; 1945, 384 § 3; 1959, 282 § 6; 1963, 358 § 4, 476 § 3.)

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; revised, 1963, 358 § 3; 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; revised, 1963, 674 § 1. (See 1960, 522 § 2.)

SECTS. 2, 3 and 4 revised, 1963, 674 § 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.)

SECT. 1, definition of "Automobile law violation" revised, 1963, 340 § 1; definition of "Citation", 1963, 637 § 1; definition of "Police officer" revised, 1963, 340 § 2.

SECT. 2 revised, 1963, 637 § 2; first two paragraphs revised, 1963, 818.

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. 29A added, 1963, 608 (authorizing cities and towns to appropriate money for the construction of certain structures along their shores).

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. 35A added, 1963, 351 § 1 (authorizing the towing of vehicles from metropolitan parks district parkways, boulevards and roadways where such vehicles are parked or standing in violation of the law).

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; paragraph added at end, 1963, 380.

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. 67 revised, 1963, 615 § 2.

SECT. 68 revised, 1963, 615 § 3.

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; amended, 1963, 652 § 2.

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; repealed, 1963, 652 § 3.

SECT. 23 repealed, 1963, 652 § 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. 42B, sentence inserted after second sentence, 1963, 129.

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; amended, 1963, 326.

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 "Imitation frozen dessert" revised, 1963, 274 § 1; 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; paragraph (*b*) revised, 1963, 274 § 2.

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. 65T added, 1963, 274 § 3 (authorizing the department of public health to establish regulations and standards for frozen dietary dairy desserts).

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. 90D, fourth sentence revised, 1963, 116.

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; first sentence amended, 1963, 158.

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; 1963, 579 § 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; clause Thirteenth added, 1963, 487 § 1; section 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; definitions of "amidone", "isoamidone" and "keto-bemidone" revised, 1963, 79.
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; 1963, 94.

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. 295Y added, 1963, 280 (regulating the sale and installation of seat safety belts).

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; revised, 1963, 487 § 2. (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).

SECTS. 308–313 added, under caption, 1963, 487 § 3 (regulating the maintenance and operation of and the sale of foods and beverages through vending machines).

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); revised, 1963, 544.
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. 52, last sentence revised, 1963, 34.
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 (4) revised, 1963, 188 § 24; subsection (27) amended, 188 § 1; 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 — 105, subparagraph (*c*) of subsection (1) amended, 1963, 188 § 2.
SECT. 3 — 112, subsection (1), subparagraph (*b*) revised, 1963, 188 § 3.
SECT. 3 — 122, subsection (4) amended, 1960, 273.
SECT. 3 — 412, subsection (2) amended, 1963, 188 § 4.
SECT. 3 — 504, subsection (4) amended, 1963, 188 § 5.
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. 4 — 106 amended, 1963, 188 § 6.
SECT. 4 — 109 added, 1963, 188 § 7 (defining the process of posting by payor banks).
SECT. 4 — 204, subsection (3) added, 1963, 188 § 8.
SECT. 6 — 103, paragraph added at end, 1963, 188 § 9.
SECT. 6 — 104, subsection (2) amended, 1963, 188 § 10.

SECT. 6 — 106, subsection (3) amended, 1963, 188 § 11.
SECT. 6 — 107, subparagraph (*b*) of subsection (3) amended, 1963, 188 § 12.
SECT. 7 — 210, subparagraph (*b*) of subsection (2) amended, 1963, 188 § 13.
SECT. 8 — 102 revised, 1963, 188 § 14.
SECT. 8 — 107 added, 1963, 188 § 15.
SECT. 8 — 208, subsection (1) amended, 1963, 188 § 16.
SECT. 8 — 304, subsection (2) amended, 1959, 580 § 4.
SECT. 8 — 306, subsection (3) amended, 1963, 188 § 17.
SECT. 8 — 308, subparagraph (*b*) of subsection (3) amended, 1963, 188 § 18.
SECT. 8 — 311 amended, 1958, 542 § 9.
SECT. 8 — 313 revised, 1963, 188 § 19.
SECT. 8 — 318 amended, 1959, 580 § 5.
SECT. 8 — 320 added, 1963, 188 § 20.
SECT. 8 — 402 revised, 1959, 580 § 6.
SECT. 8 — 403 revised, 1959, 580 § 7.
SECT. 9 — 103, subsection (2) amended, 1963, 188 § 21; subsection (5) added, 1963, 188 § 22.
SECT. 9 — 105, subsection (2) amended, 1958, 542 § 10.
SECT. 9 — 206, subsection (1) revised, 1963, 188 § 23.
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*½) 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, first paragraph amended, 1963, 484 § 1; paragraph inserted before the last paragraph, 1938, 445 § 6; same paragraph amended, 1954, 558 § 3. (See 1963, 484 § 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; second paragraph amended, 1963, 484 § 2. (See 1963, 484 § 3.)

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; same paragraph stricken out and two paragraphs inserted, 1963, 390 § 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; first sentence revised, 1963, 145; seventh sentence revised, 1963, 145.

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); paragraph added at end, 1963, 483.

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; section and caption preceding section revised, 1963, 517 § 2.

SECT. 64 amended, 1962, 546 § 3; revised, 1963, 517 § 3.

SECT. 65 revised, 1951, 562 § 1; 1952, 270 § 1; 1957, 460; amended, 1962, 546 § 4; repealed, 1963, 517 § 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; amended, 1963, 517 § 5. (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; amended, 1963, 517 § 6.

SECTS. 67A–67D added, under caption "CARE OF CERTAIN INFANTS PREMATURELY BORN", 1937, 332.

SECT. 67A revised, 1939, 246 § 1; 1949, 601 § 1.

SECT. 67B revised, 1949, 601 § 2.

SECT. 67C revised, 1939, 246 § 2; amended, 1945, 535; revised, 1949, 601 § 3; amended, 1955, 753; revised, 1961, 54; 1963, 573 § 1.

SECT. 67 D revised, 1963, 573 § 2.

SECT. 67E added, 1963, 22 § 3 (relative to reporting of children born with congenital deformities or birth injuries).

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; revised, 1963, 517 § 7.

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; amended, 1963, 23.

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; first sentence revised, 1963, 758; ninth sentence revised, 1963, 783; seventeenth sentence revised, 1963, 285.

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. 72C added, 1963, 730 § 1 (regulating lighting and ventilation in convalescent or nursing homes).

SECT. 73 amended, 1957, 545 § 4; 1963, 730 § 2; first sentence stricken out and three sentences inserted, 1963, 762.

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. 110A added, 1963, 545 (requiring a phenylketonuria test of certain newborn children).
SECT. 111 revised, 1938, 265 § 14; second paragraph revised, 1948, 129 § 2.
SECT. 111A added, 1963, 118 (requiring the reporting of cases of cerebral palsy).
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; sentence inserted after first sentence, 1963, 148 § 2.

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).

SECTS. 128B–128F, inclusive, repealed, 1963, 390 § 2.

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; 1963, 453.

SECTS. 176–180 repealed, 1938, 265 § 17.

SECT. 184A added, 1939, 344 (authorizing the state department of public health to issue certificates of approval relative to bacteriological laboratories); second paragraph amended, 1946, 155 § 1; paragraph added at end, 1946, 155 § 2.

SECT. 184B added, 1950, 431 (restricting the establishment and maintenance of blood banks).

SECT. 185A added, 1945, 543 § 2 (relative to the furnishing of certain material for use in determining and recording the physical condition of school children).

SECT. 186A added, 1958, 79 § 2 (regulating the use of shoe-fitting machines employing fluoroscopic, X-ray or radiation principles).

Chapter 111A. — Drug Addiction Rehabilitation.

New chapter inserted, 1963, 763 § 2.

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. 9A, third sentence amended, 1963, 780.

SECT. 12 amended, 1948, 129 § 7.

SECT. 12A, first sentence amended, 1943, 41; revised, 1962, 407; section revised, 1963, 108.

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. 36B revised, 1963, 450 § 1. (See 1963, 450 § 2.)

SECT. 38 revised, 1934, 236.

SECT. 39 amended, 1939, 138; 1951, 410; 1953, 281; revised, 1962, 695; last sentence revised, 1963, 488 § 1. (See 1963, 488 § 2.)

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; sentence added at end, 1963, 654 § 3.

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. 56A added, 1963, 468 (authorizing the board of registration in veterinary medicine to issue a license to certain veterinarians licensed in other states).

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. 61, caption preceding said section revised, 1963, 241 § 1; first sentence amended, 1963, 241 § 2; paragraph added at end, 1963, 241 § 3.

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"); third paragraph, clause (5) amended, 1963, 811 § 1; clause (7) added, 1963, 811 § 2. (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. 87A–87E stricken out and new sections 87A–87E inserted, 1963, 663 § 2. (See 1963, 663 §§ 6–12.)

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; first paragraph amended, 1963, 471 § 1; second paragraph, fourth sentence stricken out and two sentences inserted, 1963, 471 § 2; fifth sentence (as appearing in 1958, 295) revised, 1963, 490. (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; revised, 1963, 510 § 1. (See 1950, 440 § 2; 1963, 510 § 3).

SECT. 87Q repealed, 1963, 510 § 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. 87XX, last sentence revised, 1963, 735 § 1. (See 1963, 735 § 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.)

SECTS. 87PPP–87VVV added, under caption, 1963, 604 § 2 (relative to the registration of radio and television technicians). (See 1963, 604 § 4.)

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).

SECT. 10 added, 1963, 400 (authorizing the Soldiers' Home in Massachusetts to provide for training grants for fellows in medicine, surgery and urology).

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; revised, 1963, 726 § 1. (See 1963, 726 § 16.)

SECT. 1A added, 1963, 726 § 2 (defining certain words used in this chapter).

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; amended, 1963, 726 § 3. (See 1963, 726 § 16.)

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; revised, 1963, 726 § 4. (See 1939, 39 § 2; 1963, 726 § 16.)

SECT. 15 repealed, 1963, 726 § 5. (See 1963, 726 § 16.)

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; section revised, 1963, 726 § 6. (See 1963, 726 § 16.) (See 1939, 454 § 21.)

SECT. 18 amended, 1934, 45; 1938, 425; revised, 1941, 351 § 9; first sentence revised, 1954, 394; amended, 1963, 726 § 7; second sentence revised, 1958, 613 § 3; sixth sentence amended, 1963, 726 § 8. (See 1939, 454 § 21; 1963, 726 § 16.)

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; section revised, 1963, 726 § 9. (See 1963, 726 § 16.)

SECT. 19A added, 1963, 726 § 10 (relative to reimbursement by the commonwealth of disbursements by a city or town for general relief). (See 1963, 726 § 16.)

SECT. 21 amended, 1941, 196.

SECT. 23 repealed, 1963, 726 § 11. (See 1963, 726 § 16.)

SECT. 24 revised, 1935, 164; sentence added at end, 1943, 481; section stricken out and sections 24 and 24A inserted, 1959, 584.

SECT. 25, 26 and 27 repealed, 1963, 726 § 12. (See 1963, 726 § 16.)

SECT. 28 revised, 1963, 726 § 13. (See 1963, 726 § 16.)

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.

SECT. 43 repealed, 1963, 726 § 14. (See 1963, 726 § 16.)

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 Families with Dependent Children (former title, Aid to 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:

Title changed, 1963, 432 § 4.

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; paragraph defining "aid to dependent children" revised, 1963 432 § 5.

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; first sentence amended, 1963, 432 §6; two sentences added at end, 1949, 613 § 1; stricken out and one sentence inserted, 1953, 323.

SECT. 6 revised, 1941, 405; first sentence amended, 1969, 781 § 12; two sentences added at end, 1943, 491. (See 1939, 454 § 21.)

SECT. 7 revised, 1950, 657; amended, 1963, 432 § 7.

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; fifth sentence (as so inserted) stricken out, 1963, 566 § 1; 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; amended, 1963, 550; 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; paragraph 1 revised, 1962, 597 § 1; amended, 1963, 651 § 1; paragraph 3 revised, 1962, 597 § 1; amended, 1963, 651 § 2; paragraph 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 assistance); amended, 1941, 729 § 7; revised, 1943, 470; paragraph added at end, 1945, 458 § 2; 1949, 627. (See 1941, 729 § 15.)

SECT. 7 revised, 1951, 533.

SECT. 8 amended, 1941, 729 § 8; first sentence revised, 1960, 781 § 13; stricken out and two sentences inserted, 1961, 462 § 1; two sentences inserted after third sentence, 1943, 490; sentence added at end, 1951, 539; stricken out and four sentences inserted, 1953, 462 § 1; eighth sentence amended, 1962, 412; section revised, 1963, 566 § 2. (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. 27 revised, 1963, 432 § 8.

SECT. 30, paragraph 1 amended, 1963, 651 § 3; paragraph 2 amended, 1963, 651 § 4; paragraph 3 revised, 1962, 597 § 2.

Chapter 118B. — The Merit System in the Administration of Aid to Families with Dependent Children and Old Age Assistance.

New chapter inserted, 1950, 793 § 7.

Title changed, 1963, 432 § 9.

SECT. 2, first sentence revised, 1952, 353 § 3; amended, 1959, 141 § 2, revised, 1963, 432 § 10. (See 1952, 353 § 10.)

SECT. 3, first sentence amended, 1952, 353 § 4; revised, 1960, 343 § 2, amended, 1963, 432 § 11. (See 1952, 353 § 10.)

SECT. 4, second and third sentences revised, 1960, 343 § 3.

SECT. 5, fourth sentence amended, 1952, 353 § 5; 1963, 432 § 12. (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; 1963, 432 § 13. (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; third sentence (as appearing in 1954, 741 § 2) revised, 1963, 389.

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. 10 revised, 1963, 432 § 14.

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 noncriminal fines upon juveniles for violation of the motor vehicle laws). (See 1957, 194 § 2.)

SECT. 59, second paragraph stricken out, 1941, 648 § 1.

SECT. 60 stricken out and new sections 60 and 60A inserted, 1938, 174 § 1 (relative to the use of information and records in cases of waywardness or delinquency).

SECT. 60 amended, 1948, 310 § 6.*

SECT. 61 amended, 1948, 310 § 7.*

SECT. 63 revised, 1932, 95 § 1.

SECT. 64 revised, 1956, 731 § 2.

SECT. 65 amended, 1932, 95 § 2.

SECT. 66 revised, 1941, 648 § 2; 1943, 244 § 2; amended, 1960, 353 § 2.

SECT. 67 amended, 1941, 648 § 3; revised, 1943, 244 § 2; 1955, 609 § 1.

SECT. 68 revised, 1943, 244 § 2; 1948, 310 § 8*; 1955, 609 § 2; amended, 1956, 269.

SECTS. 68A–68C added, 1955, 609 § 3 (relating to the detention of wayward and delinquent children and juvenile offenders).

SECT. 69 revised, 1943, 244 § 2.

SECT. 69A added, 1948, 310 § 9 (providing that courts and certain public officers and authorities shall make available to the youth service board information relative to cases committed to said board).*

SECT. 72 amended, 1947, 235; revised, 1948, 310 § 10*; amended, 1949, 595.

SECT. 73 revised, 1945, 202; amended, 1948, 310 § 11.*

SECT. 74 amended, 1933, 196 § 1; revised, 1948, 310 § 12; amended, 1960, 353 § 3.*

SECT. 75 amended, 1933, 196 § 2; revised, 1948, 310 § 13; amended, 1960, 353 § 4.*

SECT. 76 revised, 1948, 310 § 14.*

SECT. 77 revised, 1948, 310 § 15.*

SECT. 79 amended, 1948, 310 § 16*; 1953, 319 § 15. (See 1953, 319 §§ 39, 40.)

SECT. 80 revised, 1948, 310 § 17.*

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* See 1948, 310 §§ 30, 31.

SECT. 81 amended, 1948, 310 § 18.*
SECT. 82 amended, 1948, 310 § 19.*
SECT. 83 revised, 1948, 310 § 20.*

Chapter 120. — Youth Service Board and Massachusetts Training Schools (former title, Massachusetts Training Schools).

Chapter stricken out, and new chapter 120 (with new title) inserted, 1948, 310 § 22. (See 1948, 310 §§ 30, 31.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 120, as so inserted:

SECT. 1 revised, 1952, 605 § 4. (See 1952, 605 §§ 19–21.)
SECT. 2 revised, 1952, 605 § 5; amended, 1955, 770 § 4. (See 1952, 605 §§ 19–21; 1955, 770 §§ 117, 123.)
SECT. 3 revised, 1952, 605 § 6. (See 1952, 605 §§ 19–21.)
SECT. 4 revised, 1952, 605 § 7. (See 1952, 605 §§ 19–21.)
SECT. 4A added, 1952, 605 § 8 (establishing a division of youth service in the department of education). (See 1952, 605 §§ 15, 19–21.)
SECT. 6, paragraph (*e*) revised, 1949, 593 § 1.
SECT. 7 amended, 1952, 605 § 9. (See 1952, 605 §§ 15, 19–21.)
SECT. 8, fourth and fifth sentences revised, 1952, 605 § 10. (See 1952, 605 §§ 15, 19–21.)
SECT. 9 amended, 1952, 605 § 11. (See 1952, 605 §§ 15, 19–21.)
SECT. 10, subsection (*a*) amended, 1950, 545; section revised, 1952, 605 § 12. (See 1952, 605 §§ 15, 19–21.)
SECT. 10A repealed, 1949, 593 § 2.
SECT. 11 revised, 1952, 605 § 13; amended, 1955, 766 § 5; 1957, 532. (See 1952, 605 §§ 15, 19–21.)
SECT. 12 amended, 1949, 593 § 3; revised, 1952, 605 § 14. (See 1952, 605 §§ 15, 19–21.)
SECT. 13 amended, 1949, 593 § 4.
SECT. 13A added, 1953, 619 § 1 (relative to payments by the commonwealth for damages to property caused by acts of certain inmates of institutions under management of the Youth Service Board). (See 1953, 619 § 2.)
SECT. 14 amended, 1954, 685 § 2.
SECT. 22 amended, 1956, 731 § 3.

Chapter 121. — Powers and Duties of the Department of Public Welfare, and the Massachusetts Hospital School.

SECT. 3 revised, 1952, 602 § 11.
SECT. 4A added, 1941, 630 § 3 (relative to information concerning recipients of old age assistance and aid to dependent children); revised, 1945, 240 § 2.
SECT. 6 amended, 1941, 351 § 11; 1948, 310 § 25; 1956, 436 § 1; repealed, 1958, 613 § 4. (See 1948, 310 §§ 30, 31.)
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.

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* See 1948, 310 §§ 30, 31.

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; second sentence stricken out and four sentences inserted, 1963, 806 § 1. (See 1963, 806 § 2.)

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; 1955, 641; 1963, 585 § 1; first paragraph amended, 1955, 489; 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; 1963, 585 § 2; 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; 1963, 551. (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; paragraph added at end, 1963, 593.

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; two paragraphs added at end, 1963, 596.

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); revised, 1963, 394.

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. 76A added, 1963, 575 (providing that needy patients at outpatient clinics of state hospitals be furnished necessary medicine and drugs free of charge).

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); paragraph added at end, 1963, 110.
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; revised, 1963, 535. (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. 129C added, 1963, 164 (providing a further deduction of sentence for good conduct while confined at a prison camp).

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; revised, 1963, 805 § 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; 1963, 805 § 2; clause (*b*) revised, 1946, 575 § 2; 1959, 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. 11A added, 1963, 835 (prohibiting interlocking directorates between fairs and commercial racing corporations).

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 repealed, 1963, 664 4. § (See 1963, 664 §§ 5-7.)

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; revised, 1963, 579 § 1.

SECT. 21 amended, 1963, 29.

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; definition of "Shellfish" inserted, 1963, 131; 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. 8A added, 1963, 383 § 1 (relative to the enforcement of certain marine fisheries laws by police officers).

SECT. 13, third paragraph revised, 1949, 566 § 2.

SECT. 15 repealed, 1963, 383 § 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. 27A added, 1963, 426 (regulating the removal, filling and dredging of certain areas bordering on the coastal waters of the commonwealth).

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. 41 revised, 1963, 300 § 1.

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; revised, 1963, 300 § 2. (See 1951, 408 § 2.)

SECT. 45 revised, 1963, 300 § 3.

SECT. 47, third sentence revised, 1963, 300 § 4.

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. 87 revised, 1963, 346.

SECT. 88, sentence added at end, 1959, 265 § 1; revised, 1961, 321 § 1, 399 § 1; 1963, 291 § 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; 1963, 291 § 2.

SECT. 89 amended, 1947, 363.

SECT. 92 revised, 1957, 320.

SECT. 97 repealed, 1945, 12.

SECT. 97A added, 1943, 463 (relative to the disposition by counties of revenue received from the federal government by reason of federal wildlife refuges situated therein); repealed, 1945, 12.

SECT. 98 revised, 1956, 254 § 2; 1963, 107.

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. 112B, sentence inserted after first sentence, 1963, 381.

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, 812 § 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.

The following references are to chapter 136, as so inserted:

SECT. 6, clause (25) revised, 1963, 230.

SECT. 14, first paragraph revised, 1963, 265.

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; 1963, 176; 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. 25C added, 1952, 385, section number corrected, 567 § 1 (relative to the elimination of certain trade abuses); paragraph (*d*), second paragraph revised, 1963, 258. (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; revised, 1963, 449 § 1. (See 1935, 83 § 2; 1963, 449 § 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. 66 revised, 1963, 322.
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; two sentences added at end, 1963, 646. (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 firearms); repealed, 1957, 688 § 14.

SECT. 131 revised, 1936, 302; amended, 1951, 201; 1953, 319 § 20; sentence added at end, 1953, 454; section revised, 1957, 688 § 15; 1959, 296 § 6; sentence added at end, 1960, 293. (See 1953, 319 §§ 39, 40.)

SECT. 131A revised, 1957, 688 § 16; 1959, 296 § 7.

SECT. 131B amended, 1957, 688 § 17.

SECT. 131C added, 1934, 246 (prohibiting persons licensed to carry pistols and revolvers from carrying the same in vehicles unless said weapons are under their control therein); amended, 1957, 688 § 18.

SECT. 131D added, 1947, 492 § 5 (relative to the emission of smoke by steam locomotives); repealed, 1954, 672 § 7; caption preceding section stricken out, 1957, 688 § 19.

SECTS. 131E and 131F added, 1957, 688 § 20 (providing a penalty for the unlawful purchasing by a licensee of firearms for another and relative to the issuance of temporary licenses to non-residents).

SECT. 131F revised, 1959, 296 § 8.

SECT. 132 repealed, 1954, 672 § 7.

SECT. 133 amended, 1939, 451 § 56; revised, 1948, 550 § 22; 1949, 297 § 8; repealed, 1954, 672 § 7.

SECT. 134 repealed, 1954, 672 § 7.

SECT. 135 repealed, 1954, 672 § 7.

SECT. 136 revised, 1947, 492 § 6; repealed, 1954, 672 § 7.

SECT. 136A, under caption "DOGS", added, 1934, 320 § 1 (definitions of certain words and phrases in sections 137–175); amended, 1943, 111 § 1. (See 1934, 320 § 34.)

SECT. 137 amended, 1932, 289 § 1; revised (and caption stricken out) 1934, 320 § 2; revised, 1943, 111 § 2; 1945, 140; second paragraph amended, 1956, 78 § 1; last two sentences stricken out, 1956, 44 § 1. (See 1934, 320 § 34.)

SECTS. 137A–137C added, 1934, 320 § 3 (relative to kennel licenses and regulating holders of such licenses). (See 1934, 320 § 34.)

SECT. 137A, paragraph added at end, 1937, 95; first paragraph stricken out and three paragraphs inserted, 1943, 111 § 3.

SECT. 137C revised, 1939, 206.

SECT. 137D added, 1948, 329 (prohibiting the issuing of dog licenses to persons convicted of cruelty to animals).

SECT. 138 revised, 1934, 320 § 4; 1938, 92; 1943, 111 § 4. (See 1934, 320 § 34.)

SECT. 139 amended, 1934, 320 § 5; sentence inserted after second sentence, 1956, 44 § 2; sentence added at end, 1939, 23; sentence added at end, 1941, 132; 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. 185 repealed, 1963, 195.
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. 185I added, 1963, 194 (providing that no persons may tell fortunes for money unless licensed).
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; amended, 1963, 491; 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. 1, definition of "Apprentice" inserted, 1963, 431 § 1.

SECT. 2 revised, 1958, 332; amended 1963, 228 § 1.

SECT. 3, sentence inserted after the first sentence, 1948, 382; sentence added at end, 1958, 263; section revised, 1959, 284; second sentence amended, 1960, 190; 1963, 148 § 1; section revised, 1963, 431 § 2.

SECT. 3A added, 1963, 431 § 3 (providing that apprentice plumbers be licensed).

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; sentence added at end, 1963, 431 § 4.

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; revised, 1963, 228 § 2.

SECT. 15 revised, 1952, 112.

SECT. 16 amended, 1963, 431 § 5.

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; 1963, 21. (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; first two sentences revised, 1963, 691; fourth paragraph amended, 1948, 144 § 1. (See 1963, 691 § 2.)

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. 3O revised, 1963, 217.

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; revised, 1963, 687 § 1. (See 1943, 544 § 7A; 1963, 687 § 3.)

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; revised, 1963, 687 § 2. (See 1943, 544 § 7A, 546 § 5; 1945, 722 § 2; 1963, 687 § 3.)

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; revised, 1963, 690 § 1. (See 1963, 690 § 5.)

SECTS. 45 and 46 amended, 1943, 544 § 3. (See 1943, 544 § 7A.)

SECT. 45 revised, 1963, 690 § 2. (See 1963, 690 § 5.)

SECT. 46 revised, 1963, 690 § 3. (See 1963, 690 § 5.)

SECT. 47, last sentence stricken out, 1945, 700 § 2.

SECT. 48 amended, 1945, 700 § 3.
SECT. 49 amended, 1943, 544 § 3; revised, 1945, 526; paragraph added at end, 1963, 705. (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; first sentence amended, 1963, 681.
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; sixth sentence stricken out, 1963, 616 § 1.
SECT. 62A added, 1963, 616 § 2 (relative to the inspection of elevators in certain cities and towns).
SECT. 64 revised, 1963, 616 § 3.
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; fourth sentence revised, 1963, 801 § 78.
SECT. 71B, second sentence stricken out, 1956, 474; section revised, 1957, 637 § 2.
SECT. 71C revised, 1957, 637 § 3.
SECT. 71D added, 1946, 495 (providing that persons engaged in certain work in the construction and maintenance of elevators and escalators need not be licensed as elevator constructors, maintenance men or repairmen); revised, 1957, 637 § 4.
SECT. 71E added, 1956, 475 (relative to the inspection, regulation and operation of moving stairways); revised, 1957, 637 § 4A.
SECT. 71F added, 1957, 637 § 5 (relative to the licensing of persons engaged in the construction of elevators, moving stairways and dumbwaiters).
SECT. 71G added, 1963, 616 § 4 (relative to the licensing of elevator operators and the fees for such licenses).
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. 45A added, under caption, 1963, 561 (providing for the inspection of certain refrigeration and air conditioning systems by the division of inspection in the department of public safety); last two sentences stricken out and three sentences inserted, 1963, 655.
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. 4, two paragraphs added at end, 1963, 798 § 3.
SECT. 4B added, 1939, 116 (providing that local police authorities and district attorneys be furnished with information relative to certain per-

sons 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 overtime service).

SECT. 17D added, 1961, 246 § 2 (providing that police officers in certain cities and towns shall be excused from duty without loss of pay while in attendance as official delegates at the annual convention of the Massachusetts Police Association).

SECT. 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; 1946, 363 § 9; amended, 1963, 680 §1; paragraph N added, 1946, 363 § 9. (See 1943, 546 § 5; 1963, 680 § 2.)

SECT. 28A added, 1963, 689 (requiring the head of the fire department to report to the proper authority violations of the building laws).

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 condi-

tions 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; 1963, 1.

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 "cooperative 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); revised, 1963, 797.

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; 1963, 798 § 4; 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, 1963, 798, § 5; 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; subsection (4) revised, 1963, 445 § 1.

SECT. 44C, second sentence amended, 1962, 645; revised, 1963, 267; 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, first sentence revised, 1963, 445 § 2; 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; second and third sentences revised, 1963, 38.

SECT. 127 revised, 1951, 38.

SECT. 129 revised, 1963, 36.

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; 1963, 586 § 1; 1963, 586 § 2; 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; 1963, 586 §§ 3, 4.)

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 (*q*) 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; 1963, 447 § 1; paragraph added at end, 1958, 437 § 1. (See 1951, 763 § 22; 1963, 447 § 3.)

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; 1963, 447 § 2; 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; 1963, 447 § 3.)

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; 1963, 438 § 1; 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; 1963, 438 § 2.)

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 7 revised, 1963, 469; subsection 8 added, 1950, 697 § 2; subsections 9, 10, 11 added, 1957, 426 § 1; subsection 9 revised, 1963, 613, § 1; subsection 12 added, 1959, 239 § 1; subsection 13 added, 1963, 197 § 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; subsection 7 added, 1963, 197 § 2; paragraph added at end, 1947, 424; 1957, 426 § 3.
SECT. 5 revised, 1950, 479 § 4; amended, 1957, 426 § 4; second paragraph amended, 1961, 570; revised, 1963, 613 § 2.
SECT. 6 amended, 1957, 426 § 5; seventh sentence revised, 1954, 681 § 13. (See 1954, 681 §§ 20, 22.)
SECT. 7 amended, 1963, 613 § 3.
SECT. 9 amended, 1950, 697 § 9; last sentence amended, 1963, 613 § 4.

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; first paragraph, sixth sentence revised, 1963, 407.

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; 1963, 460 § 1. (See 1946, 321 § 4; 1956, 735 § 4; 1963, 460 § 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; 1963, 460 § 2. (See 1946, 321 § 4; 1956, 735 § 4; 1963, 460 § 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; 1963, 460 § 3. (See 1946, 321 § 4; 1963, 460 §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; first sentence amended, 1956, 689 § 6; revised, 1963, 305. (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; first paragraph amended, 1963, 59. (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. (See 1963, 141.)

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 156A. — Professional Corporations.

New chapter inserted, 1963, 654 § 1.

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. 104A added, 1963, 264 (regulating the disconnecting, removal or displacement of wires over railroad crossings, and providing for the reimbursement of a railroad for certain expenses in connection therewith).

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. 235 stricken out and sections 235 and 235A inserted, 1963, 794 § 1. (See 1963, 794 § 2.)

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. 40 revised, 1963, 347 § 2.

SECT. 56, first sentence amended, 1958, 160.

SECTS. 56A–56E added, 1960, 643 (relative to municipal light commissions).

SECT. 57, sentence inserted after seventh sentence, 1963, 347 § 3.

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. 93 revised, 1963, 615 § 4.

SECT. 94, first paragraph amended, 1948, 471; second paragraph amended, 1939, 178 § 1; third paragraph amended, 1948, 471; 1963, 615 § 1. (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. 125A revised, 1963, 615 § 5.

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*) of the first sentence revised, 1960, 422; sentence inserted after said sentence, 1963, 277; second sentence (as appearing in 1950, 598) 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; 1963, 253 § 1; paragraph 2 amended, 1956, 175; 1963, 253 § 2.

SECT. 22, first paragraph revised, 1959, 177 § 2; 1963, 253 § 3; second paragraph amended, 1963, 253 § 4.

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, first sentence revised, 1963, 341 § 1; third sentence amended 1960, 256; paragraph 10, second and third sentences revised, 1963, 269; paragraph 11 revised, 1960, 289; amended, 1963, 301; paragraph 13 added, 1960, 804, § 3.

SECT. 36, paragraph 4, first two sentences revised, 1962, 50 § 6; paragraph 6, clause (*b*) amended, 1963, 273.

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 6, first two paragraphs revised, 1963, 272; paragraph 7 added, 1960, 257; first sentence revised, 1963, 341 § 2; paragraph 8 added, 1963, 353.

SECT. 40, first sentence amended, 1962, 169 § 7; same sentence stricken out and two sentences inserted, 1963, 268; second sentence (as appearing in 1955, 432 § 1) 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, 159, 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; first paragraph amended, 1963, 155.

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; first paragraph revised, 1963, 255; third paragraph amended, 1961, 333 § 7.

SECT. 17 revised, 1952, 257 § 2. (See 1952, 257 § 3.)

SECT. 19 revised, 1963, 327.

SECT. 23, subsection 4 revised, 1963, 126; subsection 5 added at end, 1957, 198 § 1; revised, 1963, 91.

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; 1963, 101; subsection 3A inserted, 1959, 174; revised, 1963, 146; subsection 4 revised, 1955, 146; 1958, 96; 1959, 108 § 2; 1960, 54; 1962, 125 § 1; subsection 5 amended, 1956, 34; 1962, 125 § 2; revised, 1963, 124; 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; subsection 6 revised, 1963, 100; subsection 8 added, 1963, 279. (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; amended, 1963, 122.

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; first paragraph amended, 1963, 156.

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; 1963, 416; sentence inserted after fourth sentence, 1960, 162; revised, 1963, 416.

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, two sentences inserted after first sentence, 1963, 104; second sentence amended, 1949, 286 § 1; revised, 1962, 268 § 2; third sentence revised, 1963, 227; sentence inserted after fourth sentence, 1960, 60; two sentences added at end, 1956, 126; sentence added at end, 1963, 227.

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. 19, sentence inserted after first sentence, 1963, 324.

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; 1963, 318 § 1; 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; revised, 1963, 318 § 2; 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; subdivision (C) added, 1963, 318 § 3.

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. 27, subsection B amended, 1963, 225.

SECT. 48, clause 8 amended, 1962, 238; clause 18 added, 1963, 143.

SECT. 51 revised, 1963, 376.

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; amended, 1963, 848 § 1; 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); paragraph added at end, 1963, 848 § 2. (See 1943, 227 §§ 13, 14.)

SECT. 3 amended, 1963, 848 § 3.

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; paragraph Second revised, 1963, 130 § 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; 1963, 130 § 3.)

SECT. 9A added, 1963, 249 (requiring life insurance companies to establish claim fluctuation reserves).

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; amended, 1963, 259 § 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; clause Eighteenth added, 1963, 848 § 4.

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; sentence added at end, 1963, 848 § 5.

SECT. 48A revised, 1946, 471 § 4.

SECTS. 48B and 48C added, 1963, 848 § 6 (relative to the investment of the assets of domestic variable annuity contracts).

SECT. 49, first paragraph revised, 1954, 320 § 1; second paragraph amended, 1963, 848 § 7; 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 (*a½*) added, 1946, 471 § 6; clause (*c*) revised, 1961, 168 § 4; 1962, 202 § 5; clause (*c*) revised, 1939, 488 § 3. (See 1939, 488 § 9.)

SECT. 54A added, 1932, 165 (permitting certain insurance companies to make outside the commonwealth contracts insuring personal property against all risks or hazards); amended, 1938, 198.

SECTS. 54B–54D added, 1945, 384 § 2 (authorizing multiple line underwriting, so called, by certain domestic and foreign stock and mutual insurance companies). (See 1945, 384 § 3.)

SECT. 54B revised, 1946, 285; 1950, 475 § 1.

SECT. 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, first paragraph amended, 1963, 848 § 8; second paragraph 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); first sentence revised, 1963, 128; 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*½) inserted, 1958, 294 § 3; paragraph C amended, 1954, 681 § 18. (See 1954, 275 §§ 4, 5, 681 §§ 20, 22.)

SECT. 109 repealed, 1954, 275 § 2. (See 1954, 275 §§ 4, 5.)

SECT. 110, sentence added at end, 1939, 133; section amended, 1941, 118; revised, 1943, 424 § 3, 532 § 1; subdivision (1) of second paragraph amended, 1945, 403 § 1; section revised, 1949, 676 § 3; amended, 1950, 392; subdivisions (A) and (B) revised, 1952, 532 § 1; subdivision (A) amended, 1954, 275 § 3, 327; 1953, 229 § 1; subdivision (B) revised, 1963, 254 § 1; subdivision (C) amended, 1952, 532 § 1A; subdivision (D) revised, 1952, 532 § 2; amended, 1955, 207; 1962, 634 § 2; subdivision (D) stricken out and subdivisions (D) and (E) inserted, 1963, 254 § 2. (See 1954, 275 §§ 4, 5.)

SECT. 110A added, 1938, 401 (relative to exemption of the benefits of disability insurance from attachment and execution).

SECT. 110B added, 1939, 209 (relative to the termination or lapsing of certain accident and health policies for non-payment of premiums); revised, 1955, 263.

SECT. 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. 111E added, 1963, 760 (authorizing the issuance of certain liability policies to certain organizations).

SECT. 113A, provision (2) amended, 1933, 119 § 1; revised, 1933, 145 § 1; 1949, 570; amended, 1951, 648 § 2; revised, 1956, 191 § 1; provision (2)A added, 1933, 145 § 2; amended, 1935, 296 § 1; provision (6) revised, 1936, 272; 1949, 693 § 1; amended, 1955, 283 § 2; paragraph inserted after said provision, 1961, 568 § 2. (See 1933, 145 § 3; 1935, 296 § 2; 1949, 693 § 2; 1951, 648 § 3; 1955, 283 § 3; 1961, 568 § 3.)

SECT. 113B, paragraph inserted after first paragraph, 1935, 459 § 4; third paragraph amended, 1951, 251; 1962, 509; 1963, 430; revised, 1963, 828. (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. 117B added, under caption, 1963, 259 § 1 (authorizing the issuance of combination policies of credit insurance).

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 in-

serted 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. 134B added, 1963, 848 § 9 (relative to the form of variable annuity contracts).

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; second sentence amended, 1963, 135.

SECT. 140, first two sentences revised, 1960, 568 § 1; third sentence revised, 1963, 211; 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; third paragraph revised, 1963, 130 § 2. (See 1943, 227 §§ 13, 14; 1963, 130 § 3.)

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.

SECTS. 180M–180Q added, under caption, 1963, 521 § 1 (relative to facilitating the continued operation of domestic insurance companies and fraternal benefit societies in the event of certain national emergencies).

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. 187F added, 1963, 796 (regulating the cancellation of certain insurance during a period of strike of insurance agents).

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.

SECT. 50 amended, 1963, 521 § 2.

Chapter 176A. — Non-Profit Hospital Service Corporations.

New chapter inserted, 1936, 409.

Chapter stricken out and new chapter 176A (with new title) inserted, 1950, 766 § 1. (See 1950, 766 §§ 2-4.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 176A, as so inserted:

SECT. 1, paragraph added at end, 1951, 687; section revised, 1953, 287 § 1; paragraph inserted after third paragraph, 1955, 499.

SECT. 2, second paragraph revised, 1956, 147 § 1. (See 1956, 147 § 2.)

SECT. 3, first sentence revised, 1953, 287 § 2.

SECT. 5, first paragraph revised, 1953, 287 § 3; amended, 1954, 513; fourth paragraph amended, 1953, 636 § 4; stricken out and two paragraphs inserted, 1956, 406. (See 1953, 636 § 9.)

SECT. 6, first two sentences revised, 1953, 287 § 4.

SECT. 8, paragraph (*c*) (2) revised, 1953, 287 § 5; paragraph (*c*) (5) added, 1955, 404; revised, 1956, 192 § 1. (See 1956, 192 § 2.)

SECT. 10, first paragraph revised, 1953, 287 § 6.

SECT. 13 revised, 1953, 287 § 7.

SECT. 17 revised, 1953, 636 § 5. (See 1953, 636 § 9.)

SECT. 27A added, 1951, 516 (relative to a system of general accident, hospitalization, medical and surgical insurance for state employees); repealed, 1955, 628 § 3.

Chapter 176B. — Medical Service Corporations.

New chapter inserted, 1941, 306.

For legislation relative to payments to certain soldiers' homes for certain services rendered to subscribers, see 1952, 296.

SECT. 2, second paragraph amended, 1957, 698 § 14.

SECT. 3, paragraph added at end, 1948, 359; amended, 1953, 143; paragraph added at end, 1953, 142; 1955, 186.

SECT. 4 revised, 1950, 472; 1959, 130; 1960, 307 § 1.

SECT. 6, first sentence revised, 1960, 307 § 2; paragraph (*d*) added, 1957, 115 § 1. (See 1957, 115 § 2.)

SECT. 10 revised, 1950, 394 § 1; first sentence amended, 1954, 276 § 1; revised, 1961, 493 § 27.

SECT. 15 repealed, 1951, 797.

SECT. 16A added, 1943, 424 § 6 (relative to deductions from salaries of state, county and municipal employees of amounts payable under certificates issued by certain medical service corporations).

Chapter 176C. — Non-Profit Medical Service Plans.

New chapter inserted, 1941, 334.

For legislation relative to payments to certain soldiers' homes for certain services rendered to subscribers, see 1952, 296.

SECT. 11 revised, 1950, 394 § 2; amended, 1954, 276 § 2.

SECT. 16A added, 1943, 424 § 7 (relative to deductions from salaries of state, county and municipal employees of amounts payable under contracts issued by certain medical service corporations).

Chapter 176D. — Unfair Methods of Competition and Unfair and Deceptive Acts and Practices in the Business of Insurance.

New chapter inserted, 1947, 659.

Chapter 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. 26 revised, 1963, 711.

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, 1963, 832 § 1; 1957, 245; paragraph inserted after first paragraph, 1963, 832 § 2; 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. (See 1963, 141.)
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; revised, 1963, 371.
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).
SECT. 12 amended, 1963, 420 § 1.
SECT. 13 revised, 1963, 420 § 2.
Sect. 14 amended, 1963, 420 § 3.

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 183A. — Condominiums.

New chapter inserted, 1963, 493 § 1.

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. 23A added, 1963, 523 § 1 (establishing limitations on proceedings relating to building restrictions). (See 1963, 523 § 2.)

SECT. 24 added, 1956, 348 § 1 (protecting certain titles to land against certain defects in deeds or instruments after ten years from the recording thereof). (See 1956, 348 §§ 2, 3.)

SECT. 25 added, 1959, 294 § 1 (protecting land titles against the effects of indefinite references). (See 1959, 294 § 2.)

SECTS. 26–30 added, 1961, 448 § 1 (protecting land titles from uncertain and obsolete restrictions and providing proceedings in equity with respect thereto).

Chapter 184A. — The Rule against Perpetuities.

New chapter inserted, 1954, 641 § 1. (See 1954, 641 § 2.)

SECT. 3, third and fourth sentences stricken out, 1961, 448 § 2. (See 1961, 448 § 4.)

Chapter 185. — The Land Court and Registration of Title to Land.

SECT. 1, clause (*b*) revised, 1935, 318 § 3; clause (*c*) revised, 1935, 318 § 4; clause (*j½*) added, 1934, 263 § 1 (granting to land court exclusive original jurisdiction to determine by declaratory judgment the validity and extent of municipal zoning ordinances, by-laws and regulations); clause (*k*) revised, 1934, 67 § 1; clauses (*l*) and (*m*) added, 1935, 318 § 5 (granting to said court original jurisdiction concurrent with supreme judicial and superior courts of certain suits in equity); 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; 1963, 742 § 1. (See 1946, 427 § 3, 544 § 5; 1951, 742 §§ 4, 5; 1953, 567; 1955, 733 §§ 4, 5; 1963, 742 § 2.)

SECT. 15A added, 1963, 74 § 1 (relative to equity practice in the land court.)

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. 46, clause Sixth added at end, 1963, 242 § 2.
SECT. 48, paragraph added at end, 1949, 48.
SECT. 59 revised, 1962, 389.
SECT. 78 amended, 1937, 144 § 1; revised, 1955, 306 § 1; amended, 1963, 242 § 3. (See 1937, 144 § 2; 1963, 242 § 6.)
SECT. 80 amended, 1963, 242 § 4. (See 1963, 242 § 6.)

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; 1963, 350.
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. 3B added, 1963, 418 § 1 (relative to testamentary addition to trusts). (See 1963, 418 § 2.)

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; revised, 1963, 392.

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; paragraph added at end, 1963, 356.

SECT. 25 revised, 1950, 64 § 1; first sentence revised, 1954, 312 § 1; 1963, 168 § 1.

SECT. 27 revised, 1950, 66 § 2; 1954, 311 § 2; first sentence revised, 1963, 168 § 2.

SECT. 27A added, 1950, 265 (relative to the disposition of certain legacies or distributive shares of estates to persons entitled thereto but unavailable); first sentence revised, 1963, 168 § 3.

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. 34A added, 1963, 415 (providing that a decree for alimony ordering a conveyance of real property shall, under certain circumstances, constitute a conveyance).
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. 2 revised, 1963, 765 § 1.
SECT. 6 revised, 1963, 765 § 2.
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; second sentence revised, 1963, 71 § 1. (See 1963, 71 § 2.)
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. 3A, second sentence revised, 1963, 755 § 1A.
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; 1963, 755 § 1. (See 1946, 544 § 5; 1951, 742 §§ 4, 5; 1955, 733 §§ 4, 5; 1956, 333; 1957, 246 §§ 1, 2; 1963, 755 § 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; second paragraph amended, 1963, 810 § 18. (See 1954, 668 § 2; 1956, 472 § 2; 1961, 535 §§ 2–6.)

SECT. 14E, first sentence amended, 1952, 477; revised, 1963, 772 § 1. (See 1963, 772 § 3.)

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; 1963, 741 § 1. (See 1946, 544 § 5; 1951, 742 §§ 4, 5; 1953, 567; 1954, 651; 1955, 475, 733 §§ 4, 5; 1956, 423 §§ 1, 3; 1957, 246 § 3; 1963, 741 § 2.)

SECT. 28 revised, 1963, 787.

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; subsection (7) added, 1963, 382. (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; section revised, 1963, 820 § 1. (See 1954, 556 § 10; 1963, 820 § 2.)

SECT. 6B added, 1935, 247 § 1 (providing for interpretive 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; 1963, 819 § 1.

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. 2A added, 1963, 819 § 2 (providing for the designation of a judge of probate as the chief judge).

SECT. 3, sentence added at end, 1949, 436 § 1; revised, 1951, 517; section revised, 1963, 756 § 1B.

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; 1963, 756 § 1A.

SECT. 7, sentence added at end, 1937, 408 § 4. (See 1937, 408 §§ 3, 9.)

SECT. 8 revised, 1937, 408 § 5; 1963, 819 § 3. (See 1937, 408 § 9; 1963, 819 § 7.)

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; revised, 1963, 387. (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; 1963, 756 § 1. (See 1937, 408 § 9; 1946, 544 § 5; 1951, 745 §§ 1A, 1B; 1955, 395, 733 §§ 4, 5, 749 §§ 1, 2; 1956, 423 §§ 2, 3; 1963, 756 § 2.)

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; second sentence revised, 1963, 756 § 1C. (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; 1963, 819 § 4. (See 1937, 408 § 9.)

SECT. 41 amended, 1937, 408 § 7; 1941, 503; revised, 1959, 286; section stricken out, 1963, 819 § 5. (See 1937, 408 §§ 8, 9.)

SECT. 42 amended, 1957, 575; sentence added at end, 1963, 819 § 6.

Chapter 218. — District Courts.

For act further extending to June 30, 1949, the operation of certain provisions of law (1923, 469, as amended) authorizing certain justices of district courts to sit in criminal cases in the superior court, see 1948, 230.

For legislation limiting the number of special justices of certain district courts, see 1941, 664.

SECT. 1, first paragraph under caption "*Franklin*" revised, 1932, 87 § 1; section amended, 1939, 451 § 59; third paragraph under caption "*Norfolk*" revised, 1949, 590 § 1; paragraphs under said caption revised, 1960, 715 § 4; first paragraph under caption "*Plymouth*" revised, 1963, 198; 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 para-

* Void for non-acceptance.

graph revised, 1950, 575; section revised, 1956, 738 § 1; first sentence revised, 1963, 422, 552 § 1; second paragraph amended, 1963, 552 § 2; third paragraph revised, 1956, 744 § 1; section revised, 1963, 810 § 1. (See 1941, 664 §§ 2, 3; 1947, 588 §§ 2, 3; 1951, 762 § 4; 1956, 738 §§ 1A, 13, 14, 744 §§ 2, 3; 1963, 810 § 23.)

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; amended, 1963, 286; revised, 1963, 567; second paragraph revised, 1938, 222 § 1; amended, 1949, 800; 1951, 541 § 1; revised, 1957, 601 § 2; paragraph inserted after second paragraph, 1963, 778; 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, section revised, 1963, 810 § 2. (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; 1963, 810 § 3.

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. 39 revised, 1963, 810 § 4.

SECT. 40, fourth sentence revised, 1948, 398 § 1; section revised, 1963, 810 § 5.

SECT. 43 amended, 1939, 347 § 3; revised, 1963, 810 § 6.

SECT. 43A, first paragraph amended, 1938, 324; section revised, 1941, 682 § 1; first paragraph amended, 1943, 101; 1956, 738 § 4; section revised, 1963, 810 § 7. (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); stricken out, 1963, 810 § 8.

SECT. 43B stricken out and new sections 43B and 43C inserted, 1963, 810 § 8 (relative to the powers and duties of the chief justice of the district courts and the administrative committee of the district courts).

SECT. 50 revised, 1963, 810 § 9. (See 1963, 810 § 20.)

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; section revised, 1963, 810 § 10. (See 1936, 282 § 3; 1963, 810 § 21.)

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; revised, 1963, 564. (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. 74 revised, 1963, 810 § 11.

SECT. 75 revised, 1946, 609 § 1; 1951, 749 § 1; 1955, 748 § 1; 1962, 680 § 1; 1963, 810 § 12. (See 1946, 609 § 3; 1951, 749 § 2A; 1954, 347, 527; 1955, 748 §§ 1A, 1B, 2; 1962, 680 §§ 2, 3; 1963, 810 § 22.)

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; 1963, 774 § 1. (See 1946, 512 § 3, 609 § 3; 1963, 774 §§ 2, 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; 1963, 810 § 13. (See 1935, 366 § 3; 1945, 476 § 2; 1948, 667 §§ 6, 7; 1949, 461 § 2; 1951, 768 § 3B; 1952, 114 § 1; 1963, 810 § 22.)

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

* Void for non-acceptance.

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, 1963, 538 § 1, 768 § 1; 1959, 568 § 1, 586 § 1; 1960, 745 § 1, 796 § 1, 705 § 1, 746 § 1; 1961, 379 § 1, 483 § 1, 612 § 1; 1963, 707 § 1; third paragraph amended, 1959, 77; section revised, 1963, 810 § 14. (See 1948, 656 §§ 2, 3, 1949, 805 § 3; 1951, 768 § 3B; 1952, 114; 1953, 298, 380; 1956, 738 §§ 13, 14; 1957, 125; 1958, 675 §§ 3, 4; 1960, 745 § 3, 746 § 3, 796 § 3, 1961, 379 §§ 2, 3, 612 § 5; 1963, 810 § 22.)

SECT. 77B added, 1963, 810 § 15 (relative to the salaries of certain justices of district courts when sitting by order of the chief justice of the district courts in another court).

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; 1963, 768 § 2; 1959, 586 § 2; 1963, 538 § 2, 683, 707 § 2; 1960, 745 § 2, 746 § 2, 796 § 2, 705 § 2; 1961, 483 § 2, 612 § 2; paragraph added at end, 1959, 583; section revised, 1963, 810 § 16. (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; 1963, 810 § 22.)

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; 1963, 841 § 1A; 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; 1963, 549, 841 §§ 2, 3; paragraph (2), salary schedule revised, 1962, 423 § 1; paragraph (2) amended, 1960, 801 § 2; revised, 1963, 841 § 4. (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; 1963, 841 §§ 5, 6, 7.)

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; revised, 1963, 306 § 1; amended, 1963, 841 § 4A. (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; revised, 1963, 810 § 17. (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; 1963, 746 § 1; fourth paragraph revised, 1957, 585 § 1; fifth paragraph revised, 1951, 228; 1959, 557; paragraph inserted after fifth paragraph, 1956, 432 § 1; revised, 1963, 502 § 1; sixth paragraph revised, 1949, 379; 1950, 324. (See 1943, 336 § 3; 1958, 327 § 2; 1963, 502 § 2, 746 § 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; paragraph added at end, 1963, 654 § 4.

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; section revised, 1963, 766 § 1. (See 1935, 182 §§ 5, 6; 1938, 347 § 3; 1941, 448 § 3; 1945, 388 § 3; 1946, 593 § 2; 1963, 766 §§ 2, 3.)

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; 1963, 790 § 1; 1962, 781 § 2; 1963, 790 § 2. (See 1946, 262 §§ 4, 5; 1949, 774 § 5; 1962, 781 § 3; 1963, 790 §§ 3, 4.)

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; 1963, 357. (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); revised, 1963, 74 § 2.

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; 1963, 765 § 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. 1B added, 1963, 172 (relative to the compensation of municipal employees while serving as jurors).

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; first sentence amended, 1957, 335; third sentence revised, 1963, 187. (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; 1963, 168 § 4.

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; three sentences added at end, 1963, 661 § 1. (See 1939, 257; 1941, 28, 180; 1943, 374 §§ 3, 4; 1953, 586 § 2.)

SECT. 4A added, 1963, 661 § 2 (relative to the service of certain writs upon boards or commissions).

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; first sentence revised, 1963, 493 § 3. (See 1954, 461 §§ 3, 4.)

SECT. 20 revised, 1959, 594 § 1.

SECT. 30 added, 1953, 405 § 1 (providing for the recording of liens for labor and notices of contract by the registers of deeds).

SECT. 31 added, 1961, 530 (granting prior payment protection to subcontractors and suppliers on construction work).

Chapter 255. — Mortgages, Conditional Sales and Pledges of Personal Property, and Liens thereon.

SECT. 1. See 1933, 142 (recording of federal crop loans to farmers). See also 1936, 264 subsection 20 (relative to trust receipt and pledge transactions); repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 2 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 3 amended, 1935, 86 § 2; revised, 1948, 550 § 45; 1949, 404 § 4; repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECTS. 4–7 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECTS. 7A–7E added, 1935, 86 § 1 (relative to the mortgaging of crops and certain other classes of personal property).

SECTS. 7A–7C repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECTS. 7E–10 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 11 revised, 1939, 509 § 1; repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 12 revised, 1939, 509 § 1; 1943, 410 § 1; 1956, 158; 1957, 765 § 10; sentence added at end, 1958, 674 § 2; 1959, 580 § 20. (See 1943, 410 § 2; 1957, 765 §§ 18, 21.)

SECT. 12A added, 1950, 81 (providing that notice relative to finance charges be printed in certain contracts of sale); revised, 1957, 765 § 11; sentence added at end, 1959, 580 § 21. (See 1957, 765 §§ 18, 21.)

SECT. 12B added, 1955, 455 (relative to prepayment of contracts of conditional sales of personal property); revised, 1957, 765 § 12; amended, 1958, 674 § 3; revised, 1959, 593. (See 1957, 765 §§ 18, 21.)

SECT. 12C added, 1961, 595 (providing that promissory notes executed in connection with the sale of consumer goods on credit shall not be negotiable instruments).

SECT. 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).

SECT. 39B added, 1963, 242 § 5 (further regulating the procedure for recording or filing federal tax liens on real and personal property).

SECTS. 40–47 added, under caption, 1945, 285 (providing for the creation of liens upon merchandise without the necessity of custody or possession in the lienee).

SECT. 40 amended, 1946, 514 § 1; revised, 1947, 273 § 1.

SECT. 41, first paragraph amended, 1946, 514 § 2; section revised, 1947, 273 § 2.

SECT. 42 revised, 1947, 273 § 3; last sentence revised, 1950, 454 § 1; 1957, 698 § 19.

SECT. 43 revised, 1947, 273 § 4.

SECT. 44 revised, 1947, 273 § 5; amended, 1950, 454 § 2; third sentence revised, 1957, 698 § 20.

SECT. 45 amended, 1947, 273 § 6.

SECTS. 40–47 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

Chapter 255A. — Trust Receipts and Pledges without Possession in the Pledgee.

New chapter inserted, 1936, 264.

SECT. 13, subsection 3 amended, 1951, 445; 1957, 698 § 21.

Chapter repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

Chapter 255B. — Retail Instalment Sales of Motor Vehicles.

New chapter inserted, 1958, 674 § 1.

SECT. 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; 1963, 753.

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. 13A added, 1963, 690 § 4 (requiring the manager of a hotel to notify the fire department forthwith of any fire therein). (See 1963, 690 § 5.)

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; paragraph added at end, 1963, 222.

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); amended, 1963, 144.

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; 1963, 432 § 15.

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. 36A added, 1963, 203 (prohibiting profane, obscene or impure language or slanderous statements from being directed at a participant or an official in a sporting event).

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; amended, 1963, 613 § 5.

SECT. 98A added, 1938, 155 § 1 (entitling blind persons accompanied by "seeing eye" dogs, so called, to certain accommodations, advantages, etc.).

SECT. 98B added, 1941, 170 (to prevent discrimination in employment on public works and projects and in the dispensing of public welfare because of race, color, religion or nationality).

SECT. 98C added, 1943, 223 (penalizing the libel of groups of persons because of race, color or religion).

SECT. 99 revised, 1959, 449 § 1.

SECT. 99A added, 1956, 48 § 1 (prohibiting wire tapping of juries or jury rooms).

SECT. 100 amended, 1956, 48 § 3; revised, 1959, 449 § 2.

SECT. 101 amended, 1956, 48 § 4.

SECT. 102 amended, 1956, 48 § 2.

SECT. 103 added, 1936, 417 (prohibiting marathon dances, other marathons or walkathons, so called).

Chapter 273. — Desertion, Non-support and Illegitimacy.

SECT. 1 amended, 1939, 177 § 1; first sentence revised, 1954, 539; amended, 1957, 49. (See 1939, 177 § 2.)

SECT. 2 amended, 1933, 224; revised, 1943, 87 § 1; amended, 1953, 319 § 31; revised, 1958, 200. (See 1943, 87 § 2; 1953, 319 §§ 39, 40.)

SECT. 4 amended, 1959, 313 § 16.

SECT. 8, sentence added at end, 1953, 505; revised, 1960, 791.

SECT. 9 repealed, 1938, 219 § 1.

SECT. 10 revised, 1938, 219 § 2.

SECT. 12A added, 1954, 232 (providing for blood grouping tests to aid in the determination of paternity).

SECT. 14, sentence added at end, 1943, 13.

SECT. 17 revised, 1953, 163.

SECTS. 20–22. See 1937, 440 § 2; 1941, 597 § 1, 729 § 2; 1943, 489 § 2; 1945, 683 § 2.

SECT. 23 added, 1959, 402 (providing a penalty for the failure by a father or mother to support a needy disabled son or daughter).

Chapter 273A. — Uniform Reciprocal Enforcement Act (former title, Enforcement of the Duty to Support Dependents).

New chapter inserted, 1951, 657 § 1.

Chapter stricken out and new chapter 273A (with new title) inserted, 1954, 556 § 1. (See 1954, 556 §§ 7–10.)

For prior changes see Table of Changes contained in Acts and Resolves of 1953.

The following references are to chapter 273A, as so inserted:

SECT. 6 revised, 1958, 239 § 1.
SECT. 9, sentence added at end, 1957, 74; 1960, 42.
SECT. 10 revised, 1958, 239 § 2.
SECT. 12 revised, 1958, 239 § 3.
SECT. 15, first and second paragraphs revised, 1957, 110 § 1.
SECT. 15A added, 1957, 110 § 2 (excusing petitioners in proceedings under the uniform reciprocal enforcement of support act from payment of entry fees and costs in certain cases).

Chapter 274. — Felonies, Accessories and Attempts to Commit Crimes.

SECT. 4 revised, 1943, 488 § 1. (See 1943, 488 §§ 2, 3.)

Chapter 275. — Proceedings to Prevent Crimes.

SECT. 1 amended, 1959, 313 § 17.
SECT. 8 amended, 1959, 313 § 18.
SECT. 15 repealed, 1932, 180 § 42.

Chapter 276. — Search Warrants, Rewards, Fugitives from Justice, Arrest, Examination, Commitment and Bail. Probation Officers and Board of Probation.

SECT. 1, first paragraph amended, 1934, 303 § 2; 1963, 96 § 1; 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; revised, 1963, 96 § 2.
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; last sentence revised, 1963, 212.

SECT. 34 amended, 1959, 313 § 22.

SECT. 37A added, 1932, 180 § 43 (relative to the assignment of counsel to appear, on behalf of a person accused of a capital crime, at his preliminary examination); amended, 1959, 313 § 23. [For prior legislation, see G. L. chapter 277 §§ 48, 49, repealed by 1932, 180 § 44.]

SECT. 44 amended, 1959, 313 § 24.

SECT. 52A added, 1943, 131 (providing that persons held in jail for trial may be removed in certain cases to a jail in another county).

SECT. 57, first paragraph amended, 1953, 319 § 33; sentence added at end of second paragraph, 1943, 330; same paragraph revised, 1945, 235; paragraph added at end, 1939, 299 § 4. (See 1953, 319 §§ 39, 40.)

SECT. 61 amended, 1959, 313 § 25.

SECT. 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.

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SECT. 90 amended, 1938, 174 § 3.

SECT. 94 amended, 1939, 155; revised, 1939, 296 § 2; last sentence amended, 1947, 82. (See 1939, 296 § 3.)

SECT. 97 revised, 1941, 677 § 2; amended, 1956, 731 § 18. (See 1956, 731 §§ 29–33.)

SECT. 98 amended, 1932, 145; caption stricken out and section revised, 1956, 731 § 19; first paragraph amended, 1963, 801 § 79; second paragraph amended, 1963, 801 § 80. (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); first paragraph amended, 1963, 810 § 19. (See 1956, 731 §§ 29–33.)

SECT. 100 amended, 1943, 64; 1953, 319 § 34; revised, 1956, 731 § 22. (See 1953, 319 §§ 39, 40; 1956, 731 §§ 29–33.)

SECT. 101 amended, 1936, 30 § 1; revised, 1956, 731 § 23. (See 1936, 30 § 2; 1956, 731 §§ 29–33.)

SECT. 101A added, 1947, 364 § 1 (providing for uniform forms of blanks and records for use by district court probation offices); revised, 1956, 731 § 24. (See 1956, 731 §§ 29–33.)

SECT. 102 amended, 1947, 364 § 2; 1956, 731 § 25. (See 1956, 731 §§ 29–33.)

SECT. 103 revised, 1956, 731 § 26. (See 1956, 731 §§ 29–33.)

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SECT. 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. 59A added, 1963, 157 (relative to venue of the crime of transmitting false reports of the location of explosives or other dangerous substances).

SECT. 63, sentence inserted after first sentence, 1955, 781 § 1. (See 1955, 781 § 2.)

SECT. 65 amended, 1936, 161 § 2. (See 1936, 161 § 3.)

SECT. 72A added, 1963 486 (providing that certain prisoners shall be brought into court for trial or indictments pending against them if they make application therefor).

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.)

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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.
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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).
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SECT. 33E amended, 1939, 341; second paragraph amended, 1962, 453.

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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.
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SECT. 11 amended, 1934, 328 § 28.
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SECT. 19 amended, 1955, 770 § 95. (See 1955, 770 §§ 117, 123.)
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SECT. 33 amended, 1952, 90; 1956, 715 § 25.
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The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY, BOSTON, August 4, 1964.

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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