

Massachusetts . General Court .
ACTS *(Laws.)*

AND

RESOLVES

PASSED BY THE

General Court of Massachusetts

IN THE YEAR

1964

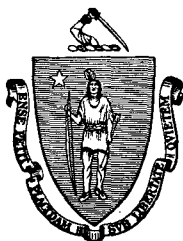
TOGETHER WITH

TABLES SHOWING CHANGES IN THE STATUTES, ETC.

PUBLISHED BY

KEVIN H. WHITE

Secretary of the Commonwealth



BOSTON

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1964

ACTS AND RESOLVES

OF

MASSACHUSETTS

1964

 The General Court, which was chosen November 6, 1962, assembled on Wednesday, the first day of January, 1964, for its second annual session.

His Excellency ENDICOTT PEABODY and His Honor FRANCIS X. BELLOTTI continued to serve as Governor and Lieutenant Governor, respectively, for the political year of 1964.

ACTS.

Chap. 1. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW RELATIVE TO THE CERTIFICATION OF SIGNATURES ON WRITTEN REQUESTS FOR INSERTION OF SUBJECTS IN TOWN MEETING WARRANTS.

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

SECTION 1. The second paragraph of section 10 of chapter 39 of the General Laws, added by chapter 169 of the acts of 1963, is hereby amended by striking out, in line 5, the words "town election officers" and inserting in place thereof the words:— board of registrars of voters or the board of election commissioners,— so as to read as follows:—

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 board of registrars of voters or the board of election commissioners 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.

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

Approved January 21, 1964.

Chap. 2. AN ACT VALIDATING CERTAIN ACTION TAKEN AT THE ANNUAL TOWN MEETING OF THE TOWN OF WRENTHAM IN THE YEAR NINETEEN HUNDRED AND SIXTY-THREE.

Be it enacted, etc, as follows:

SECTION 1. The town of Wrentham may, at any town meeting, rescind or revoke the action taken by said town at a special town meeting held on October thirtieth, nineteen hundred and sixty-one accepting section thirteen C of chapter one hundred and forty-seven of the General Laws.

SECTION 2. Any action taken by said town in voting to rescind its acceptance of said section thirteen C of said chapter one hundred and forty-seven at the adjourned annual town meeting held on March twelfth, 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 of the posting of the warrant for said meeting.

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

Approved January 21, 1964.

Chap. 3. AN ACT PROVIDING FOR THE APPOINTMENT OF A TEMPORARY CLERK IN DISTRICTS.

Be it enacted, etc , as follows:

Chapter 41 of the General Laws is hereby amended by adding after section 122 the following section —

Section 123. Unless otherwise provided by law, if the office of clerk of a fire, water, light, sewer or improvement district is vacant, or if the clerk is absent, or unable to perform his duties because of disability, the prudential committee, if any, otherwise the commissioners, may appoint a temporary clerk to hold such office and exercise the powers and perform the duties thereof until another is duly elected or appointed and qualifies according to law or until the clerk who was disabled or absent resumes his duties. Any such temporary clerk shall be sworn to and give bond for the faithful performance of his duties in accordance with the provisions of law applicable to the office of clerk which he fills, and if he fails so to do within ten days after his appointment, the prudential committee, if any, otherwise the commissioners, shall rescind the appointment and appoint another

Approved January 21, 1964

Chap. 4. AN ACT PROVIDING LIFE TENURE FOR CERTAIN MEMBERS OF THE HIGHWAY DEPARTMENT OF THE TOWN OF WESTPORT

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of any permanent member of the highway department of the town of Westport who has served in his respective office or position for a period of five consecutive years shall be unlimited, and he shall hold office during good behavior, unless incapacitated by physical or mental disability from performing his duties or removed for just cause by the 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 the town of Westport 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-four, entitled 'An Act providing life tenure for certain members of the highway department of the town of Westport', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise

Approved January 21, 1964

Chap. 5. AN ACT AUTHORIZING CITIES AND TOWNS TO LEASE PROPERTY FOR USE AS HEADQUARTERS BY THE YANKEE DIVISION VETERANS ASSOCIATION OR ANY CHAPTER THEREOF.

Be it enacted, etc , as follows:

The first sentence of section 9 of chapter 40 of the General Laws, as most recently amended by chapter 57 of the acts of 1961, is hereby further amended by inserting after the word "Inc.", in line 11, the words — , for the Yankee Division Veterans Association or any chapter thereof.

Approved January 21, 1964

Chap. 6. AN ACT REQUIRING AUXILIARY POLICE OFFICERS TO WEAR CERTAIN SHOULDER PATCHES ON THEIR OUTER CLOTHING.

Be it enacted, etc., as follows:

Paragraph (a) of section 11 of chapter 639 of the acts of 1950, as amended by chapter 180 of the acts of 1958, is hereby further amended by inserting after the third sentence the following sentence — Coats, shirts and other garments to be worn as outer clothing by auxiliary police officers shall bear a shoulder patch with the words "Auxiliary Police" in letters not less than one inch in height.

Approved January 24, 1964.

Chap. 7. AN ACT PROVIDING FOR THE FILLING OF VACANCIES IN THE ELECTIVE OFFICES OF THE SUDBURY WATER DISTRICT OF SUDBURY.

Be it enacted, etc., as follows:

SECTION 1. Section 9 of chapter 100 of the acts of 1934 is hereby amended by striking out the fifth sentence and inserting in place thereof the following two sentences — Any vacancy occurring in said board shall be filled by appointment by the remaining members of said board and the district treasurer, and the person so appointed shall serve until the next annual district meeting. Any vacancy occurring in any other elective district office shall be filled by said board, and the person so appointed shall serve until the next annual district meeting.

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

Approved January 28, 1964.

Chap. 8. AN ACT AUTHORIZING THE CITY OF WORCESTER AND TOWNS ADJACENT THERETO TO ENTER INTO CONTRACTS FOR THE PURCHASE AND SALE OF WATER

Be it enacted, etc., as follows:

SECTION 1. The city of Worcester is hereby authorized to purchase water from or sell water to all towns adjoining said city, and said adjoining towns may purchase water from or sell water to said city, upon such terms and conditions as may be agreed upon by the water department of said city and by the water commissioners of said adjoining towns. Said water department and water commissioners may, by written contract, agree upon the quantity of water to be supplied, the method of measurement of the same, and the price to be paid therefor, and all matters incidental thereto; and such contracts when duly executed by authority of said water department and said water commissioners shall be binding upon said city and said towns for such time as said water department and water commissioners may agree upon. The authority granted by this act shall be construed as being in addition to any authority heretofore granted to said city to sell or purchase water.

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

Approved January 28, 1964.

Chap. 9. AN ACT AUTHORIZING THE CALCINING OF LIME ON SUNDAYS.

Be it enacted, etc., as follows:

Paragraph (6) of 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, in line 2, the words "and carbon dioxide" and inserting in place thereof the words: — , carbon dioxide and the calcining of lime.

Approved January 28, 1964.

Chap. 10. AN ACT PLACING THE POSITION OF DOG OFFICER-GAME WARDEN IN THE POLICE DEPARTMENT IN THE TOWN OF FALMOUTH UNDER THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

SECTION 1. The position of dog officer-game warden in the police department in the town of Falmouth shall be subject to the civil service laws and rules. The tenure of office of the incumbent thereof shall, upon the effective date of this act, be unlimited, subject, however, to said laws and rules, and provided he passes a qualifying examination to be given by the division of civil service. If he passes said examination, he 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 town of Falmouth.

Approved January 28, 1964.

Chap. 11. AN ACT PLACING THE OFFICES, POSITIONS AND LABOR SERVICE UNDER THE PARK AND PLAYGROUND COMMISSION OF THE TOWN OF SOUTH HADLEY UNDER THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

SECTION 1. The offices and positions under the park and playground commission of the town of South Hadley, including the labor service, shall, upon the effective date of this act, become subject to the civil service laws and rules. The incumbent on said effective date of every office and position classified in the official service shall be subjected to a qualifying examination for such office or position by the division of civil service. If such incumbent passes said examination, he shall be certified for said office or position and shall be deemed to be permanently appointed thereto without serving any probationary period, and his tenure of office shall be unlimited, subject, however, to the provisions of said civil service laws. If such incumbent does not pass said qualifying examination, he may continue to serve in such office or position, but shall not be subject to the provisions of said civil service laws. The tenure of office of persons in the labor service under said commission shall be unlimited, subject, however, to the civil service laws.

SECTION 2. This act shall take effect upon its acceptance by the town of South Hadley.

Approved January 28, 1964.

Chap. 12. AN ACT EXTENDING THE BOUNDARIES OF THE LYNNFIELD CENTER WATER DISTRICT

Be it enacted, etc , as follows:

SECTION 1. Chapter 336 of the acts of 1939 is hereby amended by inserting after section 1 the following section —

Section 1A. The following described real estate in said town of Lynnfield, within the boundaries of the Lynnfield Water District as established by section one of chapter four hundred and forty-five of the acts of nineteen hundred and twenty-four and extended by chapter sixty-nine of nineteen hundred and fifty-three and chapter three hundred and ninety-two of nineteen hundred and fifty-six, shall become and be a part of said Lynnfield Center Water 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: —

Beginning at a point on the Lynnfield Water District-Lynnfield Center Water District boundary line 410.18 feet northerly from Huckleberry Road and running in a northerly direction along said line in two courses 563 56 feet, thence turning and running in a southwesterly direction along said line in two courses 466 46 feet, thence turning and running in a southeasterly direction 376 16 feet to the point of beginning, containing 2 153 acres of land.

SECTION 2. This act shall take effect upon its acceptance by a majority of the voters of the Lynnfield Center Water District and by a majority of the voters of the Lynnfield Water District, present and voting thereon, at meetings called for the purpose by each district and the filing of attested copies of such votes with the town clerk of the town of Lynnfield and with the state secretary. *Approved January 28, 1964*

Chap. 13. AN ACT PROVIDING LIFE TENURE FOR ALBERT F. DEL PRETE, INCUMBENT OF THE OFFICE OF HIGHWAY SURVEYOR OF THE TOWN OF ROCKLAND

Be it enacted, etc , as follows.

SECTION 1 The tenure of office of Albert F Del Prete, incumbent of the office of highway surveyor of the town of Rockland shall be unlimited, but he may be removed therefrom for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws

SECTION 2. This act shall be submitted to the voters of the town of Rockland 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-four, entitled ‘An Act providing life tenure for Albert F. Del Prete, incumbent of the office of highway surveyor of the town of Rockland’, 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, 1964.*

Chap. 14. AN ACT REQUIRING THE FILING OF CERTIFICATES OF APPOINTMENT OR ELECTION OF CERTAIN OFFICERS OF DISTRICTS

Be it enacted, etc., as follows:

Section 19A of chapter 41 of the General Laws, inserted by section 1 of chapter 70 of the acts of 1933, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence — Upon the appointment or election of a clerk or an assistant or temporary clerk of a city or town, or of a fire, water, sewer, light or improvement district, or upon the appointment of a secretary or temporary secretary of a regional school district, the officer making the appointment, otherwise the president of the city council of such city, the chairman of the board of selectmen of such town, the chairman of the prudential committee, if any, otherwise the chairman of the commissioners of such district, or the chairman of the regional district school committee shall execute and file with the state secretary a certificate of such appointment or election, which shall specify the date thereof and the date of the expiration of the term of office, if any, otherwise that the tenure of office is unlimited, and which shall have appended thereto a statement signed by the person appointed or elected that he has entered upon the duties of such office.

Approved January 31, 1964

Chap. 15. AN ACT REQUIRING THE EMERGENCY FINANCE BOARD TO FIX THE MAXIMUM TERMS OF LOANS BY COUNTIES, CITIES, TOWNS AND DISTRICTS FOR FEDERALLY AIDED PUBLIC WORKS PROJECTS.

Be it enacted, etc., as follows

The fourth paragraph of section 2 of chapter 74 of the acts of 1945 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence — The board shall fix the maximum terms and maximum rates of interest on the bonds, notes or other forms of written acknowledgment of debt issued hereunder, which terms and rates of interest, in case of obligations to be issued to the United States of America, shall be fixed in accordance with the applicable federal laws and regulations and subject to the approval of the proper federal authorities

Approved January 31, 1964.

Chap. 16. AN ACT RELATIVE TO THE ADOPTION OF REGULATIONS BY THE DEPARTMENT OF PUBLIC HEALTH TO PREVENT THE POLLUTION OF THE WATERS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1 Section two of chapter six hundred and seventy-eight of the acts of nineteen hundred and fifty-seven is hereby repealed.

SECTION 2 Chapter 111 of the General Laws is amended by inserting after section 5G the following section: —

Section 5H The department may from time to time prescribe and establish, amend or repeal, regulations to prevent pollution or contamination of any or all of the lakes, ponds, streams, and tidal waters and flats within the commonwealth or of tributaries of such tidal waters and flats.

SECTION 3. Pending the adoption of rules and regulations pursuant to this act, the rules and regulations to prevent pollution or contamination of any or all of the lakes, ponds, streams, tidal waters and flats within the commonwealth or of the tributaries of such tidal waters and flats, prescribed and established by the department of public health on August fourteenth, nineteen hundred and forty-five, and approved by the governor and council on September nineteenth, nineteen hundred and forty-five, shall continue in full force and effect

Approved February 3, 1964

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, February 5, 1964

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 16 of the Acts of 1964 entitled "An Act Relative to the Adoption of Regulations by the Department of Public Health to Prevent the Pollution of the Waters of the Commonwealth" and the enactment of which received my approval on February 3, 1964, 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 since we must take immediate steps to abate the hour by hour pollution of our streams and waters

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth

OFFICE OF THE SECRETARY, BOSTON, February 5, 1964

I, KEVIN H. WHITE, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at four o'clock and forty-five minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter sixteen of the acts of nineteen hundred and sixty-four

KEVIN H. WHITE,
Secretary of the Commonwealth

Chap. 17. AN ACT PROVIDING FOR THE APPOINTMENT OF A TEMPORARY SECRETARY IN REGIONAL SCHOOL DISTRICTS

Be it enacted, etc., as follows:

Section 16A of chapter 71 of the General Laws, as most recently amended by chapter 132 of the acts of 1963, is hereby further amended by adding at the end the following sentence: — If the office of secretary

is vacant or if the secretary is absent or is unable to perform his duties because of disability, the committee may appoint a temporary secretary to hold such office and exercise the powers and perform the duties thereof until a secretary is duly appointed or the secretary who was disabled or absent resumes his duties.

Approved February 3, 1964.

Chap. 18. AN ACT PROVIDING LIFE TENURE FOR IRVING P. DONAHUE, INCUMBENT OF THE OFFICE OF VETERANS' AGENT OF THE TOWN OF WEST SPRINGFIELD.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Irving P. Donahue, incumbent of the office of veterans' agent of the town of West Springfield 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 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-four, entitled 'An Act providing life tenure for Irving P. Donahue, incumbent of the office of veterans' agent 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 February 3, 1964

Chap. 19. AN ACT AUTHORIZING THE CITY OF LOWELL TO INCREASE THE NUMBER OF SCHOLARSHIPS IN NURSING.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 262 of the acts of 1960 is hereby amended by striking out, in line 2, the word "ten" and inserting in place thereof the word — twenty.

SECTION 2. This act shall take effect upon its acceptance by the city of Lowell.

Approved February 3, 1964

Chap. 20. AN ACT AUTHORIZING CITIES AND TOWNS TO USE THE RECEIPTS FROM PARKING METERS TO PAY INTEREST ON DEBT INCURRED FOR THE ACQUISITION OF PARKING FACILITIES

Be it enacted, etc., as follows:

Section 22B of chapter 40 of the General Laws, as most recently amended by chapter 270 of the acts of 1959, is hereby further amended by inserting after the word "debt", in line 8, the words: — together with interest thereon, — so as to read as follows: — *Section 22B.* Any city or town having installed parking meters may acquire off-street parking areas and facilities by purchase, gift, eminent domain under

chapter seventy-nine or chapter eighty A, by lease not to exceed five years, or otherwise, and may pay for such acquisition or lease, including the cost of policing, constructing or reconstructing, surfacing, operating and maintaining such areas and facilities, and including any debt together with interest thereon incurred for such acquisition, in whole or in part, from any receipts from said parking meters and may in each year transfer or pay into its general funds from said receipts a sum or sums in lieu of taxes for the year in question upon the average assessed valuation of said areas and facilities for the three years immediately prior to the date of said acquisition, determined by multiplying each one thousand dollars of such average valuation or fraction thereof by the tax rate set for said city or town for that year; provided, that the off-street parking areas and facilities are located not more than six hundred feet from a building in which the principal activity is business, commercial, manufacturing or industrial in character, and which building is in a business, commercial, manufacturing or industrial zone, but is not more than six hundred feet from the nearest parking meter of any group of not less than thirty parking meters approved by the department of public works.

Approved February 3, 1964

Chap. 21. AN ACT STRIKING OUT THE AGE REQUIREMENTS FOR APPLICATION FOR EXAMINATION FOR REGISTRATION AS A NURSE AND FOR LICENSING AS A PRACTICAL NURSE.

Be it enacted, etc., as follows:

SECTION 1. Section 74 of chapter 112 of the General Laws is hereby amended by striking out, in line 7, as appearing in section 1 of chapter 415 of the acts of 1959, the words "at least twenty years of age,".

SECTION 2. Section 74A of said chapter 112 is hereby amended by striking out, in lines 5 and 6, as appearing in section 2 of said chapter 415, the words "at least nineteen years of age,".

SECTION 3. Section 1 of chapter 371 of the acts of 1956, as amended by chapter 539 of the acts of 1957, is hereby further amended by striking out, in line 4, the words "who is at least nineteen years of age and".

SECTION 4. Section 2 of said chapter 371, as most recently amended by chapter 278 of the acts of 1962, is hereby further amended by striking out, in line 4, the words ", who is at least nineteen years of age and"

Approved February 4, 1964.

Chap. 22. AN ACT RELATIVE TO THE REGULAR MEETINGS OF THE BOARD OF REGISTRATION IN NURSING.

Be it enacted, etc., as follows.

Section 14 of chapter 13 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 2 of chapter 620 of the acts of 1941, and inserting in place thereof the following sentence: — The board shall hold regular meetings in January, April and October at the office of the board on dates specified by it, and may hold additional meetings at such times and places as it may determine.

Approved February 4, 1964

Chap. 23. AN ACT PROVIDING LIFE TENURE FOR FRED B HOBBS,
INCUMBENT OF THE OFFICE OF SERGEANT OF POLICE OF
THE TOWN OF LUNENBURG

Be it enacted, etc., as follows:

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

SECTION 2 This act shall be submitted for acceptance to the voters of the town of Lunenburg 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-four, entitled 'An Act providing life tenure for Fred B. Hobbs, incumbent of the office of sergeant of police of the town of Lunenburg', 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, 1964.

Chap. 24. AN ACT EXCLUDING LICENSED PRACTICAL NURSES AT THE
MASSACHUSETTS CORRECTIONAL INSTITUTIONS, FRAMING-
HAM AND BRIDGEWATER, FROM THE CLASSIFIED CIVIL
SERVICE.

Be it enacted, etc., as follows:

SECTION 1. Section 4 of chapter 31 of the General Laws is hereby amended by striking out the ninth paragraph, as amended by section 2 of chapter 320 of the acts of 1959, and inserting in place thereof the following paragraph: —

All permanent employees of the Massachusetts Correctional Institution, Bridgewater, except those specifically exempted by law and qualified physicians, registered nurses and licensed practical nurses.

SECTION 2. Said section 4 of said chapter 31 is hereby amended by striking out the fifteenth paragraph, added by section 1 of chapter 438 of the acts of 1956, and inserting in place thereof the following paragraph: —

All offices and positions of the Massachusetts Correctional Institution, Framingham, except those specifically exempted by law and qualified physicians, registered nurses and licensed practical nurses.

Approved February 4, 1964.

Chap. 25. AN ACT PROVIDING LIFE TENURE FOR VINCENT KANE,
INCUMBENT OF THE OFFICE OF CITY AUDITOR OF THE CITY
OF WESTFIELD

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Vincent Kane, incumbent of the office of city auditor of the city of Westfield, shall on the effective date

of this act be unlimited, but he may be removed therefrom for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws

SECTION 2. This act shall take effect upon its acceptance by the city of Westfield.

Approved February 4, 1964

Chap. 26. AN ACT PROVIDING LIFE TENURE FOR THE CUSTODIANS OF THE PUBLIC SCHOOLS IN THE TOWN OF DRACUT.

Be it enacted, etc., as follows:

SECTION 1. The tenure of Armand Beauregard, John Dickinson, Leo Frechette, Edmond Gamache, Roy Hickey, Raymond Horman, Hector Leblanc, John Machado, Lionel Maille, George Makos, Thomas G. Ouellette, Albert Sims, Charles Stone, John Taylor, Raymond Turcotte, and Marcel Vermette, incumbents of the position of custodian, and of Nestor Paquette and Arthur Willett, incumbents of the position of head custodian, in the public schools of the town of Dracut shall, upon the effective date of this act, be unlimited. No such incumbent shall be removed or suspended from employment except for just cause and for reasons specifically given him in writing by the school committee.

SECTION 2. This act shall be submitted for acceptance to the voters of the town of Dracut 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-four, entitled ‘An Act providing life tenure for the custodians of the public schools of the town of Dracut’, be accepted?” If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved February 4, 1964.

Chap. 27. AN ACT RELATIVE TO THE ISSUE OF BONDS OR NOTES BY DISTRICTS.

Be it enacted, etc., as follows:

Chapter 44 of the General Laws is hereby amended by striking out section 16, as most recently amended by chapter 98 of the acts of 1956, and inserting in place thereof the following section:— *Section 16.* A city, town or district which has authorized a debt to be incurred within the limitations, as to amount and time of payment, prescribed by this chapter may issue therefor bonds or notes, or, in the case of a city, certificates of indebtedness, all of which shall be properly denominated on the face thereof, signed by its treasurer, and, if issued by a city, countersigned by its mayor, unless its charter otherwise provides, or, if issued by a town, by a majority of its selectmen, or, if issued by a district, by a majority of the prudential committee, if any, otherwise by a majority of the commissioners, and by any other officers, boards or commissioners of a city, town or district whose counter-signatures may be required by law, at such rate of interest as may be deemed proper; and such city, town or district may, except as provided in section eighteen, sell such bonds, notes or certificates of indebtedness at not less than par, at public

or private sale, or may use the same in payment of such debts, provided, that if the amount of the annual payment and the period of the loan are not specified by the vote authorizing the debt to be incurred, the officers authorized to issue bonds or notes therefor may issue the same subject to the provisions and limitations of this chapter; provided, further, that unless it is otherwise specified in the vote authorizing the debt, such officers may, subject to said limitations and provisions issue such bonds or notes at one time or from time to time and each such issue shall constitute a separate loan. Any bonds or notes issued under the authority of this chapter, if properly executed by the officers of a city, town or district in office on the date such securities are actually executed, shall be valid and binding according to their terms notwithstanding that before the delivery thereof and payment therefor any or all such officers shall have for any reason ceased to hold office. The auditor or similar officer in cities, the town accountant in towns having such an officer, the treasurer in all other towns, or the prudential committee, if any, otherwise the commissioners in a district, shall, not later than May first of each year, notify the board of assessors in writing of the amount of debt falling due during the current financial year, the sinking fund requirements, if any, and what provision has been made for meeting such requirements; and the board shall make such provision for meeting said debt and sinking fund requirements in the tax levy of that year as in its judgment may be necessary

Approved February 4, 1964

Chap. 28. AN ACT AUTHORIZING CITIES AND TOWNS TO BORROW WITHIN THE DEBT LIMIT FOR THE IMPROVEMENT OF RIVERS, HARBORS AND STREAMS, AND FOR THE CONSTRUCTION AND RECONSTRUCTION OF PUBLIC WHARVES.

Be it enacted, etc., as follows:

Section 7 of chapter 44 of the General Laws is hereby amended by inserting after clause (16) the following clause: —

(17) For improvements made under section twenty-nine of chapter ninety-two and for the construction or reconstruction of public wharves, ten years.

Approved February 4, 1964.

Chap. 29. AN ACT ESTABLISHING A SELECTMEN-TOWN MANAGER PLAN FOR THE TOWN OF METHUEN.

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 Methuen shall elect five selectmen of whom two shall serve for terms of three years, two for terms of two years, and one for a term of one year. At each annual town election thereafter the voters shall elect in place of those selectmen whose terms are about to expire a like number of selectmen to serve for terms of three years. When a vacancy occurs in the office of selectman, the remaining selectmen may at any time prior to the next town election appoint a qualified person to serve as selectman until such election, at which election the voters shall elect a selectman to serve for the unexpired portion, if any, of the original term. The

selectmen in office at the time of said first election shall continue in office until their successors are elected and qualified.

SECTION 2. *Other Elected Officials.* — In addition to the selectmen, 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) Town meeting members.
- (b) A moderator.
- (c) A school committee.
- (d) Trustees of the Nevins Memorial.
- (e) Commissioners of trust funds.
- (f) Methuen Housing Authority.

The term of office of any elective office, board or committee so continued, under this section, shall not be interrupted. Every other elective office, board or commission shall be terminated as hereinafter provided, any other provisions of law to the contrary notwithstanding, but this provision shall not affect any particular town officer, board, commission or employee of the town who has been given permanent tenure under any general or special law. The term of office of any person elected to any office, board or commission existing at the time of such acceptance and terminated hereunder shall continue until such first town election and until the appointment and qualification of his successor, if any, and thereafter the said offices, boards and commissions shall be abolished and all powers, duties and obligation conferred or imposed thereon by law, except as provided by this act, shall be conferred and imposed upon the selectmen and exercised by the town manager to the extent hereinafter provided. 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 3. *Investigations or Surveys.* — For the purpose of making investigations or surveys, the selectmen may employ such experts, counsel and other assistants and incur such other expenses, not exceeding in any year the sum of one thousand dollars, or such larger sum as may be appropriated for the purpose by the town, as they may deem necessary, and the same shall be paid by the treasurer upon a warrant signed by a majority of the board of selectmen.

SECTION 4. *Appointed Officials.* —

(a) The selectmen shall appoint a town manager as provided in section seven, who may thereafter be removed as provided in section nine.

(b) The selectmen shall appoint a zoning board of appeals, a town accountant, officers and registrars of voters other than the town clerk, and may, after such notice and hearing as they may deem advisable, remove any person so appointed for cause.

(c) The moderator shall appoint such boards, committees and officers including an advisory committee, as he may now or hereafter be directed to appoint by any applicable law, by-law or vote of the town.

(d) The town manager shall appoint, upon merit and fitness alone, and may, subject to the provisions of chapter thirty-one of the General Laws where applicable, remove for cause a town clerk, town treasurer, tax collector, a board of public health, a board of public welfare, a planning board, a board of assessors, a town counsel, and all other officers, boards, committees and employees of the town, with the excep-

tion of the elected officials specified in section two and employees of such elected officials

SECTION 5. *Memberships, Terms, Powers, Duties and Responsibilities.* — The number of members of boards, commissions and committees so appointed as provided in the preceding section, the length of the term of each member thereof and of officers so appointed, and the powers, duties and responsibilities of the same shall be as now or hereafter provided by any applicable law, by-law or vote of the town, except as herein otherwise provided. Upon appointment and qualification of the various officials as provided for in section four, the term of office and all powers and duties of each person theretofore holding each such office shall cease and be terminated.

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

SECTION 6. *Multiple Offices* — A member of the board of selectmen, or of the school committee, or of the advisory committee, shall during the term for which he was elected or appointed, be ineligible to hold any other elective or appointive town office or position except that of town meeting member. Any person elected or appointed to any other office, board, commission or committee under the provisions of this act or of any general or special law, shall be eligible, during his term of office, for election or appointment to any other town office, board, commission or committee, except that the town accountant shall not be eligible to hold the office of town treasurer or tax collector

Subject to the approval of the selectmen the town manager may, but without additional compensation therefor, assume the powers, duties and responsibilities of any office which he is authorized to fill by appointment, such assumption to be evidenced by and effective upon the filing with the town clerk of a written declaration of such assumption signed by the town manager, except that he shall not appoint himself as a member of any board or committee.

SECTION 7. *Appointment of Town Manager.* — 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, for a term of five years, a town manager who shall be a person especially fitted by education, training and previous full-time paid experience in a responsible administrative position in municipal government, to perform the duties of his office. The town manager shall be appointed without regard to his political beliefs. He need not be a resident of the town or of this commonwealth when appointed, but shall be a resident of the town during his term of office. He may be appointed for successive terms of office. No holder of elective office in the town, except a town meeting member, shall within five years of holding such office be eligible for appointment as town manager. Before entering upon the duties of his office the town manager 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 such bond to be paid by the town.

SECTION 8. *Acting Manager.* — The town manager may designate, subject to the approval of the selectmen, 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 town manager or the filling of any vacancy or the failure of the town manager to designate a temporary manager, or during the suspension of the town manager, the selectmen shall appoint a suitable person to perform the duties of the office.

SECTION 9. *Removal of Manager.* — The selectmen, by majority vote of the full membership of the board, may remove the town manager. At least thirty days before such proposed removal shall become effective, the selectmen shall file a preliminary resolution with the town clerk setting forth in detail the specific reasons for the proposed removal, a copy of which resolution shall be sent by registered mail to the town manager. The manager may reply in writing to the resolution and may request a public hearing. If the manager so requests, the board of selectmen shall hold a public hearing not earlier than twenty days nor later than thirty days after the filing of such request. After such public hearing, if any, otherwise at the expiration of thirty days following the filing of the preliminary resolution, and after full consideration, the selectmen, by a majority vote of the full membership of the board, may adopt a final resolution of removal. In the preliminary resolution, the selectmen may suspend the manager from duty, but in any case his salary shall continue to be paid until the expiration of one month after the date of the final resolution of removal.

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

SECTION 11. *Powers and Duties of Manager.* — In addition to other powers and duties expressly provided for in this act, the town manager shall have the following powers and duties: —

(a) The town manager shall supervise and direct and shall be responsible for the efficient administration of all offices, boards and committees appointed by him, and their respective departments. He shall, in addition, supervise and direct and shall be responsible for the efficient administration of any agency or activity of the town not subject to his appointment or control, but only to such extent and for such period of time as the elected officials having control of such agency or activity may, with the consent of the selectmen, determine.

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

(c) The town manager shall fix the compensation of all town officers and employees appointed by him, subject to any applicable provisions of chapter thirty-one of the General Laws and further subject to any

applicable provisions of sections one hundred and eight A and one hundred and eight C of chapter forty of the General Laws as accepted by the town.

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

(e) The town manager shall keep the selectmen fully advised as to the needs of the town, and shall recommend to the selectmen for adoption such measures requiring action by them or by the town as he may deem necessary or expedient.

(f) The town manager shall have jurisdiction over the rental and use of all town property, except schools. He shall be responsible for the maintenance and repairs of all town property, except school buildings and grounds. He shall be responsible for the preparation of plans and the supervision of work on all construction, reconstruction, alterations, improvements and other undertakings authorized by the town, subject, however, to the approval of the school committee with respect to plans for the construction or improvement of school buildings or property.

(g) The town manager shall administer, either directly or through a person or persons appointed by him in accordance with this act, all provisions of general and special laws applicable to said town, all by-laws and all regulations established by the selectmen.

(h) The town manager shall, with the approval of the selectmen, have the authority to prosecute, defend or compromise all litigation to which the town is a party.

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

(j) The town manager shall have access to all town books and papers for information necessary for the proper performance of his duties, and may, without notice, cause the affairs of any department or activity under his control, or the conduct of any officer or employee thereof, to be examined.

(k) The town manager shall purchase all supplies, materials and equipment and shall award all contracts for all departments and activities of the town under his supervision, and he shall make all purchases, except school textbooks, for departments or activities not under his supervision but only upon and in accordance with a requisition duly signed by the head of any such department.

SECTION 12. *Investigation of Claims.* — Whenever any pay roll, bill or other claim against the town is presented to the town manager, he shall, if the same seems to him to be of doubtful validity, excessive in amount, or otherwise contrary to the interests of the town, refer it to the selectmen, who shall immediately investigate the facts and determine what, if any, payment should be made. Pending such investigation and determination by the selectmen, payment shall be withheld.

SECTION 13. *Approval of Warrants.* — The town manager shall be the chief fiscal officer of the town. Warrants for the payment of town funds prepared by the town accountant, in accordance with the provisions of section fifty-six of chapter forty-one of the General Laws, shall be submitted to the town manager. The approval of any such warrant by the town manager, or in his absence the acting town manager, shall be sufficient authority to authorize payment by the town treasurer, but the

selectmen shall approve all warrants in the event of the absence of the town manager or the acting town manager, or a vacancy in the office of town manager.

SECTION 14. *Fees paid to Treasury.* — The aggregate compensation of each town officer or employee appointed by the town manager shall be limited to the amount established in accordance with the provisions of this act, and all fees received in accordance with the provisions of any general or special law shall be paid into the treasury of the town, but the provisions of this section shall not apply to any town office or position, or incumbent thereof entitled under any provision of law to retain fees without limit of compensation at the time of acceptance of this act, for the duration of the term of office or employment of such incumbent at the time of such acceptance.

SECTION 15. *Certain Officers not to make Contracts with the Town.* — It shall be unlawful for any selectman, the town manager, or any other elective or appointive official of the town, directly or indirectly, to make a contract with the town, or to receive any reward from or any share in the profits of, any person or corporation making or performing such contract, unless the official concerned, immediately upon learning of the existence of such contract, or that such a contract is proposed, shall notify the selectmen and the town manager by registered mail of the contract and of the nature of his interest therein, and shall abstain from doing any official act on behalf of the town in reference thereto. In case such interest exists on the part of an officer whose duty it is to make such a contract on behalf of the town, the contract may be made by another officer of the town duly authorized thereto by vote of the selectmen. Violation of any provision of this section shall render the contract in respect to which such violation occurs voidable at the option of the town. Any person violating 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 16. *Estimate of Expenditures* — All boards, officers and committees of the town shall annually, at the request of the town manager, submit to him in writing a detailed estimate of the appropriations required for the efficient and proper conduct of their respective departments and offices during the next fiscal year. On or before the first day of December of each year, the town manager shall submit to each member of the board of selectmen a careful, detailed estimate of the probable expenditures of the town for the ensuing fiscal year including a statement of the amounts required to meet the interest and maturing bonds and notes or other indebtedness of the town, and showing specifically the amount necessary to be provided for each office, department and activity, together with a statement of the expenditures for the same purposes in the two preceding years and an estimate of expenditures for the current year. He shall also submit a statement showing all revenues received by the town in the two preceding years, together with an estimate of the receipts of the current year and an estimate of the amount of income from all sources of revenue exclusive of taxes upon property in the ensuing year. He shall also report to the selectmen the probable amount required to be levied and raised by taxation to defray all of the proposed expenditures and liabilities of the town, together with an estimate of the tax rate necessary therefor.

SECTION 17. *Annual Budget.* — The selectmen shall consider the estimates of probable expenditures, revenue, receipts and other amounts submitted to them by the town manager under section sixteen and make such recommendations relative thereto as they deem expedient and proper in the interests of the town. On or before the twentieth day of December of each year the selectmen shall transmit a copy of their budget for the town together with their recommendations relative thereto to each member of the advisory committee which committee shall consider said budget and take action relative to the same in accordance with laws, the by-laws of the town and any vote of the town relative thereto.

SECTION 18. *By-laws, Rules, etc.* — All laws, including chapter two hundred and forty-one of the acts of nineteen hundred and twenty-one, by-laws, votes, rules and regulations in force in the town of Methuen 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, so far as they refer to the town of Methuen, are hereby repealed and annulled, but such repeal shall not revive any pre-existing enactment.

SECTION 19. *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 20 *Submission of Act and Time of taking Effect.* — This act shall be submitted for acceptance to the qualified voters of the town of Methuen at the first state election or first annual town election, whichever occurs first, after passage of this act. The vote shall be taken by ballot in accordance with the provisions of the General Laws, so far as the same shall be applicable, in answer to the following question, which shall be placed upon the ballot to be used at said election: — "Shall an act passed by the General Court in the year nineteen hundred and sixty-four, entitled 'An Act establishing a selectmen-town manager plan for the town of Methuen' be accepted by the town?" If a majority of the voters voting on this question vote in the affirmative, said act shall take effect immediately for the purpose of the next annual town election, and for all things relating thereto, and shall take full effect beginning with said following election. It shall be the duty of all town officials having to do with elections and holding office at the time of acceptance to do, in compliance with law, all things necessary for the nomination and election of officers first to be elected under this act.

If this act is rejected when first submitted it shall again be submitted at the next following annual town election, and if accepted shall take effect as hereinbefore provided.

If this act is rejected for a second time it shall be again submitted at the next following annual town election, and if accepted shall take effect as hereinbefore provided. If this act is again rejected when so submitted for the third time, it shall thereupon become void.

SECTION 21. *Revocation of Acceptance.* — At any time after the expiration of three years from the date of acceptance of this act, and not less than ninety days before the date of an annual town meeting, a petition signed by not less than ten per cent of the registered voters of the

town may be filed with the selectmen, requesting that the question of revoking the acceptance of this act be submitted to the voters. No such petition shall be valid unless notice thereof shall be published by the selectmen for at least two consecutive weeks in a newspaper having general circulation in the town, the last publication to be at least thirty days prior to said annual meeting. The selectmen shall thereupon direct the town clerk to cause the said question to be printed on the official ballot to be used at the next annual election in the following form. — "Shall the acceptance by the town of Methuen of an act passed by the General Court in the year nineteen hundred and sixty-four, entitled 'An Act establishing a selectmen-town manager plan for the town of Methuen' 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 town meeting next following such vote. All general laws respecting town administration and town officers, and any special laws, by-laws, votes, rules and regulations relative to said town, the operation of which has been suspended or superseded by acceptance of this act, shall be revived by such revocation and shall continue to be in full force and effect. By-laws, votes, rules and regulations in force when such revocation takes effect, so far as they are consistent with the general laws respecting town administration and town officers and with special laws relating to said town, shall not be affected thereby, but any other by-laws, votes, rules and regulations inconsistent with such general or special laws shall be annulled.

Approved February 4, 1964.

Chap. 30. AN ACT PLACING CERTAIN OFFICES AND POSITIONS IN THE TOWN OF WILMINGTON UNDER THE CIVIL SERVICE LAWS AND RULES.

Be it enacted, etc., as follows:

SECTION 1. The provisions of chapter thirty-one of the General Laws shall apply to the following offices and positions in the town of Wilmington wherever such offices and positions are on a full-time basis: custodial positions in the school and town maintenance department, including the superintendent of the school and town maintenance department; positions in the classified official and classified labor services in the park, cemetery, and school grounds departments, including the superintendents of the park, cemetery, and school grounds departments; positions in the classified official and classified labor services in the water department, including superintendent; positions in the classified official and classified labor services in the highway department, including superintendent; positions in the classified official and classified labor services in the tree and moth department, including superintendent; and clerical positions in the offices of the tax collector, town accountant, highway, water and police departments. The tenure of office of the permanent incumbent on the effective date of this act of any such office or position shall be unlimited subject, however, to the provisions of the civil service laws and rules; provided, that the incumbent of any such office or position in the classified official service on said effective date shall be subjected by the division of civil service to a qualifying examination, and, if such incumbent passes said examination, he shall be certified for such office or position, and

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

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

Approved February 4, 1964.

Chap. 31. AN ACT AUTHORIZING INSURANCE COMPANIES TO ENTER INTO CONTRACTS TO DEFER THE PAYMENT OF PART OF THE ANNUAL SALARY OF ITS OFFICERS, TRUSTEES OR EMPLOYEES

Be it enacted, etc., as follows:

Section 35 of chapter 175 of the General Laws is hereby amended by striking out the second sentence, as appearing in chapter 63 of the acts of 1950, and inserting in place thereof the following sentence: — No such company shall make any agreement with any of its officers, trustees or employees whereby it agrees that for any services rendered or to be rendered he shall receive any salary, compensation or emolument that will extend beyond a period of three years from the date of such agreement, provided, however, that the payment of an amount not in excess of twelve and one half per cent of such annual salary, compensation or emolument, or a larger percentage if approved by the commissioner, may by contract be deferred beyond such period; nor shall such company pay any pension except as provided in section thirty-six.

Approved February 5, 1964.

Chap. 32. AN ACT AUTHORIZING SCHOOL COMMITTEES TO PURCHASE UNIFORMS TO BE WORN BY CERTAIN EMPLOYEES

Be it enacted, etc., as follows:

Chapter 71 of the General Laws is hereby amended by inserting after section 48A the following section: —

Section 48B. The school committee may make expenditures for the purchase and care of uniforms to be worn by employees whose duties require the preparation, handling and serving of food in connection with the sale of school lunches, or involve the care, maintenance, repair or heating of school buildings.

Approved February 5, 1964.

Chap. 33. AN ACT RELATIVE TO THE ACCEPTANCE BY THE TOWN OF ANDOVER OF THE PROVISIONS OF LAW ESTABLISHING MINIMUM ANNUAL COMPENSATION FOR POLICE OFFICERS

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of 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 Andover in the current year. — “Shall the town vote to accept the provisions of section one hundred and eight G of chapter forty-one of the General Laws whereby, if accepted, the minimum annual compensation of each regular police officer of the police department of the town of Andover shall not be less than the following. For the first year of service fifty-five hundred dollars, for the second year of service six thousand dollars and for the third and each succeeding year of service sixty-three hundred dollars?” If a majority of votes in answer to said question is in the affirmative the provisions of said section one hundred and eight G shall thereupon become effective in said town. *Approved February 5, 1964.*

Chap. 34. AN ACT PROVIDING LIFE TENURE FOR CAESAR P. GRILLONE, INCUMBENT OF THE OFFICE OF CITY PHYSICIAN OF THE CITY OF SOMERVILLE

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Caesar P. Grillone, incumbent of the office of city physician of the city of Somerville, shall, upon the effective date of this act, be unlimited, but he may be removed therefrom for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws

SECTION 2. This act shall take effect upon its acceptance by the city of Somerville. *Approved February 5, 1964.*

Chap. 35. AN ACT COMBINING THE OFFICES OF COLLECTOR OF TAXES AND TOWN CLERK OF THE TOWN OF SWAMPSCOTT INTO THE OFFICE OF TOWN CLERK AND COLLECTOR.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the offices of collector of taxes and town clerk of the town of Swampscott shall, in accordance with the vote of the town at its annual town meeting in the year nineteen hundred and sixty-three, be merged into one office called town clerk and collector, and the powers and duties formerly exercised by the collector of taxes and the town clerk shall be exercised by the town clerk and collector. Beginning with the first annual town meeting following the effective date of this act, and at every third annual town meeting thereafter, the voters of said town shall elect by ballot a town clerk and collector who shall serve for a term of three years and until his successor is elected and qualified, and who shall receive such salary as the town may from time to time determine. Upon the election and qualification of said town clerk and collector the terms of office of the persons holding the offices of collector of taxes and of town clerk, respectively, shall cease and terminate. The provisions of law relative to town clerks and to collectors of taxes shall, except in so far as the same may be inconsistent with the provisions of this act, apply to said town clerk and collector.

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

Approved February 7, 1964.

- Chap. 36.** AN ACT VALIDATING THE ESTABLISHMENT OF THE REGIONAL SCHOOL DISTRICT FOR VOCATIONAL EDUCATION CONSISTING OF THE TOWNS OF METHUEN, ANDOVER, NORTH ANDOVER AND THE CITY OF LAWRENCE.

Be it enacted, etc., as follows:

SECTION 1. The proceedings taken under chapter three hundred and thirty of the acts of nineteen hundred and sixty, as amended by chapter two hundred and seventy-four of the acts of nineteen hundred and sixty-one, relating to the formation of a regional school district for vocational education consisting of the towns of Methuen, Andover, North Andover and the city of Lawrence, are hereby validated and confirmed and shall have the same force and effect as if all the members of the said regional school district planning board were properly and legally appointed, and said regional school district is declared to be, and at all time since its establishment to have been, a valid district with all the rights, powers and duties prescribed by said chapter three hundred and thirty

SECTION 2 This act shall take effect upon its passage.

Approved February 7, 1964

- Chap. 37.** AN ACT PROVIDING FOR THE EMPLOYMENT OF TEACHERS RETIRED FROM COUNTY SCHOOLS AS SUBSTITUTE TEACHERS.

Be it enacted, etc., as follows:

The next to the last sentence of section 91 of chapter 32 of the General Laws, as appearing in chapter 457 of the acts of 1963, is hereby amended by inserting after the word "any", the second time it appears in line 3, the word: — county, .

Approved February 7, 1964.

- Chap. 38.** AN ACT PROVIDING LIFE TENURE FOR LESLIE I. ATWOOD, INCUMBENT OF THE OFFICE OF SUPERINTENDENT OF THE DIGHTON WATER DISTRICT.

Be it enacted, etc., as follows:

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

SECTION 2. This act shall take effect upon its acceptance by the voters of said district at a district meeting

Approved February 7, 1964.

- Chap. 39.** AN ACT EXTENDING THE TIME WITHIN WHICH SOLDIERS AND SAILORS AND THEIR WIVES, WIDOWS, FATHERS AND MOTHERS MAY FILE APPLICATIONS FOR CERTAIN ABATEMENTS OR EXEMPTIONS OF TAXES LEVIED IN THE YEAR NINETEEN HUNDRED AND SIXTY-THREE.

Be it enacted, etc., as follows:

Application for abatement or exemption, as provided in clauses Twenty-second, Twenty-second A, Twenty-second B and Twenty-

second C of section five of chapter fifty-nine of the General Laws of taxes levied in the year nineteen hundred and sixty-three may be made not later than October first, nineteen hundred and sixty-four, notwithstanding any provision of law to the contrary.

Approved February 7, 1964.

Chap. 40. AN ACT RELATIVE TO PROMOTIONS IN POLICE AND FIRE DEPARTMENTS.

Be it enacted, etc., as follows:

Section 20 of chapter 31 of the General Laws, as most recently amended by chapter 150 of the acts of 1963, is hereby further amended by adding at the end the following paragraph. —

No eligible list shall be used for appointment or promotion to any office or position under this section unless such office or position is included in the examination announcement.

Approved February 7, 1964.

Chap. 41. AN ACT FURTHER DEFINING EXEMPTIONS FROM THE LAWS RELATING TO CHARTER OR SPECIAL SERVICE BY CARRIERS OF PASSENGERS BY MOTOR VEHICLE.

Be it enacted, etc., as follows:

The third paragraph of section 11A of chapter 159A of the General Laws is hereby amended by striking out the third sentence, as amended by chapter 307 of the acts of 1954, and inserting in place thereof the following sentence: — The terms “charter service” or “special service” shall not include the transportation of school children to and from school pursuant to a written contract with a municipality or municipal board or with the authorities of such school, provided that the charges for such transportation are borne by such municipality or municipal board or school, and provided, further, that no special charges for such transportation are made by the municipality or municipal board of such school on account of the children transported; or the operation of a motor vehicle so used and owned and operated by such authorities; or the operation of sight-seeing automobiles licensed under chapter three hundred and ninety-nine of the acts of nineteen hundred and thirty-one.

Approved February 7, 1964.

Chap. 42. AN ACT AUTHORIZING THE CITY OF QUINCY TO USE FOR SCHOOL PURPOSES CERTAIN LAND HELD BY SAID CITY FOR PARK PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The city of Quincy with the approval of its park and recreation board and with the approval of the heirs of Henry M. Faxon, late of said city, is hereby authorized to use for school purposes certain land now held by said city for park purposes and being three parcels of land containing 18.717 acres, 70,317 square feet and 47,367 square feet,

respectively, which were conveyed to said city for park purposes by the said Henry M. Faxon by two deeds dated, respectively, March 22, 1919 and December 8, 1922, recorded with Norfolk Deeds Book 1420, page 176 and Book 1541, page 523. Said parcels are shown on a plan by Patrick F. O'Brien, city engineer, entitled "Plan of Faxon Field, Quincy, Mass." dated March 1919 and recorded with said Deeds, Plan Book 95, No 4641.

SECTION 2. This act shall take effect upon its acceptance by the city of Quincy during the current year, by vote of its city council and school committee, with the approval of the mayor.

Approved February 7, 1964.

Chap. 43. AN ACT INCREASING THE NUMBER OF REGISTERED VOTERS REQUIRED TO SUBMIT CERTAIN QUESTIONS TO THE VOTERS OF THE TOWN OF WINTHROP, ESTABLISHING THE EFFECTIVE DATE OF CERTAIN VOTES RELATIVE TO BOARDS, OFFICERS AND BY-LAWS, AND MAKING SUCH VOTES SUBJECT TO REFERENDUM.

Be it enacted, etc., as follows:

SECTION 1. Chapter 427 of the acts of 1920 is hereby amended by striking out section 8, as amended by section 7 of chapter 5 of the acts of 1921, and inserting in place thereof the following section: — *Section 8* A vote passed at a representative town meeting authorizing the expenditure of twenty thousand dollars or more as a special appropriation, or establishing a new board or office or abolishing an old board or office or merging two or more boards or offices, or fixing the term of office of town officers, where such term is optional, or increasing or reducing the number of members of a board, or adopting a new by-law, or amending an existing by-law, shall not be operative until after the expiration of five days, exclusive of Sundays and holidays, from the dissolution of such meeting. If, within said five days, a petition, signed by not less than three per cent of the registered voters of the town, containing their names and addresses as they appear on the list of registered voters, is filed with the selectmen asking that the question or questions involved in such a vote be submitted to the registered voters of the town at large, then the selectmen after the expiration of five days, shall forthwith call a special meeting for the sole purpose of presenting to the registered voters at large the question or questions so involved. The polls shall be opened at two o'clock in the afternoon and shall be closed not earlier than eight o'clock in the evening, and all votes upon any question so submitted shall be taken by ballot, and the check list shall be used in the several precinct meetings in the same manner as in the election of town officers. The questions so submitted shall be determined by a majority vote of the registered voters of the town voting thereon, but no action of the representative town meeting shall be reversed unless at least twenty per cent of the registered voters shall so vote. Each question so submitted shall be in the form of the following question, which shall be placed upon the official ballot: — "Shall the town vote to approve the action of the representative town meeting whereby it was voted (brief description of the substance of the vote)?" If such petition is not filed within said period of five days, the vote of

the representative town meeting shall become operative and effective upon the expiration of said period.

SECTION 2. This act shall be submitted for acceptance to the voters of the town of Winthrop at the annual town meeting to be held in the current year in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting. — “Shall an act passed by the General Court in the year nineteen hundred and sixty-four, entitled ‘An Act increasing the number of registered voters required to submit certain questions to the voters of the town of Winthrop, establishing the effective date of certain votes relative to boards, officers and by-laws, and making such votes subject to referendum’, be accepted?” If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise. *Approved February 7, 1964.*

Chap. 44. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SEVENTY FOR ROBERT H. FOWLER, INCUMBENT OF THE OFFICE OF TOWN TREASURER OF THE TOWN OF BILLERICA

Be it enacted, etc., as follows:

SECTION 1. Robert H. Fowler, incumbent of the office of town treasurer of the town of Billerica, 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 for acceptance to the voters of the town of Billerica 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-four, entitled ‘An Act providing tenure of office until age seventy for Robert H. Fowler, incumbent of the office of town treasurer of the town of Billerica’, be accepted?” If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise. *Approved February 7, 1964.*

Chap. 45. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SEVENTY FOR GEORGE D. ADLER, INCUMBENT OF THE OFFICE OF CITY TREASURER OF THE CITY OF NORTHAMPTON.

Be it enacted, etc., as follows:

SECTION 1. George D. Adler, incumbent of the office of city treasurer of the city of Northampton, shall hold said office during good behavior until he reaches age seventy, unless incapacitated by physical or mental disability from performing the duties thereof, but he may be removed therefrom for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted for acceptance to the voters of the city of Northampton at the biennial state election to be held in the year nineteen hundred and sixty-four in the form of the following question which shall be placed on the official ballot to be used at said elec-

tion: — “Shall an act passed by the General Court in the year nineteen hundred and sixty-four, entitled ‘An Act providing tenure of office until age seventy for George D. Adler, incumbent of the office of city treasurer of the city of Northampton’, be accepted?” If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise. *Approved February 7, 1964.*

Chap. 46. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SEVENTY FOR JAMES E. FAULKNER, INCUMBENT OF THE OFFICE OF CITY CLERK OF THE CITY OF NORTHAMPTON.

Be it enacted, etc, as follows:

SECTION 1. James E. Faulkner, incumbent of the office of city clerk of the city of Northampton shall hold said office during good behavior until he reaches age seventy, unless incapacitated by physical or mental disability from performing the duties thereof, but he may be removed therefrom for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted for acceptance to the voters of the city of Northampton at the biennial state election to be held in the year nineteen hundred and sixty-four in the form of the following question which shall be placed on the official ballot to be used at said election: — “Shall an act passed by the General Court in the year nineteen hundred and sixty-four, entitled ‘An Act providing tenure of office until age seventy for James E. Faulkner, incumbent of the office of city clerk of the city of Northampton’, be accepted?” If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise. *Approved February 7, 1964.*

Chap. 47. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SEVENTY FOR FRANCIS C. MCQUILLAN, INCUMBENT OF THE OFFICE OF SUPERINTENDENT OF FIRE ALARMS AND INSPECTOR OF WIRES OF THE CITY OF NORTHAMPTON

Be it enacted, etc, as follows:

SECTION 1. Francis C. McQuillan, incumbent of the office of superintendent of fire alarms and inspector of wires of the city of Northampton, shall hold said office during good behavior until he reaches age seventy, unless incapacitated by physical or mental disability from performing the duties thereof, but he may be removed therefrom for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws

SECTION 2. This act shall be submitted for acceptance to the voters of the city of Northampton at the biennial state election to be held in the year nineteen hundred and sixty-four in the form of the following question which shall be placed on the official ballot to be used at said election: — “Shall an act passed by the General Court in the year nineteen hundred and sixty-four, entitled ‘An Act providing tenure of office until age seventy for Francis C. McQuillan, incumbent of the office of superintendent of fire alarms and inspector of wires of the city of Northampton’, be accepted?” If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise. *Approved February 7, 1964.*

Chap. 48. AN ACT ESTABLISHING A METHOD OF SEWER ASSESSMENT BY THE BOARD OF SEWER COMMISSIONERS OF THE TOWN OF AMHERST.

Be it enacted, etc., as follows:

SECTION 1. Chapter 484 of the acts of 1912 is hereby amended by inserting after section 13 the following section:—

Section 13A. Said board may determine that a person who uses such main drains or common sewers in any manner, instead of paying an assessment under section eight, shall pay for the permanent privilege of his estate such reasonable amount as said board shall determine, but nothing herein shall be construed to prevent the imposition, in addition thereto, of just and equitable periodic charges for the use of said common sewers.

SECTION 2. This act shall take effect upon its acceptance by the town of Amherst.

Approved February 7, 1964.

Chap. 49. AN ACT INCREASING THE NUMBER OF ELECTED TOWN MEETING MEMBERS IN THE TOWN OF READING

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 7 of the acts of 1943 is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph — Other than the officers designated in the by-laws of the town 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 admit of a representation thereof in the approximate proportion which the number of registered voters therein bears to the total number of registered voters in the town, and which will cause the total elected membership to be as nearly two hundred and four as may be.

SECTION 2 This act shall apply to town meeting members to be elected at the annual town meeting to be held in the year nineteen hundred and sixty-five, and thereafter

Approved February 7, 1964.

Chap. 50. AN ACT PROVIDING LIFE TENURE FOR JOHN THOMAS RAICHE, INCUMBENT OF THE OFFICE OF TOWN CLERK OF THE TOWN OF SAUGUS.

Be it enacted, etc , as follows:

SECTION 1. Notwithstanding any contrary provision of law, the tenure of office of John Thomas Raiche, incumbent of the office of town clerk of the town of Saugus shall, upon the effective date of this act, be unlimited, but he may be removed therefrom for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws

SECTION 2. This act shall take effect upon its acceptance by the town of Saugus.

Approved February 7, 1964.

Chap. 51. AN ACT REQUIRING PUPILS AND TEACHERS TO WEAR EYE PROTECTIVE DEVICES WHILE ATTENDING CERTAIN CLASSES IN PUBLIC SCHOOLS.

Be it enacted, etc., as follows.

Chapter 71 of the General Laws is hereby amended by inserting after section 55B the following section:—

Section 55C. The school committee of each city or town shall require each pupil and teacher in a public school to wear industrial quality eye protective devices, approved by the department of public safety, while attending classes in vocation or industrial art shops or laboratories in which caustic or explosive chemicals, hot liquids or solids, hot molten metals, or explosives are used or in which welding of any type, repair or servicing of vehicles, heat treatment or tempering of metals, or the milling, sawing, stamping or cutting of solid materials, or any similar dangerous process is taught, exposure to which might have a tendency to cause damage to the eyes. Visitors to such classrooms or laboratories shall also be required to wear such protective devices.

Approved February 7, 1964.

Chap. 52. AN ACT PLACING UPON THE BALLOT TO BE USED FOR THE ELECTION OF OFFICERS AT THE ANNUAL TOWN MEETING IN THE TOWN OF HARWICH IN THE CURRENT YEAR THE QUESTION OF RAISING OR APPROPRIATING A CERTAIN SUM OF MONEY FOR THE DEMOLITION OF A CERTAIN BUILDING IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. 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 Harwich in the year nineteen hundred and sixty-four. — "Shall the town vote to demolish the town-owned building located at Main street and Pleasant Lake avenue, known as the Exchange Building, and raise or appropriate for said purpose the sum of eighteen thousand dollars?" If a majority of the votes in answer to said question is in the affirmative said sum of eighteen thousand dollars, to be used for said purpose, shall be included in the tax levy for the year nineteen hundred and sixty-four

SECTION 2 This act shall take effect upon its passage

Approved February 12, 1964

Chap. 53. AN ACT AUTHORIZING THE COMMONWEALTH TO REIMBURSE THE TOWN OF CHARLEMONT FOR EXPENSES INCURRED IN FIGHTING A FOREST FIRE DURING THE NINETEEN HUNDRED AND SIXTY-THREE DROUGHT

Be it enacted, etc., as follows

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 town of Charlemont the sum of five thousand four hundred and sixty-one dollars as reimbursement for expenses incurred by said town in fighting a forest fire which burned over one hundred and seventy acres from October fifteenth to October twenty-first during the drought of nineteen hundred and sixty-three.

Approved February 12, 1964

Chap. 54. AN ACT RELATIVE TO RESIDENCE REQUIREMENTS OF TOWN AND DISTRICT OFFICERS

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by striking out section 109, as amended by section 2 of chapter 592 of the acts of 1960,

and inserting in place thereof the following section: — *Section 109.* A town or district officer may resign his office by filing a resignation thereof in the office of the town or district clerk, and such resignation shall be effective forthwith unless a time certain is specified therein when it shall take effect. Unless otherwise provided by general or special law, ordinance or by-law, a person need not, in order to accept appointment to a public office in a town or district, be a resident of such town or district; provided, however, that if an appointed town or district officer is required to become a resident within a period of time specified at the time of his appointment by the board or officer making the appointment but fails to do so within the time specified, or if an elected or appointed town or district officer removes from the town or district in which he holds his office, he shall be deemed to have vacated his office.

Approved February 12, 1964.

Chap. 55. AN ACT FURTHER REGULATING THE ORDER OF NAMES ON BALLOTS FOR MUNICIPAL OFFICE IN PRIMARIES, PRELIMINARY ELECTIONS AND ELECTIONS.

Be it enacted, etc., as follows:

SECTION 1. The seventh paragraph of section 34 of chapter 53 of the General Laws, as most recently amended by chapter 272 of the acts of 1962, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence: — On ballots at city and town primaries, and preliminary elections except where city charters provide otherwise, names of candidates for offices of which they are the elected incumbents, or the incumbents chosen by vote of the board of aldermen or city council in a city, or the incumbents chosen by joint convention of the board of aldermen or city council and school committee, shall be placed first in alphabetical order according to their surnames, to be followed by the names of all other candidates for such offices in alphabetical order.

SECTION 2. The second paragraph of section 42 of chapter 54 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by chapter 432 of the acts of 1953, and inserting in place thereof the following sentence. — Under the designation of the office, the names of candidates for each municipal elective office shall, except as city charters otherwise provide, be arranged alphabetically according to their surnames, except that names of candidates for re-election to any such office of which they are the elected incumbents or the incumbents chosen by vote of the board of aldermen or city council in a city, or the incumbents chosen by joint convention of the board of aldermen or city council and school committee, shall, except as provided in section thirty-three in places where voting machines are used, be placed first on the ballot in alphabetical order according to their surnames, next and in like order the names of candidates of political parties as defined in chapter fifty, and the names of all other candidates shall follow in like order.

Approved February 12, 1964

- Chap. 56.** AN ACT RELATIVE TO THE USE OF CERTAIN ANNUAL SEWER RENTALS OR CHARGES BY THE TOWN OF FRANKLIN AND ELIMINATING THE LIMITATION ON THE AMOUNT OF MONEY SAID TOWN MAY RAISE OR APPROPRIATE FOR THE IMPROVEMENT OF ITS WATER WORKS OR APPLIANCES

Be it enacted, etc., as follows

SECTION 1 Section 7A of chapter 613 of the acts of 1912, inserted by section 1 of chapter 3 of the acts of 1953, is hereby amended by adding at the end the following sentence — Notwithstanding any provision of general or special law to the contrary, the proceeds of such rentals and charges and any other sewer revenues of the town other than construction assessments under section five, may be applied to the payment of the cost of maintenance, repairs, extensions or improvements of the town's system of sewerage and sewage disposal or of any debt contracted for sewerage or sewage disposal purposes.

SECTION 2. Chapter 345 of the acts of 1907 is hereby amended by striking out section 2 and inserting in place thereof the following section — *Section 2.* The said town is also authorized, acting by a majority vote of the voters present and voting at a town meeting duly called for the purpose, to raise money by taxation or appropriate the same from other available funds for the purpose of enlarging or improving its water works or appliances.

SECTION 3 This act shall take effect upon its acceptance by the town of Franklin.

Approved February 12, 1964

- Chap. 57.** AN ACT DIRECTING THE STATE TREASURER TO RETURN CERTAIN FUNDS DEPOSITED WITH HIM TO THE TRUSTEES OF THE FRANKLIN CEMETERY ASSOCIATION

Be it enacted, etc., as follows.

Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to pay to the trustees of the Franklin Cemetery Association the sum of ten thousand dollars, which sum was deposited with him under the provisions of section twenty of chapter one hundred and fourteen of the General Laws Said cemetery association shall have a right to invest said sum and shall apply the income therefrom to the purposes of the trust

Approved February 12, 1964

- Chap. 58.** AN ACT AUTHORIZING THE TOWN OF ROCKPORT TO GRANT A CERTAIN RIGHT OF WAY OVER CERTAIN PARK LAND IN SAID TOWN.

Be it enacted, etc., as follows.

SECTION 1. Notwithstanding any provision of law to the contrary, the board of selectmen of the town of Rockport may grant a right of way approximately twenty feet wide over certain park land in said town to Edward L. and Carol H. Newcomb and Robert A. and Nancy E. Howatt for access purposes to their properties on Pigeon Hill in the vicinity of the Pigeon Hill standpipe, as shown on a plan by Matt A. Hautala, Town Engineer, dated February 21, 1963 and on file in the town clerk's office.

SECTION 2. This act shall take effect upon its acceptance by the town of Rockport

Approved February 12, 1964

Chap. 59. AN ACT EXEMPTING PHYSICIANS NOT REGISTERED IN THE COMMONWEALTH FROM CIVIL LIABILITY AS A RESULT OF RENDERING CERTAIN EMERGENCY CARE.

Be it enacted, etc., as follows:

Chapter 112 of the General Laws is hereby amended by striking out section 12B, inserted by chapter 217 of the acts of 1962, and inserting in place thereof the following section:— *Section 12B.* No physician duly registered under the provisions of section two or two A or resident in another state and duly registered therein who, in good faith, renders emergency care or treatment at the scene of an accident to any person injured on the highway as the result of a motor vehicle accident, shall be liable in a suit for damages as a result of his acts or omissions, nor shall he be liable to a hospital for its expenses if, under such emergency conditions he orders a person hospitalized or causes his admission.

Approved February 12, 1964

Chap. 60. AN ACT TO CLARIFY THE QUESTION TO BE PLACED ON THE BALLOT OF MUNICIPALITIES FLUORIDATING THEIR WATER SUPPLY.

Be it enacted, etc., as follows:

Chapter 40 of the General Laws is hereby amended by striking out section 41C, inserted by section 1 of chapter 485 of the acts of 1962, and inserting in place thereof the following section:— *Section 41C* Upon petition of five per cent of the registered voters of a city, town or district in which the public water supply for domestic use is being fluoridated by such city, town or district, the following question shall be placed upon the official ballot to be used at the next regular municipal election or for the election of town officers at the next annual town meeting or meetings — “Shall the fluoridation of the public water supply for domestic use in (this city) (this town) (the towns of and) be continued?”, or in such district the following question shall be placed before the next annual meeting of the inhabitants of the district. — “Shall the fluoridation of the public water supply for domestic use in this district be continued?”

If a majority of the votes in answer to said question is in the negative, it shall be deemed and taken to be the will of the voters of said city, town or towns or district that fluoridation of the public water supply for domestic use shall be discontinued, and if a majority of said votes is in the affirmative, it shall be deemed and taken to be the will of said voters that such supply shall continue to be fluoridated.

Approved February 12, 1964.

Chap. 61. AN ACT PROVIDING THAT ANY FORMER PUBLIC EMPLOYEE MAY WAIVE IN PART A CERTAIN INCREASE IN RETIREMENT ALLOWANCE.

Be it enacted, etc., as follows:

Section 5 of chapter 478 of the acts of 1963 is hereby amended by striking out, in line 3, the word “and”, the first time the same appears, and inserting in place thereof the words — in whole or in part or, — and by striking out, in line 6, the word “and” and inserting in place thereof the word: — or.

Approved February 12, 1964

Chap. 62. AN ACT PROVIDING LIFE TENURE FOR CLARENCE SYRIAC, INCUMBENT OF THE OFFICE OF HIGHWAY SURVEYOR OF THE TOWN OF LUDLOW.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Clarence Syriac, incumbent of the office of highway surveyor of the town of Ludlow, shall, upon the effective date of this act, be unlimited, but he may be removed therefrom for 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 the town of Ludlow 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-four, entitled 'An Act providing life tenure for Clarence Syriac, incumbent of the office of highway surveyor of the town of Ludlow', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise

Approved February 13, 1964

Chap. 63. AN ACT PROVIDING THAT THE MEMBERS OF ALL BOARDS AND COMMISSIONS OF CITIES AND TOWNS AND ALL OFFICERS OF CITIES AND TOWNS SHALL BE SWORN TO THE FAITHFUL PERFORMANCE OF THEIR DUTIES.

Be it enacted, etc., as follows:

Section 107 of chapter 41 of the General Laws, as most recently amended by chapter 123 of the acts of 1955, is hereby further amended by adding at the end the following sentence — Every other elected member and every appointed member of every board or commission of a town, and every other elected officer and every appointed officer of a town, shall also, before entering upon his official duties, be sworn to the faithful performance thereof.

Approved February 14, 1964.

Chap. 64. AN ACT RELATIVE TO HEARINGS BY LICENSING BOARDS ON SALES OF ALCOHOLIC BEVERAGES TO MINORS

Be it enacted, etc., as follows:

Section 64 of chapter 138 of the General Laws, as amended by section 20 of chapter 385 of the acts of 1934, is hereby further amended by inserting after the first sentence the following sentence: — If at any hearing a licensee is charged with serving or selling alcoholic beverages to a minor, written notice of said allegation shall be sent by the licensing authorities to the parent or guardian of said minor.

Approved February 14, 1964.

Chap. 65. AN ACT REPEALING THE LAW ESTABLISHING A SELECTMEN-DIRECTOR OF CONSOLIDATED TOWN SERVICES PLAN FOR THE TOWN OF MANCHESTER.

Be it enacted, etc , as follows:

SECTION 1 Chapter ninety-three of the acts of nineteen hundred and sixty-three is hereby repealed

SECTION 2 This act shall take effect upon its acceptance by the town of Manchester

Approved February 14, 1964.

Chap. 66. AN ACT FURTHER REGULATING THE AWARDED OF DEGREES BY EDUCATIONAL INSTITUTIONS IN THE COMMONWEALTH.

Be it enacted, etc , as follows:

Chapter 69 of the General Laws is hereby amended by inserting after section 31 the following section. —

Section 31A No educational institution located within the commonwealth shall award degrees unless authorized to do so by the commonwealth.

Approved February 14, 1964

Chap. 67. AN ACT PROVIDING THAT CREDIT UNION PASSBOOKS SHALL BE SUFFICIENT COLLATERAL FOR BAIL

Be it enacted, etc , as follows:

The first paragraph of section 57 of chapter 276 of the General Laws, as amended by section 33 of chapter 319 of the acts of 1953, is hereby further amended by striking out the third sentence and inserting in place thereof the following sentence. — No person offering himself as surety shall be deemed to be insufficient if he deposits money of an amount equal to the amount of the bail required of him in such recognizance, or a bank book of a savings bank, credit union or of a savings account in a trust company or national bank, doing business in the commonwealth, properly assigned to the clerk with whom the same is or is to be deposited, and his successors, and satisfactory to the person so authorized to take bail, or deposits non-registered bonds of the United States or of the commonwealth or of any county, city or town within the commonwealth equal at their face value to the amount of the bail required of him in such recognizance

Approved February 14, 1964

Chap. 68. AN ACT INCREASING THE AMOUNT OF NON-CONTRIBUTORY PENSION PAYABLE TO CERTAIN FIREMEN

Be it enacted, etc , as follows:

Section 81B of chapter 32 of the General Laws, as amended by section 1 of chapter 86 of the acts of 1961, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph —

Any permanent member of a fire department retired under the provisions of subdivision (b), (c) or (d) of said section eighty-one A shall receive an annual pension equal to sixty per cent of the highest annual rate of compensation received by him while holding the grade held by him at the time of his retirement if he has completed twenty years of service, and an additional amount equal to one per cent of said annual

compensation for each year of service after the first twenty; provided, that the total amount of such pension shall in no case exceed seventy-two per cent of said annual compensation.

Approved February 14, 1964.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, March 25, 1964

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 68 of the Acts of 1964 entitled "An Act Increasing the Amount of Non-Contributory Pension Payable to Certain Firemen" and the enactment of which received my approval on February 14, 1964, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows.

Postponement of the operation of this act would in part defeat its purpose, in that it would deny for ninety days the rights of those members of the fire department who are eligible and have presently fulfilled all the requirements of the retirement law. Therefore, this act should become effective at once.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth

OFFICE OF THE SECRETARY, BOSTON, March 25, 1964.

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 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 sixty-eight of the acts of nineteen hundred and sixty-four.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 69. AN ACT INCREASING THE AMOUNT OF THE EXEMPTION FROM TAXATION OF PARSONAGES AND RESIDENCES OF OFFICIALS OF CERTAIN RELIGIOUS FAITHS AND EXTENDING THE EXEMPTION ON SUCH RESIDENCES.

Be it enacted, etc., as follows:

Section 5 of chapter 59 of the General Laws is hereby amended by striking out clause Eleventh, as most recently amended by chapter 439 of the acts of 1962, and inserting in place thereof the following clause —

Eleventh, Houses of religious worship owned by, or held in trust for the use of, any religious organization, and the pews and furniture, and, to an amount not exceeding fifteen thousand dollars for each parsonage, parsonages so owned or held, and including the official residence occu-

piéd by district superintendents of the Methodist Church and The Christian and Missionary Alliance and the official residence occupied by the president of the New England Synod of the Lutheran Church in America, Inc., but such exemption shall not, except as herein provided, extend to any portion of any such house of religious worship appropriated for purposes other than religious worship or instruction.

Approved February 14, 1964.

Chap. 70. AN ACT PROVIDING THAT ASSISTANT AUDITORS IN CITIES AND TOWNS MAY RECEIVE COMPENSATION.

Be it enacted, etc., as follows:

Section 49A of chapter 41 of the General Laws, as inserted by chapter 211 of the acts of 1948, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:— The person appointed as assistant hereunder may receive a salary from the city or town for services as such.

Approved February 14, 1964

Chap. 71. AN ACT RELATING TO LIGHTS ON VEHICLES.

Be it enacted, etc , as follows:

Chapter 85 of the General Laws is hereby amended by striking out section 15, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:— *Section 15.* Every vehicle, whether stationary or in motion, on any public way, shall have attached to it a light or lights which shall be so displayed as to be visible from the front and the rear during the period from one half an hour after sunset to one half an hour before sunrise; provided, that this section shall not apply to any vehicle which is designed to be propelled by hand, and provided, further, that any vehicle carrying hay or straw for the purpose of transporting persons on a hayride, so called, shall display only electrically operated lights which shall be two flashing amber lights to the front and two flashing red lights to the rear, each of said lights to be at least six inches in diameter and mounted six feet from the ground. Upon the written application of the owner of a vehicle and the presentation of reasons therefor the department may, in writing, in such form and subject to such requirements as it may elect, and without expense to the applicant, exempt said vehicle from the provisions of this section for such period of time as said department may elect.

Approved February 17, 1964.

Chap. 72. AN ACT RELATIVE TO VOTING LISTS AT POLLING PLACES WHERE VOTING MACHINES ARE USED.

Be it enacted, etc., as follows:

SECTION 1 Section 33B of chapter 54 of the General Laws, inserted by section 4 of chapter 310 of the acts of 1943, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence — When the name of a voter has been checked on the voting list, as required by sections sixty-seven and seventy-six, and he is found to be qualified to vote, he shall be given a voter's authority certificate and admitted within the guard rail.

SECTION 2. Said chapter 54 is hereby further amended by striking

out section 67, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 67* One voting list shall be delivered to the ballot clerks and another to the officer in charge of the ballot box, except that, where voting machines are used, one voting list shall be delivered to the officer at the entrance to the space within the guard rail. When a ballot is delivered to a voter, his name shall be checked on the first voting list and, except where voting machines are used, it shall be checked on the second when he deposits his ballot. Except where voting machines are used, the officer in charge of the ballot box and the officer in charge of the voting list shall be of different political parties. No person shall vote if his name is not on the voting list, nor until the election officer shall check his name thereon, unless he presents a certificate from the registrars of voters as provided by section fifty-one or section fifty-nine of chapter fifty-one.

SECTION 3 Section 76 of said chapter 54, as amended by section 19 of chapter 411 of the acts of 1943, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence: — If such name is found on the voting list, the election officer shall check and repeat the name and shall admit the voter to the space enclosed by the guard rail and, in case official ballots, other than those marked "Challenged Ballots" as provided by section thirty-five A, are used, such voter shall be given one ballot.

SECTION 4 Section 83 of said chapter 54, as appearing in the Tercentenary Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence. — Except where voting machines are used, a voter after marking his ballot shall give his name and, if requested, his residence, to one of the officers in charge of the ballot box who shall distinctly announce the same.

SECTION 5 Said section 83 of said chapter 54, as so appearing, is hereby further amended by striking out the fourth sentence

Approved February 17, 1964

Chap. 73. AN ACT REQUIRING THE ALCOHOLIC BEVERAGES CONTROL COMMISSION AFTER HEARING AN APPEAL FROM A LOCAL BOARD TO MAKE ITS DECISION WITHIN THIRTY DAYS

Be it enacted, etc., as follows:

Section 67 of chapter 138 of the General Laws is hereby amended by striking out the second paragraph, as appearing in chapter 672 of the acts of 1953, and inserting in place thereof the following paragraph. —

The commission shall hold a hearing upon each such appeal, requiring due notice to be given to all interested parties. The decision of the commission shall be made not later than thirty days after the completion of the hearing

Approved February 17, 1964

Chap. 74. AN ACT AUTHORIZING THE TOWN OF HOLBROOK TO CONSTRUCT AND OPERATE A SYSTEM OR SYSTEMS OF SEWERAGE AND SEWAGE DISPOSAL

Be it enacted, etc., as follows:

SECTION 1 The town of Holbrook, 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 disposal; and may construct such sewers in said town as may be necessary, and may contract for said purposes with any person, corporation, city, town, district, or the metropolitan district commission.

SECTION 2 Except as otherwise expressly provided herein, the town shall have all the powers granted by sections one through nine, inclusive, fifty-nine A and sixty of chapter ninety-two of the General Laws, and all provisions of said sections relative to towns shall apply to the town, including, without limitation, the authority of the metropolitan district commission to contract with any town for the extension thereto of the metropolitan sewerage district system of sewage disposal, the reception and disposal of the sewage therefrom, the admission of any town to said sewerage district, the use by any town of a part of the metropolitan system as a municipal sewer, and the acquisition of the local sewer of any town to become a part of the metropolitan system

SECTION 3. 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 4. 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 of the methods permitted by general law, provide for the election of a board of three sewer commissioners, or the selectmen may act as a board of sewer commissioners, as the case may be.

SECTION 5 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 lease, purchase or otherwise, and hold any lands, water rights, rights-of-way or other easements, public or private, in said town, or acquire by lease, purchase or otherwise, and hold any lands, rights-of-way, or other easements, public or private, in any adjoining town or city necessary for accomplishing any purpose mentioned in this act, and may construct and maintain such sewers, connections, pumping stations, or other works under or over any land, bridge, watercourse, railroad, railway, electric transmission line, private way, boulevard or other public way, or within the location of any railroad or electric transmission line, and may enter

upon and dig up any private land, public land, private way, public way, railroad location or electric transmission line location for the purpose of laying such sewers and of maintaining and repairing the same, and may do any other thing proper or necessary for the purposes of this act, provided that they shall not take in fee any land of a railroad corporation or land of an electric transmission line corporation, and that they shall not enter upon or construct any sewer within the location of any railroad corporation or within the location of any electric transmission line 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 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 7. 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 8 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 9 For the purpose of paying the necessary expenses and liabilities incurred under this act, the town may, from time to time, within five years after the passage of this act, borrow such sums as may be necessary, not exceeding, in the aggregate, four million dollars, and may issue bonds or notes therefor which shall bear on their face the words, Holbrook Sewerage Loan, Act of 1964. 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 10. The receipts from sewer assessments and from payments made in lieu thereof shall be applied to the payment of charges and expenses incident to the maintenance and operation of said system 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 11 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 12. 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 13 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 Holbrook, if there be any, and if not, then in some newspaper published in the county of Norfolk, and shall not take effect until such publications have been made.

SECTION 14. No act shall be done under authority of the preceding sections except in the making of surveys and other preliminary investigations, until the plan for said system or systems of sewerage and sewage disposal has been approved by the state department of public health.

SECTION 15 This act shall take full effect upon its acceptance by the town of Holbrook within four years after its passage, but not otherwise. No expenditure shall be made and no liability incurred hereunder until such acceptance.

Approved February 17, 1964

Chap. 75. AN ACT FURTHER REGULATING THE REGISTRATION OF PESTICIDES.

Be it enacted, etc., as follows:

SECTION 1. Subsection (a) of section 13 of chapter 94B of the General Laws, as appearing in section 2 of chapter 727 of the acts of 1960, is hereby amended by striking out, in lines 11 to 17, inclusive, the words “; and provided, further, that any pesticide imported into this commonwealth which is subject to the provisions of any federal act providing for the registration of pesticides and which has been duly registered under the provisions thereof shall be accepted for registration under the pesticide law when sold or distributed in the unbroken immediate container in which it was originally shipped”.

SECTION 2. Subsection (d) of said section 13 of said chapter 94B,

as so appearing, is hereby amended by striking out the last three sentences.

SECTION 3. Section fourteen of said chapter ninety-four B is hereby repealed

Approved February 17, 1964.

Chap. 76. AN ACT RELATIVE TO THE FORM AND THE ORDER IN WHICH NAMES OF CANDIDATES FOR STATE COMMITTEES SHALL BE PLACED ON A PRIMARY BALLOT

Be it enacted, etc., as follows:

SECTION 1. Section 17A of chapter 53 of the General Laws is hereby amended by striking out the last paragraph.

SECTION 2. Section 34 of said chapter 53 is hereby amended by striking out the third paragraph, as appearing in section 3 of chapter 406 of the acts of 1953, and inserting in place thereof the following paragraph:—

Names of candidates for state committee who are either elected or appointed incumbents shall be placed first in alphabetical order, and names of other candidates for said office shall follow in like order.

SECTION 3. Section 70D of said chapter 53 is hereby amended by inserting after the fourth sentence, as amended by section 1 of chapter 74 of the acts of 1956, the following sentence — The nomination paper of a candidate for state committee who is an elected incumbent thereof may also contain the statement "Candidate for Re-election"

Approved February 18, 1964

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, February 18, 1964

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 76 of the Acts of 1964 entitled "An Act Relative to the Form and the Order in which names of Candidates for State Committees shall be Placed on a Primary Ballot" and the enactment of which received my approval on February 18, 1964, should take effect forthwith

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows

The Presidential Primaries will be held in the month of April, 1964. If this legislation will not take effect for 90 days, this law would not be applicable to this primary. Therefore this act should take effect at once

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth

OFFICE OF THE SECRETARY, BOSTON, February 18, 1964

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 seventy-six of the acts of nineteen hundred and sixty-four

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 77. AN ACT AUTHORIZING THE TOWN OF WAREHAM TO USE FOR SCHOOL PURPOSES CERTAIN LAND HELD FOR PARK, FORESTRY AND PUBLIC DOMAIN PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The town of Wareham is hereby authorized to use for school purposes a certain parcel of land held for park, forestry and public domain purposes, containing seventeen and five-tenths acres, more or less, and described in a deed recorded in Plymouth County Registry of Deeds, Book 2182, Page 173, and shown on a plan entitled "Plan of Minot Estate in Vicinity of Tempest Knob Terrace, Wareham, Mass.", dated January 25, 1951, and recorded in Plymouth County Registry of Deeds, bounded and described as follows: —

Northerly by land of Channing and Ames, Trustees, there measuring Eight hundred five (805) feet, more or less, Westerly by remaining portion of Parcel Six (6) above referred to, there measuring Nine hundred (900) feet, more or less, Southerly again by remaining portion of Parcel Six (6) above referred to, there measuring Nine hundred fifty (950) feet, more or less, Easterly, Northerly and Easterly by land of John C. Decas, there measuring respectively Four hundred ten (410) feet, more or less, Two hundred thirty-nine (239) feet, more or less, and Three hundred seventy-nine and eighty-six one-hundredths (379.86) feet.

SECTION 2 This act shall take effect upon its acceptance by the town of Wareham.

Approved February 18, 1964

Chap. 78. AN ACT AUTHORIZING THE TOWN OF FALMOUTH TO USE CERTAIN LAND FOR THE CONSTRUCTION OF A NEW TOWN HALL AND MUNICIPAL AND PUBLIC PARKING AREAS

Be it enacted, etc , as follows:

SECTION 1. The town of Falmouth is hereby authorized to use for the purposes of the construction of a new town hall and for municipal and public parking purposes a certain parcel of land in said town formerly used for school purposes and presently under the care and control of the park commissioners, bounded and described as follows: — Beginning at a point in the Southwesterly line of Main Street and at the Northwesterly corner of land of John F. Ferreira et al, thence South 31° 20' 40" West for a distance of two hundred ninety-two and 17/100 (292 17) feet by land of said Ferreira, by a Town Way and by land of the Trustees of James B. Barnes Lodge to a point, thence North 52° 50' West for a distance of twenty-five and 72/100 (25 72) feet by said Lodge to a point, thence South 38° 56' West for a distance of four hundred thirty-two (432) feet more or less by land of said Lodge, land of Manuel P. Lopes, land of New Bedford Bargain Store, Inc., land of Gabriel H. Bettencourt et ux and land of Arthur F. Carlson to a point; thence South 28° 57'

East for a distance of fifty-seven and 21/100 (57 21) feet by land of said Carlson to a point, thence South 16° 01' East for a distance of seventy-eight (78 00) feet more or less by said Carlson land to the center of a ditch, thence Westerly thru the center of the ditch for a distance of two hundred thirty (230.00) feet more or less by land of Richard Van Kleef et ux and land of Evelyn D. Peters to the shore of Fresh Pond, thence Northerly, Northwesterly, Northerly and Northeasterly by the shore of Fresh Pond to the land belonging to the Parish of Saint Barnabas, thence Southeasterly, Easterly and Northeasterly by the land of said Parish to the land of James M. Pafford et ux, thence North 59° 41' 30" East for a distance of two hundred seventy-three and 49/100 (273.49) feet by land of said Pafford et ux to a point, thence North 59° 29' 50" East for a distance of one hundred ninety and 34/100 (190.34) feet by land of said Pafford et ux and land of Charlotte H. Wortman to a point in the Southwesterly line of Main Street, thence South 29° 58' East for a distance of twenty-one and 56/100 (21.56) feet in the said line of Main Street to a point, thence South 35° 02' East for a distance of sixty-eight and 48/100 (68 48) feet in the said line of Main Street, to the point of beginning

SECTION 2. This act shall take effect upon its acceptance by the town of Falmouth.

SECTION 3 Any appropriation voted by said town at its annual town meeting in the year nineteen hundred and sixty-four, pursuant to the authority granted under 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.

Approved February 18, 1964

Chap. 79. AN ACT EXEMPTING REGISTERS OF DEEDS AND ASSISTANT RECORDERS OF THE LAND COURT FROM FURNISHING CERTAIN INFORMATION UNDER THE UNIFORM COMMERCIAL CODE

Be it enacted, etc., as follows

Subsection (2) of section 9-407 of chapter 106 of the General Laws, as amended by section 18 of chapter 542 of the acts of 1958, is hereby further amended by inserting after the word "officer", in line 1, the following words: —, except the registers of deeds and assistant recorders of the land court,.

Approved February 18, 1964.

Chap. 80. AN ACT AUTHORIZING THE CITY OF LOWELL TO APPROPRIATE AND EXPEND A CERTAIN SUM ANNUALLY FOR 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 annually 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 February 18, 1964

Chap. 81. AN ACT AUTHORIZING THE TOWN OF SALISBURY TO CONSTRUCT AND OPERATE A SYSTEM OR SYSTEMS OF SEWERAGE AND SEWAGE DISPOSAL

Be it enacted, etc., as follows.

SECTION 1. The town of Salisbury, 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 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 and maintain 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 Said board of sewer commissioners, acting for and on behalf of said town, may make such agreements or take such action as necessary for either purchasing, taking by eminent domain, or leasing the presently existing sewer system in the beach area from the Salisbury Water Supply Company Said board may make such agreements or take such action as necessary for treating sewage from the existing sewer system, and maintaining any common sewers, force mains, and pumping stations. Rates and charges for such shall be administered on a fair and equitable basis.

SECTION 6. 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 7. 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 8. 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 9 For the purpose of paying the necessary expenses and liabilities incurred under this act, the town may, from time to time, within five years after the passage of this act, borrow such sums as may be necessary, not exceeding, in the aggregate, two million dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Salisbury Sewerage Loan, Act of 1964. 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 herem, be subject to chapter forty-four of the General Laws.

SECTION 10. The receipts from sewer assessments and from payments made in lieu thereof shall be applied to the payment of charges and expenses incident to the maintenance and operation of said system 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 11. 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 12. 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 13. 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 Salisbury, if there be any, and if not, then in some newspaper published in the county of Essex, and shall not take effect until such publications have been made.

SECTION 14. No act shall be done under authority of the preceding sections except in the making of surveys and other preliminary investigations, until the plan for said system or systems of sewerage and sewage disposal has been approved by the state department of public health.

SECTION 15. This act shall take full effect upon its acceptance by the town of Salisbury 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, 1964.

Chap. 82. AN ACT REGULATING THE GRANTING OF NEW TRIALS IN CRIMINAL CASES.

Be it enacted, etc., as follows:

Chapter 278 of the General Laws is hereby amended by striking out section 29, as most recently amended by section 1 of chapter 310 of the acts of 1962, and inserting in place thereof the following section:—

Section 29. If it appears to the court that justice has not been done, a justice of the superior court may at any time, upon motion in writing of the defendant, grant a new trial for any cause for which by law a new trial may be granted.

Approved February 19, 1964.

Chap. 83. AN ACT MAKING AN APPROPRIATION FOR THE FISCAL YEAR ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND SIXTY-FOUR, SUPPLEMENTING CERTAIN APPROPRIATIONS MADE TO DEFRAY THE COST OF SNOW AND ICE REMOVAL ON PUBLIC WAYS.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain appropriations previously made for the department of public works, the sum set forth in section two of this act is hereby appropriated from the Highway Fund to said department, to be in addition to any amounts at present available for the purpose, subject to the provisions of law regulating the disbursement of public funds and the approval thereof and the conditions pertaining to said item in chapter five hundred of the acts of nineteen hundred and sixty-three.

SECTION 2.

HIGHWAY FUND.

STATE PURPOSES APPROPRIATION.

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

2900-08	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	\$1,000,000
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SECTION 3. This act shall take effect upon its passage

Approved February 21, 1964.

Chap. 84. AN ACT INCREASING THE AMOUNT OF MONEY THE TOWN OF YARMOUTH MAY APPROPRIATE FOR PUBLIC AMUSEMENTS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 225 of the acts of 1946, as most recently amended by section 1 of chapter 32 of the acts of 1960, is hereby further amended by striking out, in line 3, the word "three" and inserting in place thereof the word: — four, — so as to read as follows: — *Section 1.* The town of Yarmouth may, by a majority vote, appropriate each year a sum not exceeding four thousand dollars for providing amusements or entertainments of a public character. The money so appropriated by the town shall be expended under the direction of the board of selectmen.

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

Approved February 21, 1964.

Chap. 85. AN ACT RELATIVE TO THE ISSUANCE OF BONDS OR NOTES BY THE CITY OF MELROSE FOR SCHOOL CONSTRUCTION PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The city of Melrose may borrow within its limit of indebtedness, as prescribed by section ten of chapter forty-four of the General Laws, the sum of nine hundred thousand dollars, for the purpose of constructing, originally equipping and furnishing a new school building and for the purpose of constructing, originally equipping and furnishing an addition to an existing school building to increase the floor space thereof, pursuant to an order of the board of aldermen adopted on November eighteenth, nineteen hundred and sixty-three, notwithstanding that the sums appropriated purportedly in compliance with the provisions of the first paragraph of section seven of said chapter forty-four, were not appropriated from available revenue funds. The treasurer of said city, with the approval of the mayor, is hereby authorized to issue bonds of the city in accordance with the provisions of said order.

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

Approved February 21, 1964.

Chap. 86. AN ACT AUTHORIZING THE TOWN OF BERKLEY TO USE A PORTION OF BERKLEY COMMON IN SAID TOWN FOR A PARKING LOT FOR ITS PUBLIC LIBRARY.

Be it enacted, etc., as follows:

SECTION 1. The town of Berkley is hereby authorized to use that portion of certain park land known as Berkley Common for the construction of a parking lot for the Berkley Public Library, bounded and described as follows:—

Beginning at a point on Berkley Common, said point lying 41 feet westerly from the westerly line of the present library building, as extended, and 6 feet south of the southerly line of said building, as extended; thence, running in a line parallel with the southerly line of said library building and 6 feet distant therefrom, about South 71° 30' East 150 00 feet to a corner, thence turning an interior angle of 90° 00' and running South 18° 30' West 60.00 feet to a corner; thence turning an interior angle of 90° 00' and running North 71° 30' West 150 00 feet to a corner, thence, turning an interior angle of 90° 00' and running North 18° 30' East 20.00 feet to a corner, thence turning an interior angle of 270° 00' and running North 71° 30' West 13 feet to a point in the easterly line of a drive leading off South Main Street; thence northerly along the easterly side of said drive 20.61 feet to a corner; thence South 71° 30' East 18 feet to a corner, thence turning an interior angle of 270° 00' and running North 18° 30' East 20.00 feet to the point of beginning, containing 9,310 square feet.

SECTION 2. This act shall take effect upon its acceptance by the town of Berkley.

Approved February 21, 1964

Chap. 87. AN ACT AUTHORIZING THE CITY OF NORTH ADAMS TO BORROW A SUM OF MONEY FOR DEVELOPING AND IMPROVING ITS PARK AND RECREATIONAL LANDS

Be it enacted, etc., as follows:

SECTION 1 The city of North Adams, may, for the purpose of developing and improving its park and recreational lands, borrow, from time to time within a period of ten years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, two hundred and fifty thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, City of North Adams Park and Recreation Improvement Loan, Act of 1964 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 outside the statutory limit but shall, except as herein provided, be subject to the provisions of chapter forty-four of the General Laws

SECTION 2 So long as the emergency finance board, established under section one of chapter forty-nine of the acts of nineteen hundred and thirty-three, is in existence, no money shall be borrowed by the city of North Adams under section one hereof, without the approval of said emergency finance board Said emergency finance board shall hold a public hearing upon any matter submitted to it under this section if requested in writing so to do by twenty-five taxable inhabitants of said city of North Adams within three days after the submission of such matter

SECTION 3 This act shall take effect upon its acceptance by the city of North Adams

Approved February 21, 1964

Chap. 88. AN ACT AUTHORIZING THE TOWN OF EAST BRIDGEWATER TO CONSTRUCT AND OPERATE A SYSTEM OF SEWERAGE AND SEWAGE DISPOSAL

Be it enacted, etc., as follows:

SECTION 1. The town of East Bridgewater, hereinafter called the town, is hereby authorized to lay out, construct, maintain and operate a system 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 of sewerage and sewage treatment and disposal, and may construct such sewers in said town as may be necessary. 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 2 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 the selectmen may act as a board of sewer commissioners, as the case may be.

SECTION 3 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 and maintain 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 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 5 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 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. 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 the portion of the cost which 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 ten 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, East Bridgewater Sewerage Loan, Act of 1964. 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 incidental to the maintenance and operation of said system or systems of sewerage and sewage disposal or to the extension thereof, to the payment of interest upon bonds or notes issued for sewer purposes or to the payment or redemption of such bonds or notes.

SECTION 9. Said board 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 10. 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 11. 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 Bridgewater, 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 12. No act shall be done under authority of the preceding sections except in the making of surveys and other preliminary investigations, until the plan for said system or systems of sewerage and sewage disposal has been approved by the state department of public health.

SECTION 13 This act shall take full effect upon its acceptance by the town of East Bridgewater within four years after its passage, but not otherwise. No expenditure shall be made and no liability incurred hereunder until such acceptance. *Approved February 21, 1964.*

Chap. 89. AN ACT AUTHORIZING CITIES AND TOWNS TO PURCHASE UNIFORMS FOR CERTAIN PUBLIC HEALTH NURSES.

Be it enacted, etc., as follows:

Chapter 40 of the General Laws is hereby amended by inserting after section 6J the following section:—

Section 6K. A city or town which accepts this section may appropriate money for the purchase of uniforms for public health nurses employed by its board of health. *Approved February 21, 1964.*

Chap. 90. AN ACT AUTHORIZING CITIES AND TOWNS TO PURCHASE RAIN WEAR AND OTHER WORK CLOTHES FOR THEIR EMPLOYEES.

Be it enacted, etc., as follows:

Chapter 40 of the General Laws is hereby amended by striking out section 6J, inserted by chapter 190 of the acts of 1963, and inserting in place thereof 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, and other work clothes for its employees. *Approved February 21, 1964*

Chap. 91. AN ACT AUTHORIZING THE TOWN OF BOURNE TO APPROPRIATE MONEY FOR THE CELEBRATION OF THE FIFTIETH ANNIVERSARY OF THE OPENING OF THE CAPE COD CANAL.

Be it enacted, etc., as follows:

SECTION 1. The town of Bourne may, in the current year at the annual town meeting or at a special town meeting called for the purpose, appropriate money for the celebration in said year of the fiftieth anniversary of the opening of the Cape Cod canal, and for publishing the proceedings thereof.

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

Approved February 24, 1964.

Chap. 92. AN ACT AUTHORIZING THE TOWN OF CLINTON TO BORROW MONEY FOR THE CONSTRUCTION OF A COMBINATION POLICE STATION AND COURT HOUSE.

Be it enacted, etc., as follows:

SECTION 1. The town of Clinton is hereby authorized to borrow the sum of three hundred thousand dollars, for the purpose of constructing a combination police station and court house, and may issue bonds or notes therefor which shall bear on their face the words, Town of Clinton Police Station and Court House Loan, Act of 1964. Each authorized

issue shall constitute a separate loan, and such loans shall be payable in not more than twenty years from their dates. Indebtedness incurred under this act shall be within the statutory limit, and shall, except as herein provided, be subject to the provisions of chapter forty-four of the General Laws, including the limitation contained in the first paragraph of section seven thereof.

SECTION 2. The selectmen of the town of Clinton and the county commissioners of Worcester county are authorized to contract from time to time for the purpose of fixing the terms under which the court house portion of the building so constructed may be used by said county.

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

Approved February 24, 1964.

Chap. 93. AN ACT PERMITTING BANKS TO CLOSE ON CERTAIN DAYS BY PROCLAMATION OF THE GOVERNOR, AND PERMITTING ACTS AUTHORIZED, REQUIRED OR PERMITTED TO BE PERFORMED ON SUCH DAYS TO BE PERFORMED ON THE NEXT SUCCEEDING BUSINESS DAY.

Be it enacted, etc , as follows:

Chapter 167 of the General Laws is hereby amended by striking out section 52, as amended by chapter 9 of the acts of 1947, and inserting in place thereof the following section — *Section 52.* Any bank, which term for the purposes of this section shall include not only any bank as defined in section one but also any national banking association, federal reserve bank, federal home loan bank, federal savings and loan association or federal credit union doing business in the commonwealth, may remain closed on any and all Saturdays and any and all other days on which by reason of an occasion of national mourning or rejoicing or national emergency or local emergency affecting the community in which such bank is located the governor shall by proclamation request the people of the commonwealth or of said community to close their places of business, and any Saturday or proclaimed day of closing on which such bank remains closed shall be, with respect to such bank, a day which is not a full business day, as such words are used in section 3-503 of chapter one hundred and six. Any act authorized, required or permitted to be performed at or by or with respect to any bank on a Saturday or proclaimed day of closing, may be performed on the next succeeding business day, and no liability or loss of rights shall result from such delay.

Approved February 24, 1964.

Chap. 94. AN ACT PROVIDING THAT THE EMPLOYMENT OF CERTAIN CADET ENGINEERS IN MUNICIPAL GAS OR LIGHT PLANTS BE IN ACCORDANCE WITH THE CIVIL SERVICE LAW AND PROVIDING THAT TIME SPENT IN "ON THE JOB TRAINING" OF SUCH CADET ENGINEERS BE COUNTED AS CREDITABLE SERVICE FOR RETIREMENT PURPOSES

Be it enacted, etc , as follows:

Chapter 164 of the General Laws is hereby amended by striking out section 69E, as renumbered by section 5 of chapter 564 of the acts

of 1958, and inserting in place thereof the following section — *Section 69E*. The employment of the cadet engineer in “on the job training” shall not be subject to civil service laws and rules, but the appointment shall be reported to the division of civil service in such form as the director of civil service may require.

A cadet engineer in “on the job training” shall not be subject to or entitled to the benefits of pension and retirement laws nor shall any deductions be taken from his pay for these purposes

The employment of a cadet engineer in “graduate on the job training” shall be subject to the civil service laws and rules. Such cadet engineer shall also be subject to and entitled to the benefits of retirement laws or pension laws, and deductions shall be made from his salary and paid into the contributory retirement system of the city or town in accordance with the provisions of the contributory retirement act. The “on the job training” period of any cadet engineer who continues in the employ of the contracting city or town as a permanent full-time employee, shall be considered as “creditable service” for purposes of retirement laws, pension laws, and other laws pertaining to municipal employees, provided that he shall pay into the retirement fund such sums as may be required by the retirement board to acquire such creditable service, provided, however, that time in attendance at a college or university shall not be considered as “creditable service” under this section.

Cadet engineers when actually employed in “on the job training” shall be considered as employees of the contracting city or town for purposes of the workmen’s compensation law.

Approved February 24, 1964.

Chap. 95. AN ACT RELATING TO INVESTMENT BY DOMESTIC INSURANCE COMPANIES IN LOANS UPON IMPROVED AND UNENCUMBERED REAL PROPERTY

Be it enacted, etc., as follows:

Paragraph 7 of section 63 of chapter 175 of the General Laws is hereby amended by adding at the end the following sentence: — No loan on such real property or such leasehold estate which is a participation or a part of a series or issue secured by the same mortgage instrument shall be authorized by this paragraph unless (1) the entire series or issue, which is secured by the same mortgage instrument, is held by the company, or (2) the company holds a senior participation in such mortgage instrument giving it substantially the rights of a first mortgagee, or (3) the loan is evidenced by one or more bonds, notes or other evidences of indebtedness held by such company forming part of a series or issue of obligations secured by a mortgage instrument in trust to a bank or trust company or other corporation, with or without a co-trustee, competent to act as trustee in the state of its domicile, provided that (i) all of such series or issue is of equal rank, (ii) the total amount of each series or issue complies with the restrictions of this paragraph respecting the ratio of loan to fair market value, and (iii) the security for such loan complies with all other provisions of this paragraph.

Approved February 24, 1964.

Chap. 96. AN ACT PROVIDING FOR PARTY NOMINATIONS FOR ELECTIVE MUNICIPAL OFFICERS IN THE CITY OF NORTHAMPTON.

Be it enacted, etc., as follows.

SECTION 1. Primaries for the nomination of candidates of political parties to be voted for at city elections shall be held in the city of Northampton under the provisions of sections twenty-three to forty A, inclusive, and fifty-eight to sixty-four, inclusive, of chapter fifty-three of the General Laws, except as hereinafter provided.

SECTION 2. Notwithstanding the provisions of section twenty-eight of said chapter fifty-three, city primaries shall be held on the twenty-eighth day preceding biennial or special city elections.

SECTION 3. Notwithstanding the provisions of section sixty-two of said chapter fifty-three, if a person nominated to be voted for at a city primary dies before the day of the primary, or withdraws his name from nomination, or is found ineligible, and there is no other candidate for the party nomination for the office, the vacancy may be filled by the city committee. In cases of vacancies caused by withdrawal, nominations to fill such vacancy shall be filed with the city clerk within twenty-four week-day hours after the last day and hour for such withdrawal, by a certificate filed by the chairman and secretary of said committee. No vacancy caused by withdrawal shall be filled before the withdrawal has been filed. If there is a failure to make a nomination at a city primary by reason of a tie vote, the vacancy shall be filled by the city committee within seventy-two week-day hours, by the choice of one of the candidates receiving the tie vote.

SECTION 4. This act shall be submitted for acceptance to the voters of the city of Northampton at the biennial state election in the current year in the form of the following question, which shall be placed upon the official ballot to be used in said city at said election: — “Shall an act passed by the General Court in the year nineteen hundred and sixty-four, entitled ‘An Act providing for party nominations for elective municipal officers in the city of Northampton’, be accepted?” If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved February 24, 1964

Chap. 97. AN ACT PROHIBITING THE ISSUANCE OF A LICENSE TO CONDUCT MOTOR CYCLE RACING ON SUNDAY.

Be it enacted, etc., as follows:

Paragraph (1) of section 4 of chapter 136 of the General Laws, as appearing in section 2 of chapter 616 of the acts of 1962, is hereby amended by inserting after the word “racing”, the third time the same appears in line 10, the words. — , motor cycle racing excluding amateur, nonprofit motor cycle contests in which skill rather than speed is the primary factor.

Approved February 24, 1964.

Chap. 98. AN ACT RELATIVE TO INVESTMENT BY SAVINGS BANKS IN CERTAIN STOCKS OF FIRE AND CASUALTY INSURANCE COMPANIES.

Be it enacted, etc., as follows:

Chapter 168 of the General Laws is hereby amended by striking out section 48, as most recently amended by chapter 100 of the acts of 1958, and inserting in place thereof the following section. — *Section 48.* Such corporation may invest in the capital stock of any insurance company authorized to conduct a fire and casualty insurance business in the commonwealth, subject to the conditions, limitations and requirements of this section.

1. *Kind of Business* — In the calendar year immediately preceding the date of investment not less than one-fourth of the net premiums written by such company and its subsidiaries shall have been in respect to risks involving loss of or damage to property belonging to or in the custody of the insured, which risks shall be deemed to be fire and allied risks. As used herein, the term “fire and allied risks” shall be deemed to include home owners, commercial, and industrial multiple peril risks, boiler and machinery, glass, burglary and theft and fidelity risks. Net premiums written in the same period in respect to casualty risks shall have been not less than one-fourth of the net premiums written by the company and its subsidiaries. The term “casualty risks” shall be deemed to include risks involving liability of the insured for injury or damage to the person or property of others, workmen’s compensation, accident and health, hospital and medical, surety and credit risks. Not more than one-half of the net premiums written in the same period shall have been in respect to liability of owners or operators of motor vehicles for personal injury or property damage. If more than one-fifth of the net premiums written by the company and its subsidiaries in the same period shall have been life insurance premiums, the company or the subsidiary or subsidiaries writing such life insurance business shall be licensed to conduct such business in this commonwealth.

2 *Subsidiary Defined.* — For the purposes of this section, “subsidiary” shall be construed to mean any insurance company fifty per cent or more of the capital stock of which is owned by such insurance company or by any other subsidiary thereof.

3. *Large Company Requirement* — At the end of the calendar year immediately preceding the date of investment the total admitted assets of such company shall be not less than one hundred million dollars, and it shall be one of the companies which meet the provisions of paragraph 1 and of which a majority of the stock is not owned by five or less stockholders.

4. *Operating Profit Ratio.* — Of the companies referred to in paragraph 3, such company shall be one of the fifteen having the highest average operating profit ratio for the five years immediately preceding the date of investment. The annual operating profit ratio of each of the five years preceding the date of investment shall be calculated by subtracting from one hundred per cent the ratio of loss and loss adjustment expense to net premiums earned and thereafter subtracting from the remainder the ratio of other operating expenses, excluding all income taxes, to net premiums written. The ratios of the five years immediately preceding the date of investment shall be averaged to obtain the

measurement. The losses, expenses, premiums written and profits earned referred to above shall be the totals of such items for such company and all its fire and casualty insurance subsidiaries, except that, if less than ninety per cent of the capital stock of a subsidiary is owned by such company, the totals of said items for such subsidiary shall be included in the calculation only in proportion to the percentage of stock so owned.

5 *Ratio of Assets to Liabilities.* — At the end of the calendar year immediately preceding the date of investment, the total admitted assets of the company shall be equal to or in excess of one hundred and twenty-five per cent of all liabilities of the company excluding capital, surplus and voluntary reserves.

6 *Dividends.* — Such company shall have paid a dividend in cash in each of the ten years preceding the date of investment.

7. *Other Limitations* — The following additional limitations also shall apply to stocks of insurance companies —

(a) *Preferred Stock, etc* — Such company shall have no preferred stock or other senior securities outstanding at the date of investment.

(b) *Aggregate Investment Limit.* — No insurance stock shall be purchased and no additional investment in bank stock shall be made if the cost thereof added to the cost of insurance stocks and bank stocks already owned shall exceed two-thirds of the total of the guaranty fund and surplus of such corporation, referred to in section fifty-seven, immediately following the payment or provision for payment of its next preceding dividend as provided in paragraph 3 (a) of section forty-seven.

(c) *Investment Limit in One Company* — No investment shall be made in the stock of any one insurance company if the cost thereof added to the amount already invested in its stock shall exceed one fifteenth of the total of said guaranty fund and surplus of such corporation, as so appearing.

Approved February 24, 1964.

Chap. 99. AN ACT PROVIDING THAT OFFICERS AND DEPARTMENTS OF CITIES, TOWNS AND DISTRICTS MAY ACCEPT GRANTS OR GIFTS FOR MUNICIPAL PURPOSES AND MAY EXPEND THE SAME WITHOUT APPROPRIATION.

Be it enacted, etc., as follows:

Chapter 44 of the General Laws is hereby amended by inserting after section 53 the following section:—

Section 53A An officer or department of any city or town, or of any fire, water, sewer, light, improvement, regional school or other district, may accept grants or gifts of funds from the federal government and from a charitable foundation, a private corporation, or an individual, and in the case of any grant or gift given for educational purposes may expend said funds for the purposes of such grant or gift with the approval of the school committee, and in the case of any other grant or gift may expend such funds for the purposes of such grant or gift as follows. — In cities having a Plan D or Plan E form of government with the approval of the city manager and city council, in all other cities with the approval of the mayor and city council, in towns with the

approval of the board of selectmen, and in districts with the approval of the prudential committee, if any, otherwise the commissioners. Any amounts so received by an officer or department of a city, town or district shall be deposited with the treasurer of such city, town or district and held as a separate account and may be expended as aforesaid by such officer or department receiving the grant or gift without further appropriation, notwithstanding the provisions of section fifty-three

Approved February 24, 1964

Chap. 100. AN ACT DESIGNATING THE BRIDGE ON DERBY STREET AT ROUTE 128 IN SOUTH HINGHAM AS THE MAJOR GENERAL BENJAMIN LINCOLN BRIDGE.

Be it enacted, etc , as follows:

The bridge on Derby street at route 128 in South Hingham shall be known and designated as the Major General Benjamin Lincoln bridge, and a suitable marker bearing said designation shall be attached thereto by the department of public works

Approved February 24, 1964

Chap. 101. AN ACT AUTHORIZING THE CITY OF LYNN TO REIMBURSE JEREMIAH CALNAN FOR CERTAIN EXPENSES INCURRED BY HIM ON ACCOUNT OF INJURIES SUSTAINED BY HIS MINOR SON AT THE ENGLISH HIGH SCHOOL

Be it enacted, etc , as follows.

SECTION 1 For the purpose of discharging a moral obligation, the city of Lynn may appropriate and pay to Jeremiah Calnan, a sum not to exceed five hundred dollars for medical and hospital expenses incurred by him as a result of injuries sustained on or about November fifteenth, nineteen hundred and sixty-one, by his minor son, Donald J. Calnan, at the English High School gymnasium.

SECTION 2. This act shall take effect upon its acceptance by the city of Lynn.

Approved February 24, 1964

Chap. 102. AN ACT EXEMPTING FROM REAL ESTATE TAXATION A PART OF CERTAIN PROPERTY OF THE ASSOCIATION OF THE EVANGELICAL LUTHERAN CHURCH FOR WORKS OF MERCY IN THE TOWN OF NATICK.

Be it enacted, etc , as follows

SECTION 1 So much of the real estate of the Association of the Evangelical Lutheran Church for Works of Mercy located at 46 Park avenue in the town of Natick as is principally and usually devoted to the religious, educational or charitable purposes of said Association shall be exempt from taxation under the provisions of chapter fifty-nine of the General Laws

SECTION 2 This act shall apply to taxes assessed for the year nineteen hundred and sixty-four and subsequent years

Approved February 24, 1964

Chap. 103. AN ACT 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.

Be it enacted, etc., as follows:

Section 51K of chapter 90 of the General Laws, as amended by section 3 of chapter 593 of the acts of 1947, is hereby further amended by striking out the third paragraph and inserting in place thereof the following paragraph: —

If a city or town shall have an agreement with the federal government or the commonwealth whereby such government or commonwealth grants such city or town a sum of money to be used, with funds provided by said city or town, for an airport, and shall be required primarily to pay that portion of the expense for which reimbursement is to be received from such grant, or grants, the treasurer of such city or town, with the approval of the mayor or selectmen, as the case may be, in anticipation of the proceeds of such grant, or grants, may incur debt, which shall be outside the debt limit, to an amount not exceeding the amount of the grant or grants, as shown by the grant agreement or agreements and may issue notes therefor payable in not more than two years from their dates. Any loan issued under this section 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 or grants, so far as necessary, shall be applied to the discharge of the loan.

Approved February 24, 1964.

Chap. 104. AN ACT PROVIDING THE MANNER OF ACCEPTANCE OF A LAW AUTHORIZING THE TOWN OF COHASSET TO CONSTRUCT AND OPERATE A SYSTEM OR SYSTEMS OF SEWERAGE AND SEWAGE DISPOSAL.

Be it enacted, etc., as follows:

Chapter 65 of the acts of 1962 is hereby amended by striking out section 15 and inserting in place thereof the following section. — *Section 15.* This act shall take effect upon its acceptance by vote of a majority of the voters of said town voting thereon at the annual town meeting to be held in the year nineteen hundred and sixty-four.

If this act is not accepted at said town meeting, it shall, upon the filing with the town clerk sixty days before an annual town meeting held within two years thereafter of a petition signed by five per cent or more of the registered voters of said town, be again submitted for acceptance by the voters of said town in the form of the following question which shall be placed upon the official ballot to be used for the election of town officers at said meeting. — “Shall an act passed by the General Court in the year nineteen hundred and sixty-two, entitled ‘An Act authorizing the town of Cohasset to construct and operate a system or systems of sewerage and sewage disposal’, be accepted?”

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

No expenditure shall be made and no liability incurred hereunder until such acceptance.

Approved February 24, 1964

Chap. 105. AN ACT PROVIDING THAT NOTICE BE GIVEN TO THE APPLICANT OF ACTION TAKEN RELATING TO A SUBDIVISION PLAN.

Be it enacted, etc., as follows:

SECTION 1 Section 81S of chapter 41 of the General Laws is hereby amended by striking out the third sentence, as amended by section 1 of chapter 206 of the acts of 1963, and inserting in place thereof the following sentence:— Within sixty days after submission of a preliminary plan each board shall notify by certified mail the applicant and the clerk of the city or town either that the plan has been approved, or that the plan has been approved with modifications suggested by the board or agreed upon by the person submitting the plan, or that the plan has been disapproved and in the case of disapproval, the board shall state in detail its reasons therefor.

SECTION 2 The first paragraph of section 81U of said chapter 41 is hereby amended by adding at the end the following sentence.— Such health board or officer shall send a copy of such report, if any, to the person who submitted said plan

Approved February 24, 1964

Chap. 106. AN ACT DESIGNATING ROUTE 88 IN THE TOWN OF WESTPORT AS THE VETERANS OF FOREIGN WARS MEMORIAL DRIVE

Be it enacted, etc., as follows:

State highway route 88 in the town of Westport between route U. S. 6 to Horseneck Beach reservation shall be known and designated as the Veterans of Foreign Wars Memorial drive and suitable markers bearing such designation shall be erected along said highway by the department of public works.

Approved February 24, 1964.

Chap. 107. AN ACT DESIGNATING THE NARROW BRIDGE, SO CALLED, IN THE TOWN OF WAREHAM AS THE DONALD W. NICHOLSON BRIDGE.

Be it enacted, etc., as follows:

The Narrow bridge, so called, over the Wareham river on Agawam road in the town of Wareham, shall be known and designated as the Donald W Nicholson bridge in honor of Donald W. Nicholson of Wareham, who served as a member of the house of representatives, the senate, having been president of that body, and the Congress of the United States, and a suitable marker bearing said designation shall be attached thereto by the department of public works.

Approved February 24, 1964.

Chap. 108. AN ACT RELATIVE TO MOTIONS FOR DIRECTED VERDICTS AND CERTAIN REQUESTS FOR RULINGS IN CRIMINAL CASES.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 11 of chapter 278 of the General Laws, inserted by chapter 569 of the acts of 1963, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence — If, at the close of the commonwealth's evidence a defendant moves for a directed verdict or requests a ruling that the evidence is insufficient to warrant a conviction, a denial of the motion or of the request shall not bar the offering of evidence by the defendant, whether or not he has reserved the right to do so

SECTION 2. The third paragraph of said section 11 of said chapter 278, as so inserted, is hereby amended by striking out the last two sentences and inserting in place thereof the following two sentences — If a verdict of guilty is returned, the court may on such motion set aside the verdict and order a new trial or order the entry of a verdict of not guilty. If no verdict is returned, the court may order a new trial or order the entry of a verdict of not guilty

Approved February 24, 1964

Chap. 109. AN ACT AUTHORIZING THE TOWN OF BROOKLINE TO APPROPRIATE AND EXPEND A CERTAIN SUM ANNUALLY FOR THE PURCHASE OF CERTAIN INSIGNIA, HEADWEAR OR OTHER ARTICLES OF CLOTHING FOR THE EMPLOYEES OF ITS PARK AND RECREATION COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. The town of Brookline may annually appropriate and expend a sum of money, not exceeding five hundred dollars, for the purchase of necessary insignia, headwear or other articles of clothing for the purpose of identifying the employees of its park and recreation commission

SECTION 2 This act shall take effect upon its acceptance by the town of Brookline

Approved February 24, 1964

Chap. 110. AN ACT EXTENDING THE TIME FOR THE LICENSING OF CERTAIN RADIO AND TELEVISION TECHNICIANS WITHOUT EXAMINATION.

Be it enacted, etc., as follows:

Section 4 of chapter 604 of the acts of 1963 is hereby amended by striking out, in line 6, the words "June thirtieth" and inserting in place thereof the words. — December thirty-first.

Approved February 24, 1964.

Chap. 111. AN ACT INCREASING THE REWARD WHICH MAY BE OFFERED BY THE GOVERNOR FOR THE APPREHENSION OF CERTAIN CRIMINALS.

Be it enacted, etc., as follows:

Section 9 of chapter 276 of the General Laws, as amended by chapter 359 of the acts of 1947, is hereby further amended by striking out, in line 2, the word "five" and inserting in place thereof the word: — ten.

Approved February 24, 1964.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, February 24, 1964

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 111 of the Acts of 1964 entitled "An Act Increasing the Reward Which May be Offered by the Governor for the Apprehension of Certain Criminals" and the enactment of which received my approval on February 24, 1964, 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

A number of murders by strangulation have occurred in recent months in Metropolitan Boston and vicinity. It is the opinion of enforcement officials that the apprehension of the guilty person or persons will be greatly assisted by the provisions of this act. Under these circumstances it would seem that sufficient emergency exists to warrant that this act become effective at once

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth

OFFICE OF THE SECRETARY, BOSTON, February 25, 1964

I, Kevin H. White, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at ten o'clock and thirty minutes, A. M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter one hundred and eleven of the acts of nineteen hundred and sixty-four

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 112. AN ACT PROVIDING THAT THE DEPARTMENT OF PUBLIC HEALTH APPROVE THE STATE OR LOCAL INSPECTION OF CERTAIN ANIMALS SLAUGHTERED OUTSIDE THE COMMONWEALTH, THE BY-PRODUCTS OF WHICH ARE USED FOR ANIMAL FOOD.

Be it enacted, etc., as follows.

Section 131 of chapter 94 of the General Laws is hereby amended by striking out the second paragraph, added by chapter 317 of the acts of 1950, and inserting in place thereof the following paragraph:—

This section shall not prohibit the use of certain by-products, which are obtained from disease free food animals slaughtered without the commonwealth under duly authorized state or local inspection acceptable to the department of public health and approved by it in writing,

in the manufacture of cooked and processed canned foods for small domestic animals when such products conform to, are labeled, and have been shipped under certification in accordance with such rules and regulations as said department may prescribe. Said department of public health is hereby authorized to adopt rules and regulations to carry out the provisions of this section. *Approved February 24, 1964.*

Chap. 113. AN ACT GRANTING THE CONSENT OF THE COMMONWEALTH TO A PETITION BY EUGENE FIORINTINI, AS FATHER OF JEAN FIORINTINI, A MINOR.

Be it enacted, etc, as follows:

Eugene Fiorintini of East 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 his daughter Jean Fiorintini, a minor, on or about June twenty-ninth, nineteen hundred and sixty, at Wood Island Park in East Boston under the control of the metropolitan district commission. If such injuries were sustained as a result of the negligence of an employee of said commission in the operation of a lawn mower, the court shall, if the conduct of said Jean Fiorintini would not have barred her from recovery in an action at law, find and determine her damages in an amount not to exceed four thousand dollars, and order entry of judgment therefor.

Approved February 24, 1964.

Chap. 114. AN ACT AUTHORIZING THE SUBMISSION TO THE VOTERS OF THE TOWN OF NAHANT OF THE QUESTION OF INCREASING THE SALARIES OF AND ESTABLISHING A MINIMUM ANNUAL SALARY FOR THE POLICE OFFICERS AND FIRE FIGHTERS IN SAID TOWN.

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 town officers at the annual town meeting to be held in the town of Nahant in the current year — "Shall the annual salaries of police officers and fire fighters be increased to a minimum of five thousand five hundred dollars?" If a majority of the votes in answer to said question is in the affirmative, the minimum annual salary of police officers and fire fighters in said town shall be five thousand five hundred dollars.

Approved February 26, 1964.

Chap. 115. AN ACT AUTHORIZING THE CITY OF REVERE TO VOTE AT THE BIENNIAL STATE ELECTION IN THE CURRENT YEAR ON THE QUESTION OF ADOPTING THE "PLAN B" FORM OF CITY GOVERNMENT

Be it enacted, etc., as follows.

Notwithstanding the provisions of chapter forty-three of the General Laws the following question shall be submitted to the registered voters

of the city of Revere at the biennial state election to be held in the current year and shall be printed on the official ballot to be used at said election — “Shall the city of Revere adopt the form of government defined as Plan B and consisting of government by a mayor and councillors elected partly at large and partly from wards or districts, with elections to be held biennially in every odd-numbered year, according to chapter forty-three of the General Laws relative to city charters?”

YES	
NO	

If a majority of the voters voting on said question vote in the affirmative, the officers provided for under said Plan B shall be elected in accordance with the provisions of chapter forty-three of the General Laws relating to such plan and in accordance with section fifteen thereof, and their terms of office shall begin at ten o'clock in the forenoon on the first Monday of January following their election, at which time said Plan B shall take full effect in said city.

Approved February 27, 1964.

Chap. 116. AN ACT RELATIVE TO VIOLATIONS OF THE LAWS AND THE RULES AND REGULATIONS OF THE DEPARTMENT OF PUBLIC UTILITIES RELATIVE TO CERTAIN COMMON CARRIERS OF PASSENGERS BY MOTOR VEHICLE

Be it enacted, etc., as follows:

Section 15 of chapter 159A of the General Laws is hereby amended by striking out the first paragraph, as appearing in chapter 609 of the acts of 1949, and inserting in place thereof the following paragraph — Whoever violates any provision of this chapter for which no other penalty is provided, or any order, rule or regulation adopted or established thereunder, or any lawful requirement, condition, limitation or restriction contained in any certificate, permit or license, shall be punished for a first offence by a fine of not more than one hundred dollars, and for any subsequent offence by a fine of not more than two hundred dollars, and the supreme judicial court and the superior court shall have jurisdiction in equity to restrain any such violation upon petition of the department, any licensing authority, ten citizens of any city or town affected by such violation, or any interested party.

Approved February 27, 1964.

Chap. 117. AN ACT AUTHORIZING THE TOWN OF WAREHAM TO CONVEY CERTAIN PARK LAND TO THE BROCKTON ICE & COAL COMPANY.

Be it enacted, etc., as follows:

The town of Wareham is hereby authorized to sell and convey, upon such terms and conditions as may be determined by said town, to the Brockton Ice & Coal Company, a certain parcel of park land in said town, being shown as lot number 125 C on a plan entitled “Plot Plan Onset Hotel Property prepared for Brockton Ice & Coal Co., Onset, Mass”, dated July 24, 1963, and drawn by Walter E. Rowley & Associates, consisting of approximately 3,899 square feet of land, which plan is on file in the office of the town assessors.

Approved February 27, 1964.

Chap. 118. AN ACT ESTABLISHING A HISTORIC DISTRICT COMMISSION FOR THE TOWN OF BEDFORD, DEFINING ITS POWERS AND DUTIES, AND ESTABLISHING A HISTORIC DISTRICT THEREIN.

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 architectural and 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 traditions and architecture of the town of Bedford

SECTION 2 *Establishment of District* — There is hereby established in the town of Bedford a historic district as follows —

That area lying two hundred feet back from the street line and on either side of Great Road, North Road, Elm Street, Maple Street and South Street as hereinafter described

Beginning at the intersection of Hillside Avenue and Bacon Road with Great Road and running in a westerly direction along said Great Road to the intersection of North Road, thence along said North Road to the intersection of North Road and Carlisle Road;

Also southerly along Elm Street from Great Road to the intersection of Maple Street and Elm Street, thence easterly along Maple Street from the intersection of Elm Street and Maple Street to the intersection of Maple Street and South Road, thence northerly along South Street from the intersection of Maple Street and South Road to the intersection of Great Road and South Road

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 Bedford

“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 Bedford.

“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 Bedford 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 Bedford 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 an attorney 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 a realtor whose initial appointment shall be for the term of the remainder of the calendar year, in which such appointment is 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 appointment 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 Bedford.

(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. *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 14. This act shall take effect upon its acceptance by the town of Bedford.

Approved February 27, 1964.

Chap. 119. AN ACT AUTHORIZING THE SUBMISSION TO THE VOTERS OF THE TOWN OF DEERFIELD OF A QUESTION RELATIVE TO THE ADOPTION OF CERTAIN ZONING BY-LAWS.

Be it enacted, etc., as follows.

SECTION 1. At the annual town meeting in the town of Deerfield to be held in the year nineteen hundred and sixty-five, there shall be submitted to the voters of said town the following question, which shall be placed upon the official ballot to be used for the election of town officers at said annual town meeting — “Shall zoning by-laws be adopted in this town, in accordance with the final report of the planning board on file with the town clerk?”

SECTION 2. If a majority of the voters voting on said question vote in the affirmative, said zoning by-laws shall be deemed to be adopted in the town of Deerfield.

Approved February 28, 1964.

Chap. 120. AN ACT INCREASING THE AMOUNT OF RETIREMENT BENEFITS WHICH MAY BE PAID BY THE EVERETT POLICE MUTUAL AID ASSOCIATION, INC.

Be it enacted, etc., as follows:

Chapter 32 of the acts of 1950 is hereby amended by striking out, in line 5, the words "five hundred" and inserting in place thereof the words. — one thousand.

Approved February 28, 1964.

Chap. 121. AN ACT PROVIDING LIFE TENURE FOR CHARLES R. HERBERT, INCUMBENT OF THE OFFICE OF COMMISSIONER OF PUBLIC WORKS OF THE CITY OF QUINCY.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Charles R. Herbert, incumbent of the office of commissioner of public works of the city of Quincy, shall, upon the effective date of this act, be unlimited, but he may be removed therefrom for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall take effect upon its acceptance by the city of Quincy.

Approved March 2, 1964.

Chap. 122. AN ACT PROVIDING THAT CITIES AND TOWNS MAY INSTALL AND MAINTAIN OFF-STREET PARKING AREAS AND FACILITIES NOT MORE THAN SIX HUNDRED FEET FROM A PUBLIC BEACH.

Be it enacted, etc., as follows.

Chapter 40 of the General Laws is hereby amended by striking out section 22B, as most recently amended by chapter 20 of the acts of 1964, and inserting in place thereof the following section. — *Section 22B.* Any city or town having installed parking meters may acquire off-street parking areas and facilities by purchase, gift, eminent domain under chapter seventy-nine or chapter eighty A, by lease not to exceed five years, or otherwise, and may pay for such acquisition or lease, including the cost of policing, constructing or reconstructing, surfacing, operating and maintaining such areas and facilities, and including any debt together with interest thereon incurred for such acquisition, in whole or in part, from any receipts from said parking meters and may in each year transfer or pay into its general funds from said receipts a sum or sums in lieu of taxes for the year in question upon the average assessed valuation of said areas and facilities for the three years immediately prior to the date of said acquisition, determined by multiplying each one thousand dollars of such average valuation or fraction thereof by the tax rate set for said city or town for that year, provided, that the off-street parking areas and facilities are located not more than six hundred feet from a building in which the principal activity is business, commercial, manufacturing or industrial in character, and which building is in a business, commercial, manufacturing or industrial zone, but is not more than six hundred feet from the nearest parking meter of any group of not less than thirty parking meters approved by the department of public works, or are located not more than six hundred feet from a public beach area.

Approved March 2, 1964.

Chap. 123. AN ACT REQUIRING QUARTERLY INSPECTIONS OF HOTELS BY THE STATE FIRE MARSHAL OR HIS AUTHORIZED REPRESENTATIVE.

Be it enacted, etc., as follows:

The last paragraph of section 4 of chapter 148 of the General Laws, as amended by section 5 of chapter 446 of the acts of 1959, is hereby further amended by adding the following sentence: — Said marshal or such head of a fire department shall also make an inspection every three months of the premises specified in innholders' licenses issued under chapter one hundred and forty.

Approved March 2, 1964.

Chap. 124. AN ACT AUTHORIZING CITIES AND TOWNS TO INSTALL PAVEMENT MARKINGS ACCORDING TO THE DESIGN SPEED OF THE HIGHWAY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 89 of the General Laws is hereby amended by striking out section 1, as amended by section 2 of chapter 646 of the acts of 1951, and inserting in place thereof the following section: — *Section 1.* When persons traveling with vehicles meet on a way, each shall seasonably drive his vehicle to the right of the middle of the traveled part of such way, so that the vehicles may pass without interference, except that the department of public works may modify such restriction by pavement markings on state highways, on ways leading thereto and on all main highways between cities and towns. The department may by permit, revocable upon notice, authorize cities and towns to modify such restriction by pavement markings. All markings shall be in accordance with accepted standards of engineering practice, as provided in section two of chapter eighty-five.

SECTION 2. Section 4 of said chapter 89, as most recently amended by section 3 of said chapter 646, is hereby further amended by inserting after the word "towns", in line 11, the words. — ; and may by permit, revocable upon notice, authorize cities and towns to alter said provision by the use of such restrictive pavement markings.

Approved March 2, 1964.

Chap. 125. AN ACT PROVIDING THAT SERVICE AS A RESERVE POLICE OFFICER OR RESERVE FIRE FIGHTER BE CREDITED AS FULL TIME SERVICE UNDER THE CONTRIBUTORY RETIREMENT LAW.

Be it enacted, etc., as follows:

Paragraph (b) of subdivision (2) of section 4 of chapter 32 of the General Laws, as amended by section 4 of chapter 403 of the acts of 1946, is hereby further amended by inserting after the word "year", in line 21, the words. — ; and, provided further, that the board shall credit service as a reserve police officer or as a reserve fire fighter as full time service, said credited service not to exceed a maximum of five years.

Approved March 2, 1964.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, March 26, 1964

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 125 of the Acts of 1964 entitled "An Act Providing that Service as a Reserve Police Officer or Reserve Fire Fighter be Credited as Full Time Service Under the Contributory Retirement Law." and the enactment of which received approval on March 2, 1964, should take effect forthwith

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows

Postponement of the operation of this act would in part defeat its purpose, in that it would deny for ninety days the rights of those members of the fire and police departments who are otherwise eligible and have presently fulfilled all the requirements of the retirement law. Therefore, this act should become effective at once.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth

OFFICE OF THE SECRETARY, BOSTON, March 27, 1964

I, Kevin H. White, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at ten o'clock and twelve minutes, A M, on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter one hundred and twenty-five of the acts of nineteen hundred and sixty-four.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 126. AN ACT AUTHORIZING THE CITY OF CHELSEA TO REACH THE RENTS AND OTHER INCOME OF CERTAIN TAX DELINQUENT REAL ESTATE IN SAID CITY.

Be it enacted, etc., as follows:

Whenever the collector-treasurer of the city of Chelsea shall have taken land therein pursuant to section fifty-three of chapter sixty of the General Laws, he may, in the name and behalf of said city, take immediate possession of such land and, until the tax title so acquired is redeemed, collect the rent and other income from such land, which rent and income, after the payment therefrom of all necessary expenses in the care, repair and management of such land, shall be applied on account of the taxes, assessments, rates, charges, interest and costs due said city on said land, with any balance remaining being paid to the

person otherwise entitled thereto. Upon petition of any person having a right to redeem such tax title, the superior court sitting in equity within and for the county of Suffolk, if it adjudges justice and the circumstances so warrant, may, upon such terms as it shall deem equitable, enjoin a taking of possession under this section or command the surrender of a possession taken.

Neither said city nor any of its officers, agents or employees shall be liable or accountable to the owner or to any other person having an interest in such land for failure to collect rent or other income therefrom, and neither said city nor any of its officers, agents or employees shall be liable for injury or damage caused by the possession of land under this act to such land or to the person or property of any person, any provision of general or special law to the contrary notwithstanding.

Approved March 2, 1964.

Chap. 127. AN ACT PROVIDING THAT CALL MEMBERS OF THE FIRE DEPARTMENT IN THE TOWN OF GREAT BARRINGTON APPOINTED HEREAFTER SHALL NOT BE SUBJECT TO THE CIVIL SERVICE LAWS AND RULES.

Be it enacted, etc , as follows:

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

SECTION 2. Nothing herein shall be deemed to affect the civil service status or any rights of Edward C. Vigeant, permanent call fire chief.

SECTION 3 This act shall take effect upon its acceptance by the town of Great Barrington.

Approved March 2, 1964.

Chap. 128. AN ACT RELATIVE TO THE FORM OF NOTICE FOR VIOLATIONS OF THE PEDESTRIAN CONTROL LAW

Be it enacted, etc , as follows:

The second 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 adding the following sentence:— The notice to appear as provided herein shall be printed in such form as the chief justice of the municipal court of the city of Boston and the chief justice of the district courts may prescribe for such courts.

Approved March 2, 1964.

Chap. 129. AN ACT PROVIDING THAT THE TREASURER OF THE TRUSTEES OF AMHERST COLLEGE SHALL NOT BE AN EX OFFICIO MEMBER OF SAID TRUSTEES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 151 of the acts of 1945 is hereby amended by striking out section 1 and inserting in place thereof the following section — *Section 1* The number of members of The Trustees of Amherst College, including the president of said college, who shall, *ex officio*, be one of said members, shall never be greater than eighteen.

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

Approved March 3, 1964.

Chap. 130. AN ACT PROVIDING FOR THE MERGER, CONSOLIDATION AND UNION OF SWAMPSCOTT UNIVERSALIST CHURCH, INC. WITH FIRST UNIVERSALIST PARISH OF LYNN.

Be it enacted, etc , as follows:

SECTION 1. Swampscott Universalist Church, Inc , a religious corporation duly organized under general laws, is hereby authorized to merge in and unite and consolidate with the First Universalist Parish of Lynn, a religious corporation duly organized under general laws, and said First Universalist Parish of Lynn shall in all respects be a continuance of, and the lawful successor to, said Swampscott Universalist Church, Inc. with all the privileges, powers and immunities to which other religious corporations in the commonwealth are entitled.

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

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

SECTION 4. The First Universalist Parish of Lynn shall assume and is hereby charged with the payment of all valid and existing obligations of said Swampscott Universalist Church, Inc.

SECTION 5. Whatever right or authority is granted or conferred by this act is hereby declared to be limited to such authority or right as the general court may constitutionally grant or confer, without prejudice to any proceeding that may be instituted in any court of competent jurisdiction to effect the purposes of this act.

SECTION 6. The proceedings and votes of said Swampscott Universalist Church, Inc. and said First Universalist Parish of Lynn, relating to the merger, consolidation and union of said churches, and acts and doings thereunder, are hereby ratified, confirmed and validated, notwithstanding any informalities, errors or omissions.

SECTION 7. Upon acceptance of this act by a majority of the members of each of said corporations at meetings duly called for the purpose, certified copies of the respective votes of acceptance, sworn to by the respective clerks or recording officers of said corporations, shall be filed for record in the registry of deeds for the county of Essex and in the office of the secretary of the commonwealth, and, upon such filing, said union, consolidation and merger shall be complete, and the persons who are then members of Swampscott Universalist Church, Inc. shall become members of said First Universalist Parish of Lynn.

Approved March 3, 1964.

Chap. 131. AN ACT CHANGING THE MEMBERSHIP OF THE RECORDS CONSERVATION BOARD AND ELIMINATING THE REQUIREMENT OF ADVERTISING BEFORE SELLING OR DESTROYING CERTAIN RECORDS.

Be it enacted, etc., as follows:

Chapter 30 of the General Laws is hereby amended by striking out section 42, as most recently amended by section 60 of chapter 757 of the acts of 1962, and inserting in place thereof the following section. — *Section 42.* The state librarian, the attorney general, the state comptroller, the commissioner of administration, the supervisor of public records and the chief of the archives division in the department of the state secretary, hereinafter called the archivist, or persons designated by them, shall act as a board, to be known as the records conservation board, of which board the archivist shall be secretary. Said board, after consultation with the chairman of any board or commission or the head of any department or institution or a person designated by such chairman or head may, either by its own motion or on the request of said chairman or head, sell or destroy, from time to time, public records, as defined in section seven of chapter four, in accordance with disposal schedules which shall have been submitted to said board and either approved or modified by said board. Until such action shall have been taken all public records shall remain the property of the commonwealth. Said board shall have power to require all departments of the commonwealth to report to it what series of public records they hold, to set standards for the management and preservation of such records, and to establish schedules for the destruction, in whole or in part, and transfer to the archives, in whole or in part, of public records no longer needed for current business. Nothing in this section shall affect judicial or legislative records, lessen the existing powers of the commission on administration and finance, or compel any department, division or commission to surrender public records it deems of current use. At least thirty days before selling or destroying any such records the board may publish in a daily newspaper in Boston a notice of its intention so to do, containing a brief description of the articles to be sold or destroyed, and it shall give such other and further notice as it deems advisable to historical societies or persons interested in the matter. It may before selling or destroying any particular records, books, vouchers or documents, give a public hearing to all persons interested, and ten days' notice of such hearing shall be given in a daily newspaper published in Boston. Any money received from sales under this section shall be paid to the commonwealth

Approved March 4, 1964.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, March 4, 1964

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

DEAR MR. SECRETARY: — I, Francis X. 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 131 of the Acts of 1964 entitled "An Act Changing the Membership of the Records Conservation Board and Eliminating the Requirement of Advertising before Selling or Destroying Certain Records." and the enactment of which received my approval on March 4, 1964, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act for ninety days would defeat its purpose in part, in that it would prevent immediate disposition of obsolete records now being stored in the Massachusetts Correctional Institution at Norfolk and would allow the transfer of only needed records to the new storage facility in Boston, thereby avoiding the cost of transferring such obsolete records. Therefore, this act should become effective at once

Sincerely,

FRANCIS X. BELLOTTI,
*Lieutenant Governor,
Acting Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, BOSTON, March 4, 1964

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 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 one hundred and thirty-one of the acts of nineteen hundred and sixty-four.

KEVIN H WHITE,
Secretary of the Commonwealth.

Chap. 132. AN ACT RATIFYING CERTAIN DEEDS AND AGREEMENTS EXECUTED BY THE CITY OF BOSTON PURPORTING TO CONVEY OR SELL OR TO AGREE TO CONVEY OR SELL LANDS IN THE CHESTNUT HILL RESERVOIR GROUNDS.

Be it enacted, etc , as follows:

SECTION 1. Deeds and agreements heretofore executed in the name and behalf of the city of Boston by the board of park commissioners and the parks and recreation commission or officer thereof purporting to convey or sell or to agree to convey or sell lands within the territory described in section one of chapter two hundred and seventy-four of the acts of eighteen hundred and ninety-nine are hereby validated, ratified and confirmed, and said parks and recreation commission is hereby authorized and empowered without further authority than that contained in this act, to execute deeds in consummation of such agreements

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

Approved March 4, 1964.

Chap. 133. AN ACT PROVIDING FOR THE SUSPENSION OF CERTIFICATES OF REGISTRATION OF MOTOR VEHICLES OWNED BY PARTNERSHIPS, TRUSTS AND OTHER OWNERS OF MOTOR VEHICLES WHEN CERTAIN JUDGMENTS FOR PROPERTY DAMAGE AGAINST SUCH REGISTRANTS ARE NOT SATISFIED.

Be it enacted, etc., as follows:

The first paragraph of section 22A of chapter 90 of the General Laws is hereby amended by striking out the first sentence, as amended by chapter 769 of the acts of 1963, 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 partnership, a trust, or 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, partnership or trust 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 March 4, 1964.

Chap. 134. AN ACT PLACING THE POSITION OF DOG OFFICER OF THE CITY OF LAWRENCE UNDER THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

SECTION 1. The position of dog officer of the city of Lawrence shall be subject to the civil service laws and rules and the tenure of office of any incumbent thereof upon the effective date of this act shall be unlimited, subject, however, to said laws and rules. Any such incumbent shall be subject to a qualifying examination by the division of civil service and, if he passes said examination, shall be certified for said office and deemed to be permanently appointed thereto without being required to serve a probationary period. If he fails to pass said examination, he may continue to serve in said office but shall not be subject to said civil service laws and rules.

SECTION 2. This act shall take effect upon its acceptance by the city of Lawrence.

Approved March 4, 1964.

Chap. 135. AN ACT AUTHORIZING THE TOWN OF WARE TO PAY A SUM OF MONEY TO RAYMOND AND LYDIA MILLIER.

Be it enacted, etc., as follows

SECTION 1. For the purpose of discharging a moral obligation, the town of Ware may appropriate and pay to Raymond and Lydia Millier a sum not exceeding three thousand dollars, for part of the expense

incurred by them in installing and constructing a six inch sewer line with five manholes on Gilbertville road for a distance of sixteen hundred and sixty feet.

SECTION 2. This act shall take effect upon its acceptance by the town of Ware.

Approved March 4, 1964.

Chap. 136. AN ACT RELATIVE TO THE SALARY OF THE CLERK OF THE SUPREME JUDICIAL COURT FOR SUFFOLK COUNTY.

Be it enacted, etc , as follows:

SECTION 1 Chapter 755 of the acts of 1963 is hereby amended by striking out section 2 and inserting in place thereof the following section: — *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, and notwithstanding the provisions of section ninety-four of chapter two hundred and twenty-one of the General Laws, as amended by section two of chapter seven hundred and forty-three of the acts of nineteen hundred and sixty, any person appointed to the office of clerk of the supreme judicial court for Suffolk county between said effective date and January fifth, nineteen hundred and sixty-five, both dates inclusive, shall receive the salary payable under section ninety-four of said chapter two hundred and twenty-one immediately prior to said effective date.

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

Approved March 4, 1964.

Chap. 137. AN ACT AUTHORIZING THE TOWN OF ORLEANS TO TAKE BY EMINENT DOMAIN CERTAIN LAND IN SAID TOWN FOR CEMETERY AND PARK PURPOSES.

Be it enacted, etc., as follows.

SECTION 1. The town of Orleans is hereby authorized to take by eminent domain such portion of certain land in said town, known as Eastern Cemetery, for cemetery purposes as the board of selectmen shall determine and the balance of said land for park purposes. Said land is bounded and described as follows. — Northerly by land now or formerly of Charles E. Young et ux, one hundred and twenty (120) feet, more or less, easterly by land now or formerly of Alice R Engleman, seven hundred and eighty (780) feet, more or less, southerly by Main street (town way) one hundred and thirty (130) feet, more or less, and westerly by Meeting House road (town way), seven hundred and eighty (780) feet, more or less

SECTION 2 This act shall take effect upon its acceptance by the town of Orleans at its annual town meeting or at any special town meeting in the year nineteen hundred and sixty-four. *Approved March 5, 1964.*

Chap. 138. AN ACT PROVIDING THAT COUNTIES MAY ACCEPT AND DISBURSE FEDERAL GRANTS FOR COUNTY PURPOSES.

Be it enacted, etc , as follows:

Chapter 34 of the General Laws is hereby amended by adding after section 23 the following section. —

Section 24 Any county officer or department may, with the approval of the county commissioners, accept any grant from the federal government for the use or benefit of the county or any activity, institution or board. The county treasurer shall be the custodian of such grant, which shall be held as a separate account and expended for the purposes of such grant.

Approved March 6, 1964.

Chap. 139. AN ACT DESIGNATING THE BRIDGE ON THE EAST SIDE EXPRESSWAY AT LAUREL STREET IN THE CITY OF WORCESTER AS THE LEANORA MONROE MEMORIAL BRIDGE.

Be it enacted, etc , as follows.

The bridge on the East Side Expressway at Laurel street in the city of Worcester shall be known and designated as the Leanora Monroe Memorial Bridge, in memory of Leanora Monroe of Worcester, and a suitable marker bearing said designation shall be attached thereto by the department of public works in compliance with the standards of said department and the federal bureau of public roads

Approved March 6, 1964.

Chap. 140. AN ACT INCREASING THE ORIGINAL JURISDICTION OF THE DISTRICT COURTS.

Be it enacted, etc , as follows:

The first sentence of section 26 of chapter 218 of the General Laws, as appearing in chapter 138 of the acts of 1958, is hereby amended by striking out, in line 12, the word "fifty" and inserting in place thereof the following words — one hundred

Approved March 6, 1964.

Chap. 141. AN ACT TRANSFERRING THE POWERS AND DUTIES OF THE SUPERINTENDENT OF INSECT PEST CONTROL OF THE TOWN OF NANTUCKET TO THE TREE COMMISSION OF SAID TOWN

Be it enacted, etc , as follows:

SECTION 1. Notwithstanding the provisions of section thirteen of chapter one hundred and thirty-two of the General Laws, the town of Nantucket is herewith authorized to transfer the powers and duties of the superintendent of insect pest control of said town to the tree commission of said town, established under the provisions of chapter four hundred and five of the acts of nineteen hundred and forty-eight.

SECTION 2. This act shall take effect upon its acceptance by the town of Nantucket.

Approved March 6, 1964.

Chap. 142. AN ACT PROVIDING THAT CALL MEMBERS OF THE FIRE DEPARTMENT OF THE TOWN OF NORTH ATTLEBOROUGH APPOINTED HEREAFTER SHALL NOT BE SUBJECT TO THE CIVIL SERVICE LAWS AND RULES.

Be it enacted, etc., as follows:

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

SECTION 2. This act shall take effect upon its acceptance by the town of North Attleborough

Approved March 6, 1964.

Chap. 143. AN ACT AUTHORIZING THE CHIEF JUSTICE OF THE DISTRICT COURTS TO ARRANGE JURY SESSIONS IN THE THIRD DISTRICT COURT OF EASTERN MIDDLESEX AND TO ASSIGN SPECIAL JUSTICES TO SAID SESSIONS.

Be it enacted, etc., as follows:

The fifth paragraph of section 1 of chapter 457 of the acts of 1962 is hereby amended by striking out the third sentence and inserting in place thereof the following two sentences:— The chief justice of the district courts shall arrange jury sessions in said court. The justices and special justices of said third district court of eastern Middlesex and other special justices assigned by said chief justice shall preside over the jury sessions.

Approved March 9, 1964.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, March 9, 1964.

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 143 of the Acts of 1964 entitled “An Act Authorizing the Chief Justice of the District Courts to Arrange Jury Sessions in the Third District Court of Eastern Middlesex and to Assign Special Justices to said Sessions.” and the enactment of which received my approval on March 9, 1964, 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 this legislation will allow Special Justices to preside in Six-man Jury Sessions so that speedy trials may be obtained in such cases, and therefore this act should become effective at once

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, March 9, 1964.

I. Kevin H. White, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at four o'clock and forty-five minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter one hundred and forty-three of the acts of nineteen hundred and sixty-four.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 144. AN ACT AUTHORIZING THE COUNTY OF BARNSTABLE TO BORROW FOR THE PURPOSES OF MAKING CONTRIBUTIONS FOR THE CONSTRUCTION OF SEA WALLS OR OTHER FORMS OF SHORE PROTECTION FOR TOWNS IN SAID COUNTY.

Be it enacted, etc., as follows:

The county of Barnstable is hereby authorized to contribute to the cost of constructing sea walls or other works, to be built by the state department of public works during the years nineteen hundred and sixty-four, nineteen hundred and sixty-five and nineteen hundred and sixty-six under authority of section eleven of chapter ninety-one of the General Laws, for the protection of the shores of the towns in said county from erosion by the sea, and the county treasurer, with the approval of the county commissioners, may pay the county's proportion of such cost from the highway appropriation for the year during which the agreement to make such payment is entered into or, for the purpose of so contributing, may borrow from time to time on the credit of the county such sums as may be necessary, not exceeding, in the aggregate, two hundred thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Barnstable County Shore Protection Loan, Act of 1964. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than five years from their dates. Such bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell such securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred under this act shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

Approved March 9, 1964.

Chap. 145. AN ACT PROHIBITING THE ALTERING OF ANY LICENSE OR PERMIT ISSUED BY THE DIVISION OF FISHERIES AND GAME.

Be it enacted, etc., as follows:

Chapter 131 of the General Laws is hereby amended by inserting after section 117A the following section:—

Section 117B. Whoever alters, forges, or counterfeits any license, permit, or certificate issued under any provision of this chapter or who ever possesses or uses any such altered, forged or counterfeited license, permit, or certificate shall be punished by a fine of not less than ten dollars nor more than fifty dollars.

Approved March 9, 1964.

Chap. 146. AN ACT AUTHORIZING THE CLERK OF THE MUNICIPAL COURT OF THE DORCHESTER DISTRICT TO ADJUST HIS BOOKS ON ACCOUNT OF MONEY STOLEN FROM HIS OFFICE.

Be it enacted, etc., as follows:

The clerk of the municipal court of the Dorchester district is hereby authorized to adjust his accounts by deducting from his cash book receipts of money due the county of Suffolk the sum of three hundred and forty-two dollars and two cents, which sum was the amount stolen in a burglary during the night of October tenth, nineteen hundred and sixty-three.

Approved March 9, 1964.

Chap. 147. AN ACT EXTENDING CERTAIN ELECTION LAWS PROHIBITING UNAUTHORIZED USE OF ENDORSEMENTS AND FALSE STATEMENTS TO ANY QUESTION SUBMITTED TO THE VOTERS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 56 of the General Laws is hereby amended by striking out section 41A, inserted by chapter 91 of the acts of 1950, and inserting in place thereof the following section. — *Section 41A.* No person shall, in order to promote his success or the success of another as a candidate for nomination or election to any public office, or in connection with any question submitted to the voters, include or cause to be included in any political advertisement, circular, poster or publication, the name of any person as an endorser or supporter except with the express consent of such person. Violation of any provision of this section shall be punished by imprisonment for not more than six months or by a fine of not more than one thousand dollars.

SECTION 2. Said chapter 56 is hereby further amended by striking out section 42, as appearing in section 11 of chapter 537 of the acts of 1946, and inserting in place thereof the following section. — *Section 42.* No person shall make or publish, or cause to be made or published, any false statement in relation to any candidate for nomination or election to public office, which is designed or tends to aid or to injure or defeat such candidate.

No person shall publish or cause to be published in any letter, circular, advertisement, poster or in any other writing any false statement in relation to any question submitted to the voters, which statement is designed to affect the vote on said question

Whoever knowingly 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 six months.

Approved March 9, 1964.

Chap. 148. AN ACT DESIGNATING THE BRIDGE OVER THE JONES RIVER IN THE TOWN OF KINGSTON AS THE MAJOR JOHN BRADFORD MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The bridge on route 3 over the Jones river in the town of Kingston shall be known and designated as the Major John Bradford Memorial bridge, and a suitable marker bearing such designation shall be attached thereto by the department of public works.

Approved March 9, 1964.

Chap. 149. AN ACT PROVIDING FOR LEAVE WITHOUT LOSS OF PAY FOR CERTAIN INCAPACITATED FIRE FIGHTERS.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by striking out section 111F, as most recently amended by chapter 218 of the acts of 1961, and inserting in place thereof the following section. — *Section 111F.* Whenever a police officer or fire fighter of a city, town, or fire or water district is incapacitated for duty because of injury sustained in the performance of his duty without fault of his own, or a police officer or fire fighter assigned to special duty by his superior officer, whether or not he is paid for such special duty by the city or town, is so incapacitated because of injuries so sustained, he shall be granted leave without loss of pay for the period of such incapacity; provided, that no such leave shall be granted for any period after such police officer or fire fighter has been retired or pensioned in accordance with law or for any period after a physician designated by the board or officer authorized to appoint police officers or fire fighters in such city, town or district determines that such incapacity no longer exists. All amounts payable under this section shall be paid at the same times and in the same manner as, and for all purposes shall be deemed to be, the regular compensation of such police officer or fire fighter. This section shall also apply to any member of a fire department who is subject to the provisions of chapter one hundred and fifty-two if he is injured at a fire and if he waives the provisions of said chapter

Approved March 9, 1964.

Chap. 150. AN ACT PROVIDING FOR LEAVES OF ABSENCE TO MEMBERS OF A PUBLIC LIBRARY STAFF FOR STUDY OR RESEARCH.

Be it enacted, etc., as follows:

Chapter 78 of the General Laws is hereby amended by adding after section 31 the following section. —

Section 32. In a city or town which accepts this section the board of trustees of the public library or the city or town official possessing the appointive powers of such board may grant a leave of absence for study or research to any library staff member which would enable him to increase his professional ability, such leave to be for a period not exceeding one year at full or partial pay; provided, that prior to the granting of such leave said library staff member shall enter into a written agreement with said trustees or official that upon the termination of such leave he will return to service in the public library of such city or town for a period equal to twice the length of such leave and that, in default of completing such service, he will refund to the city or town an amount equal to such proportion of salary received by him while on leave as the amount of service not actually rendered as agreed bears to the whole amount of service agreed to be rendered.

Approved March 9, 1964.

Chap. 151. AN ACT AUTHORIZING THE CITY OF QUINCY TO SELL AND CONVEY CERTAIN PARK LAND ON JOYCE ROAD IN SAID CITY

Be it enacted, etc., as follows.

The city of Quincy may, subject to the approval of the park and recreation board of said city, sell and convey the whole or any portion of a certain parcel of land situated on the easterly side of Joyce road in the city of Quincy, being a part of certain park land owned by said city and being shown as part of plot 10, plan 4071 on city of Quincy assessors plan 4071-A, bounded and described as follows. Beginning at a point in the easterly line of Joyce road, which point is the extension of the northerly boundary line of land now or formerly of Gerard Lariviere et ux and shown on said plan 4071-A as plot 43, thence running northerly by said Joyce road to land now or formerly of William J. Brabazon et ux and shown as plot 24 on said plan; thence turning and running in a general easterly direction by said Brabazon land to land now or formerly of Esther B. Brustin and shown as plot 42 on said plan, thence turning and running two hundred and twenty-three (223) feet, more or less, by an irregular line in a general southerly direction by said plot 42 and plot 44, being land now or formerly of Martha P. Elliot, to land of said Gerard Lariviere et ux as shown on said plan, thence turning and running in a general westerly direction by the extension of the northerly boundary line of said land of Gerard Lariviere et ux to Joyce road and the point of beginning.

Approved March 9, 1964.

Chap. 152. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF ESSEX COUNTY TO ACQUIRE CERTAIN LAND IN THE CITY OF LAWRENCE FOR A PARKING AREA FOR THE DISTRICT COURT OF LAWRENCE.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Essex county are hereby authorized to acquire by purchase or otherwise from the Lawrence Redevelopment Authority a certain parcel of land in the city of Lawrence for parking purposes and for purposes of egress and ingress to the present parking area, said parcel being located on the westerly side of the district court and registry of deeds building and containing approximately twenty-seven hundred square feet, and for said purpose said commissioners may expend a sum not exceeding nine thousand dollars.

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

Approved March 10, 1964.

Chap. 153. AN ACT PROVIDING TENURE OF OFFICE FOR CERTAIN FEMALE SCHOOL TRAFFIC SUPERVISORS AND CERTAIN OTHER FEMALE EMPLOYEES DOING INTERMITTENT WORK.

Be it enacted, etc., as follows:

Chapter 162 of the acts of 1963 is hereby amended by striking out section 2 and inserting in place thereof the following section:—
 Section 2. The tenure of office of every female who, on or before De-

ember thirty-first, nineteen hundred and sixty-three, was (1) a school traffic supervisor or (2) a person, not a member of the regular police force, who was 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 which shall be given by the division of civil service for such position. If she passes such 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 10, 1964.

Chap. 154. AN ACT RELATING TO THE CONDUCT OF BUSINESS BY INSURANCE COMPANIES IN THEIR CORPORATE NAMES.

Be it enacted, etc., as follows:

Section 18 of chapter 175 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by section 2 of chapter 259 of the acts of 1963, and inserting in place thereof the following paragraph:— Every company shall conduct its business in the commonwealth in its corporate name and all policies and contracts, other than contracts of corporate suretyship, issued by it shall, except as provided in sections one hundred and two A, one hundred and two C, one hundred and ten C, one hundred and eleven A, one hundred and seventeen A and one hundred and seventeen B of this chapter and in section fifty-six of chapter one hundred and fifty-two, and except as otherwise provided herein, be headed or entitled only by such name. Two or more insurers under a common management who represent themselves to be or are customarily known as an insurance company group or similar insurance trade designation may, with the approval of the commissioner, head or entitle policies or contracts with the name of the group or similar trade designation or with the names of the individual members of the group; provided, that the company assuming the insurance is specifically identified.

Approved March 10, 1964.

Chap. 155. AN ACT RELATIVE TO THE KEEPING AND USE OF INFLAMMABLE FLUIDS.

Be it enacted, etc , as follows:

Section 23 of chapter 148 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 2 of chapter 123 of the acts of 1935, and inserting in place thereof the following sentence:— Except as otherwise provided by rules and regulations of the board of fire prevention regulations, no volatile inflammable fluid except an amount not exceeding one quart contained in an approved safety can and no non-volatile inflammable fluid except an amount not exceeding ten gallons for domestic use shall be kept, used or stored in any part of any building used for habitation, and no volatile inflammable fluid in quantity exceeding one gallon contained in an approved safety can, and no non-volatile inflammable fluid in quantity exceeding thirty gallons, shall be kept, used or stored, except in the tank of an

automobile, motor boat or stationary engine, within fifty feet of any building used for habitation, unless a permit has first been obtained therefor from the head of the fire department under such terms and conditions as he may prescribe.

Approved March 10, 1964.

Chap. 156. AN ACT RELATIVE TO THE TAKING OF SHAD.

Whereas, The supply of shad, an important food fish, will, in future years, be diminished in the Palmer river if measures to conserve said fish are not adopted forthwith, and whereas this act provides for such conservation by prohibiting the use of more than a single hook on a line from the third Saturday of April to July fifteenth, inclusive, and whereas the third Saturday in April in the current year will occur in less than ninety days from the date of approval of this act by the governor, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of section one hundred C of chapter one hundred and thirty of the General Laws or of any other general or special law, only a single hook shall be used on a line for the purpose of taking shad from the third Saturday of April to July fifteenth, inclusive, in the Palmer river between Shad Factory dam and the Providence street bridge

SECTION 2. Whoever violates any provision of this act shall be punished by a fine of not less than ten nor more than one hundred dollars.

Approved March 12, 1964

Chap. 157. AN ACT RELATIVE TO THE APPOINTMENT OF AN INSPECTOR OF PLUMBING AND GAS FITTING IN THE TOWN OF MILTON

Be it enacted, etc., as follows:

SECTION 1 Notwithstanding any provision of law to the contrary, the selectmen of the town of Milton may appoint and remove in accordance with the civil service laws and rules an inspector of plumbing and gas fitting who shall be a practical plumber and shall have had practical experience either as a master plumber or a journeyman, continuously, during five years next preceding his appointment Said selectmen shall fix his compensation Said plumbing inspector shall inspect all plumbing and gas fitting in process of construction, alteration or repair for which permits are granted within the town, and shall, notwithstanding any provision of law or any by-law to the contrary, report to the selectmen violations of any law, by-law, rule or regulation relative to plumbing or gas fitting; and shall perform such other appropriate duties as may be required by the by-laws of said town

Frederick S. Celli, incumbent of the office of inspector of plumbing and gas fitting in said town, shall continue to hold office without interruption of his civil service or other rights, but shall otherwise be subject to the provisions of this act.

SECTION 2. This act shall take effect upon its acceptance by vote of the town of Milton.

Approved March 12, 1964.

Chap. 158. AN ACT AUTHORIZING THE TOWN OF RUSSELL TO INCREASE THE NUMBER OF MEMBERS OF THE BOARD OF WATER COMMISSIONERS FROM THREE TO FIVE.

Be it enacted, etc., as follows:

SECTION 1. The town of Russell is hereby authorized to increase the number of members of the board of water commissioners established by section ten of chapter one hundred and eighty-six of the acts of nineteen hundred and three, from three to five.

SECTION 2. The action taken by said town at its annual town meeting on March eleventh, nineteen hundred and sixty-three, under Article 26 of the warrant for said meeting, in voting to increase the number of members of the board of water commissioners from three to five, shall be as valid and effective as though section one had been in full force and effect at the time of the posting of the warrant for said meeting.

SECTION 3. Section 10 of chapter 186 of the acts of 1903 is hereby amended by striking out the first sentence and inserting in place thereof the following three sentences: — Said town shall elect by ballot five persons, residents of the town, who shall constitute a board of water commissioners. At the annual town meeting in the year nineteen hundred and sixty-six two commissioners shall be elected for terms of three years. At the annual town meeting in the year nineteen hundred and sixty-seven two commissioners shall be elected for terms of three years, and at the annual town meeting in the year nineteen hundred and sixty-eight one commissioner shall be elected for a term of three years. Upon the expiration of the term of each such commissioner, his successor shall be elected for a term of three years.

SECTION 4. At the annual town meeting of said town in the year nineteen hundred and sixty-five the two additional members of the board of water commissioners authorized under section one shall be elected, one to serve for a term of two years, and one to serve for a term of one year, and thereafter such additional members shall be elected for terms of three years.

SECTION 5. Nothing in this act shall affect the term of any member of the board of water commissioners of the town of Russell who was elected prior to the effective date of this act.

Approved March 12, 1964.

Chap. 159. AN ACT AUTHORIZING THE TOWN OF PEMBROKE TO SELL AND CONVEY A CERTAIN PARCEL OF LAND TO THE GORDON B. NORTHRUP POST 9443, VETERANS OF FOREIGN WARS OF THE UNITED STATES, INC.

Be it enacted, etc., as follows.

SECTION 1. The town of Pembroke, acting by and through its board of selectmen, is hereby authorized to sell and convey a certain portion of the land under the jurisdiction of the town forest committee of said town designated as World War II Memorial Park, and situated on the southwesterly side of School street in said town, to the Gordon B. Northrup Post 9443, Veterans of Foreign Wars of the United States, Inc., bounded and described as follows: —

Easterly in a curved line by School street, nine hundred one and 16/100 (901.16) feet; Southerly, Southeasterly and Southwesterly by land now or formerly of John S. Cravo, three hundred and sixty-one and 82/100 (361 82) feet; Northwesterly by remaining land of the Town of Pembroke, eight hundred and seventy-five (875) feet.

The above-described premises are shown as the most easterly portion of premises delineated on "Plan of Land in Pembroke", dated February 27, 1963, and drawn by Robert C. Bailey, Registered Surveyor

SECTION 2 This act shall take effect upon its acceptance by the town of Pembroke.

Approved March 12, 1964.

Chap. 160. AN ACT AUTHORIZING THE CITY OF BOSTON TO REPAIR AND RECONSTRUCT THE WALL AT THE MARY HEMENWAY PLAYGROUND.

Be it enacted, etc., as follows:

The city of Boston is hereby authorized to repair and reconstruct the wall along the easterly side of the Mary Hemenway playground, adjacent to the property bounded by Manon street and Rosselerin road in said city.

Approved March 12, 1964.

Chap. 161. AN ACT AUTHORIZING THE CITY OF FITCHBURG TO USE CERTAIN PARK LAND IN SAID CITY FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The city of Fitchburg is hereby authorized to use for highway purposes two parcels of land in said city now held for park purposes, bounded and described as follows —

1. Northeast Parcel — Beginning at a point of curve on the west sideline of Daniels Street, said point of beginning bearing N 1°-17' E from a point of curve on said Daniels Street at station 1 + 75 49 and measuring 14 57 feet therefrom; thence by a curved line to the left, radius 16 50 feet, a distance of 38.95 feet measured on the arc to a point of tangency on the southerly side of Fairmount Place; thence N 46°-01' E by the existing sideline of Fairmount Place 15 79 feet to a point of curve; thence by a curved line to the right, radius 10 feet, a distance of 23 61 feet measured on the arc to a point of tangency on the westerly sideline of Daniels Street; thence S 1° - 17' W by the westerly sideline of Daniels Street 15 79 feet to the place of beginning. Containing an area of 215 square feet of land to be taken from Daniels Park for the purpose of increasing the radius of curve from 10 feet to 16 50 feet.

2. Northwest Parcel. — Beginning at a point on the north sideline of Fairmount Street, said point of beginning being station 3 + 40 42 on said Fairmount Street and measuring 39 54 feet from the intersection of the south sideline of Fairmount Place and the north sideline of Fairmount Street, thence by a curved line to the right, radius 16 50 feet, a distance of 38 79 feet measured on the arc to the south sideline of Fairmount Place; thence S 46° - 01' W by Fairmount Place 15 58 feet to a point of curve, thence by a curved line to the left, radius 10 feet, a distance of 23.51 feet measured on the arc to the north sideline of

Fairmount Street; thence S 88° — 41' E by Fairmount Street 15.58 feet to the place of beginning. Containing an area of 210 square feet of land, to be taken from Daniels Park for the purpose of increasing the radius of curve from 10 feet to 16.50 feet.

SECTION 2. This act shall take effect upon its acceptance by the city of Fitchburg.

Approved March 12, 1964.

Chap. 162. AN ACT EXTENDING THE TIME WITHIN WHICH THE TRUSTEES OF THE METROPOLITAN TRANSIT AUTHORITY SHALL FILE THEIR REPORT TO THE GENERAL COURT RELATIVE TO 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. Section 3 of chapter 634 of the acts of 1963 is hereby amended by striking out, in line 3, the word "January" and inserting in place thereof the word: — March, — so as to read as follows. —

Section 3. The trustees of the authority shall file with the clerk of the house of representatives, on or before the fourth Wednesday of March, 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 2 This act shall take effect upon its passage

Approved March 13, 1964.

Chap. 163. AN ACT EXTENDING THE TIME WITHIN WHICH THE TRUSTEES OF THE METROPOLITAN TRANSIT AUTHORITY SHALL FILE THEIR REPORT TO THE GENERAL COURT RELATIVE TO 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. Section 3 of chapter 635 of the acts of 1963 is hereby amended by striking out, in line 3, the word "January" and inserting in place thereof the word: — March, — so as to read as follows: —

Section 3 The trustees of the authority shall file with the clerk of the house of representatives, on or before the fourth Wednesday of March, 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 2. This act shall take effect upon its passage.

Approved March 13, 1964.

Chap. 164. AN ACT FURTHER DEFINING THE QUALIFICATIONS FOR
AMBULANCE DRIVERS OR ATTENDANTS.

Be it enacted, etc., as follows:

Chapter 90 of the General Laws is hereby amended by striking out section 7F, inserted by chapter 136 of the acts of 1957, and inserting in place thereof the following section: — *Section 7F.* No person shall operate any ambulance transporting a sick or injured person, nor shall the owner or custodian of an ambulance permit the same to be so operated upon any way unless the operator of such ambulance or an attendant thereon is at least eighteen years of age and has been certified as having successfully completed the standard or the advanced Red Cross course of first aid training, or has been certified by a registered physician or a licensed hospital as having completed instruction and training equivalent thereto

Approved March 13, 1964

Chap. 165. AN ACT INCREASING THE AMOUNT OF PROPERTY WHICH
MAY BE HELD BY THE FORSYTH DENTAL INFIRMARY FOR
CHILDREN.

Be it enacted, etc., as follows:

Section 2 of chapter 294 of the acts of 1910 is hereby amended by striking out the third sentence, as appearing in chapter 3 of the acts of 1958, and inserting in place thereof the following sentence. — The aggregate value of real and personal property so held by said corporation and so held in trust for its benefit shall not exceed twenty-five million dollars.

Approved March 13, 1964

Chap. 166. AN ACT AUTHORIZING SALEM HOSPITAL TO HOLD ADDI-
TIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

Salem Hospital, a corporation organized under general law, is hereby authorized to hold real and personal estate in the manner and for the purposes set forth in its charter to an amount not exceeding ten million dollars.

Approved March 13, 1964

Chap. 167. AN ACT PROHIBITING THE DUMPING OF GARBAGE IN SO
MUCH OF THE MARSHLAND ADJOINING BELLE ISLE INLET
AS LIES IN THE CITIES OF BOSTON AND REVERE

Be it enacted, etc., as follows:

The dumping of garbage which is putrescible is hereby prohibited in so much of the marshland adjoining Belle Isle Inlet as lies in the East Boston district of the city of Boston and the Beachmont district of the city of Revere.

The superior court shall have jurisdiction in equity to enjoin violations of this act.

Approved March 13, 1964.

Chap. 168. AN ACT AUTHORIZING ARCHDIOCESAN CENTRAL HIGH SCHOOLS, INC. TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE

Be it enacted, etc., as follows:

The Archdiocesan Central High Schools, Inc., a corporation organized under chapter one hundred and eighty of the General Laws for educational purposes, is hereby authorized to take and receive by gift, grant, bequest, devise or otherwise, any lands, tenements or other estate, real or personal, or any interests therein, to an amount not exceeding one hundred million dollars

Approved March 13, 1964

Chap. 169. AN ACT DESIGNATING CERTAIN PORTIONS OF INTERSTATE HIGHWAY ROUTE 495 AS THE ROBERT FROST HIGHWAY AND AS THE HANNAH DUSTON HIGHWAY

Be it enacted, etc., as follows:

That portion of interstate highway route 495 which lies in Essex county, except so much of said portion as lies in the city of Haverhill, shall be known and designated as the Robert Frost Highway, in memory of Robert Frost, New England poet, and that portion of said interstate highway route 495 as lies in the city of Haverhill shall be known and designated as the Hannah Duston Highway, in memory of one whose courage and bravery symbolizes the pioneer spirit of Colonial women. Suitable markers bearing said designations shall be erected thereon by the department of public works in compliance with the standards of said department and as authorized by the federal bureau of public roads.

Approved March 13, 1964

Chap. 170. AN ACT AUTHORIZING THE APPOINTMENT OF LICENSED UNDILUTED LIQUEFIED PETROLEUM GAS INSTALLERS AS GAS INSPECTORS IN CERTAIN TOWNS NOT HAVING PIPED GAS AND IN WHICH A LICENSED PLUMBER OR A LICENSED GAS FITTER IS NOT AVAILABLE

Be it enacted, etc., as follows:

Section 30 of chapter 143 of the General Laws, as amended by chapter 217 of the acts of 1963, is hereby further amended by adding the following paragraph: —

A town in which the only gas available is undiluted liquefied petroleum gas and in which no licensed plumber or licensed gas fitter is available for appointment as an inspector of gas piping and gas appliances in buildings may appoint a licensed undiluted liquefied petroleum gas installer to inspect gas piping and gas appliances in buildings. The appointing authority of such town shall certify to the board established under section twelve H of chapter twenty-five that the only gas available in such town is undiluted liquefied petroleum gas and that a licensed plumber or licensed gas fitter is not available therein.

Approved March 13, 1964

Chap. 171. AN ACT RELATIVE TO NOTICE OF LOSSES UNDER POLICIES INSURING MOTOR VEHICLES AGAINST PHYSICAL DAMAGE

Be it enacted, etc , as follows:

Chapter 175 of the General Laws is hereby amended by striking out section 191A, as amended by section 1 of chapter 92 of the acts of 1961, and inserting in place thereof the following section — *Section 191A.* No company shall issue a policy or contract which insures against physical damage to a motor vehicle of the insured unless said policy contains in substance the following provisions. —

In case of any loss or damage insured against under the policy, the named insured shall give notice thereof as soon as practicable to the company or any of its authorized agents and also, in the event of larceny, robbery or pilferage, to the police, and within sixty days after filing proof of loss the company shall pay the amount of loss as provided in the policy

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

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

Approved March 13, 1964.

Chap. 172. AN ACT TO APPORTION THE COST OF DISTRICT DEPARTMENTS OF VETERANS' SERVICES IN ACCORDANCE WITH TAXABLE VALUATIONS

Be it enacted, etc , as follows:

Section 11 of chapter 115 of the General Laws, as amended by chapter 104 of the acts of 1956, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph — In every district established under authority of section ten there shall be a board composed of the mayor of such city, if any, as may be included in the district and the chairman of the board of selectmen of each of the towns, included in said district, which board shall appoint, fix the compensation of, and may remove the director of veterans' services of said district; may appoint, fix the salary of, and remove, a deputy or assistant to such director, if in the opinion of said board such an officer is necessary; may determine the expenses of said director and deputy or assistant and of the department under his charge and apportion the same among the several municipalities comprising such district on the basis

of the taxable valuation of said municipalities as last established by the general court as a basis of apportionment for state and county taxes, and shall promptly thereafter notify the treasurers of said municipalities of such apportionment. Every city or town treasurer so notified shall, annually in December, certify the amount of such apportionment to the board of assessors of his municipality, who shall include such amount in the tax levy of the following year. *Approved March 13, 1964.*

Chap. 173. AN ACT INCREASING THE AMOUNT OF INDEMNITY INSURANCE WHICH A TOWN IS AUTHORIZED TO PROVIDE IN CERTAIN CASES.

Be it enacted, etc., as follows:

Clause (1) of section 5 of chapter 40 of the General Laws, as most recently amended by chapter 176 of the acts of 1958, is hereby further amended by striking out, in line 15, the word "twenty-five" and inserting in place thereof the word — fifty, — and by inserting after the word "hundred", in line 16, the words — and fifty, — so as to read as follows. —

(1) To pay a proper charge of an insurance company for acting as surety on the official bond of any town officer, to pay a proper charge for effecting insurance providing indemnity for or protection to a town treasurer or a town collector of taxes against his liability for the loss, without fault, connivance or neglect on his part, of money for which he is accountable to the town, or to pay a proper charge for effecting insurance providing indemnity for or protection to any officer or employee of the town, or volunteer driver of fire apparatus of the town whose service as such is approved by the selectmen or other responsible officer, against loss by reason of his liability to pay damages to others for bodily injuries, including death at any time resulting therefrom, or for damage to property, caused by any act of his which is within the scope of his official duties or employment, including the operation of any motor or other vehicle, equipment or vessel owned or leased by the town, to an amount not exceeding fifty thousand dollars on account of injury to or death to one person, or not exceeding one hundred and fifty thousand dollars for any one accident, and not exceeding five thousand dollars on account of damage to property; or to pay a proper charge for effecting insurance providing indemnity for or protection to any of the officers or employees of the town, or to any member of a volunteer fire company in a town whose service as such is approved by the board of selectmen of such town, named in section one hundred of chapter forty-one against loss by reason of any expenses or damages within the provisions of said section, or to pay a proper charge to prevent loss by reason of destruction or damage of buildings or personal property by fire or other causes normally covered by fire insurance policies issued in the commonwealth, or to pay a proper charge for effecting insurance to cover the town's liability to pay workmen's compensation, or, if the town has elected to establish and maintain an insurance fund to pay workmen's compensation under section thirteen A of this chapter, or if the town has determined otherwise to pay such workmen's compensation direct, to pay a proper charge for aggregate

excess or single accident reinsurance to protect the town from extraordinary workmen's compensation losses; or to pay a proper charge for insurance against damage to or loss of any town property, real or personal, by any cause whatsoever, normally covered by insurance policies issued in the commonwealth and not otherwise provided for herein.

Approved March 13, 1964.

Chap. 174. AN ACT AUTHORIZING THE APPOINTMENT OF A RESEARCH ANALYST IN THE DIVISION OF INSURANCE.

Be it enacted, etc., as follows:

Section 7 of chapter 26 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "actuary", in line 2, the words. —, a research analyst, — and by inserting after the word "deputies", in line 10, the words: —, research analyst.

Approved March 13, 1964.

Chap. 175. AN ACT FURTHER REGULATING THE ISSUANCE OF NOMINATION PAPERS FOR CITY AND TOWN ELECTIONS

Be it enacted, etc., as follows.

Section 9A of chapter 53 of the General Laws, inserted by section 1 of chapter 249 of the acts of 1962, is hereby amended by striking out, in line 6 the second time it appears, the word "day" and inserting in place thereof the word: — hour.

Approved March 13, 1964.

Chap. 176. AN ACT INCREASING THE RATE OF SPEED AT WHICH SCHOOL BUSES MAY BE OPERATED WHILE CARRYING SCHOOL CHILDREN.

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 last sentence and inserting in place thereof the following sentence: — No person shall operate a school bus at a rate of speed exceeding forty miles per hour, while actually engaged in carrying school children.

Approved March 13, 1964.

Chap. 177. AN ACT RELATIVE TO THE ACCEPTANCE BY THE TOWN OF WHITMAN OF A LAW AUTHORIZING SAID TOWN TO CONSTRUCT AND OPERATE A SYSTEM OF SEWERS.

Be it enacted, etc., as follows:

Chapter 460 of the acts of 1961 is hereby amended by striking out section 16, as amended by chapter 100 of the acts of 1962, and inserting in place thereof the following section: — *Section 16.* Upon a petition of the majority of the board of selectmen of the town of Whitman

this act shall be submitted to the registered voters of the town for acceptance at any annual or special town meeting held in the year nineteen hundred and sixty-four, nineteen hundred and sixty-five or nineteen hundred and sixty-six, in the form of the following question which shall be placed, in case of an annual meeting, upon the official ballot to be used for the election of town officers, or, in case of a special meeting, upon a special ballot "Shall an act passed by the General Court in the year nineteen hundred and sixty-one, entitled 'An Act authorizing the town of Whitman to construct and operate a system of sewers', be accepted? ". If 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 13, 1964.

Chap. 178. AN ACT EXTENDING THE SCOPE OF THE PERIODIC INSPECTION OF MOTOR VEHICLES.

Be it enacted, etc , as follows:

Section 7A of chapter 90 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 2 of chapter 395 of the acts of 1962, and inserting in place thereof the following sentence. — The registrar shall include, in the rules and regulations prepared by him under section thirty-one, rules and regulations providing for the periodic inspection of all motor vehicles and trailers between April first and May fifteenth and between September first and October fifteenth, all dates inclusive, in each year, for the purpose of determining whether they are provided with the following equipment maintained in good order, to wit — brakes, stop lights, lights, horn, exhaust system, steering gear, windshield, windshield cleaner, number plates, rear windows, tires, fenders, bumpers, external sheet metal, reflectors, mud flaps and chock blocks, and also rules and regulations in respect to school buses, providing, in place of the periodic inspections hereinbefore referred to, for the inspection of those not subject to the jurisdiction of the department of public utilities, during the first week of the months of January, March, May, September and November in each year.

Approved March 13, 1964

Chap. 179. AN ACT PROVIDING FOR INSPECTION OF NEW MOTOR VEHICLES AND TRAILERS REGISTERED BETWEEN REGULAR MOTOR VEHICLE INSPECTION PERIODS.

Be it enacted, etc , as follows:

Section 7A of chapter 90 of the General Laws is hereby amended by striking out the second sentence, as appearing in chapter 525 of the acts of 1950, and inserting in place thereof the following sentence — He may make rules and regulations providing for the inspection of motor vehicles and trailers which are registered between one inspection period and the next ensuing inspection period

Approved March 13, 1964

Chap. 180. AN ACT PROVIDING THAT RECEIPTS FROM CERTAIN CHARGES BY SHERIFFS OR MASTERS OF JAILS OR HOUSES OF CORRECTION TO VISITORS AT SUCH INSTITUTIONS SHALL BE PAID TO THE COUNTY.

Be it enacted, etc., as follows:

Section 71 of chapter 127 of the General Laws, as most recently amended by section 23 of chapter 777 of the acts of 1957, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — At least once in each month the receipts from the labor of prisoners in the correctional institutions of the commonwealth shall be paid to the commonwealth, and the receipts from the labor of prisoners in a jail or house of correction and from charges for services rendered by a sheriff, master or deputy master of a jail or house of correction to persons visiting such institutions to the county.

Approved March 13, 1964.

Chap. 181. AN ACT ESTABLISHING THE OFFICE OF COMPTROLLER IN THE TOWN OF NATICK.

Be it enacted, etc., as follows:

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

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

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

(b) He shall establish standard practices relating to all accounting matters and procedures and the co-ordination of systems throughout the town, including clerical and office methods, records, reports and procedures as they relate to accounting matters and may 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 be responsible for a continuous audit of all accounts and records of the town wherever located.

(d) 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, subject to approval of the selectmen

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

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

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

SECTION 4. The comptroller may, with the approval of a majority of the selectmen, appoint an assistant and shall designate any such appointee in writing. Unless a temporary comptroller is appointed, such 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. This act shall take effect upon its acceptance by the town of Natick within two years of the passage of this act.

Approved March 13, 1964

Chap. 182. AN ACT AUTHORIZING DRIVERS OF AMBULANCES TO EXCEED SPEED LIMITS AND PASS THROUGH INTERSECTIONS CONTRARY TO TRAFFIC SIGNALS UNDER CERTAIN CONDITIONS

Be it enacted, etc., as follows:

Chapter 89 of the General Laws is hereby amended by striking out section 7B, inserted by chapter 382 of the acts of 1934, and inserting

in place thereof the following section: — *Section 7B.* The driver of a vehicle of a fire, police or recognized protective department and the driver of an ambulance shall be subject to the provisions of any statute, rule, regulation, ordinance or by-law relating to the operation or parking of vehicles, except that a driver of fire apparatus while going to a fire or responding to an alarm, or the driver of a vehicle of a police or recognized protective department or the driver of an ambulance, in an emergency and while in performance of a public duty or while transporting a sick or injured person to a hospital or other destination where professional medical services are available, may drive such vehicle at a speed in excess of the applicable speed limit if he exercises caution and due regard under the circumstances for the safety of persons and property, and may drive such vehicle through an intersection of ways contrary to any traffic signs or signals regulating traffic at such intersection if he first brings such vehicle to a full stop and then proceeds with caution and due regard for the safety of persons and property, unless otherwise directed by a police officer regulating traffic at such intersection.

Approved March 13, 1964.

Chap. 183. AN ACT AUTHORIZING THE LUTHERAN BOARD OF MISSIONS, INC., AND THE EASTERN CONFERENCE OF THE SUOMI (FINNISH) SYNOD, INCORPORATED, TO CONSOLIDATE WITH NEW ENGLAND SYNOD OF THE LUTHERAN CHURCH IN AMERICA, INC.

Be it enacted, etc., as follows:

SECTION 1. The Lutheran Board of Missions, Inc., incorporated in the year nineteen hundred and twenty-seven, and The Eastern Conference of the Suomi (Finnish) Synod, Incorporated, incorporated in the year nineteen hundred and twenty-three, hereinafter referred to as said existing corporations, which are and are hereby declared to be religious corporations existing under the laws of the commonwealth are hereby authorized to consolidate with New England Synod of the Lutheran Church in America, Inc., a Connecticut corporation, hereinafter referred to as said consolidated corporation, 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 said consolidated corporation shall in all respects be a continuation of and the lawful successor to said existing corporations.

SECTION 2. Upon such consolidation all property of said existing corporations, including all bequests, devises, gifts and transfers of any kind heretofore made to them, shall vest in and may be received by said consolidated corporation, and all bequests, devises, gifts and transfers of any kind hereafter made to or for the benefit of said existing corporations shall vest in said consolidated corporation, and said consolidated corporation shall have with respect to such property and with respect to such bequests, devises, gifts and transfers, whether heretofore or hereafter made, the same powers, rights and privileges as would have been possessed by said existing corporations had such consolidation not been effected; provided, that no property now held by, or hereafter

bequeathed, devised or given to any of said existing corporations upon specific and limited charitable uses and trusts, as distinguished from property held by, or hereafter bequeathed, devised or given to them for their general purposes, shall be so received unless authorized by decree of a court of competent jurisdiction.

SECTION 3. The officers, or any of them, of each of said existing corporations are hereby respectively authorized to execute and deliver all instruments and to perform all such other acts as may be necessary or proper to carry out and implement the consolidation authorized by this act.

SECTION 4. Said consolidated corporation shall assume and is hereby charged with the payment of all valid and existing obligations of said existing corporations.

SECTION 5. All members of said existing corporations shall, on the effective date of this act, become members of said consolidated corporation. 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 Lutheran Board of Missions, Inc., and The Eastern Conference of the Suomi (Finnish) Synod, Incorporated, 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, notwithstanding any informalities, errors or omissions.

SECTION 7. Upon acceptance of this act by a majority of the members of each of said existing corporations present and voting at meetings duly called for the purpose, certified copies of the respective votes of acceptance, sworn to by the respective clerks or recording officers of said corporations, shall be recorded in the office of the register of deeds for the county of Worcester and filed in the office of the state secretary, and thereupon said consolidation shall be complete.

Approved March 13, 1964.

Chap. 184. AN ACT PROVIDING THAT MEMBERS OF THE SCHOOL COMMITTEE OF THE CITY OF BROCKTON MAY AT THE SAME TIME HOLD CERTAIN OFFICES AND POSITIONS IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of section thirty-two of chapter forty-three of the General Laws to the contrary, a member of the school committee of the city of Brockton who is employed by said city in an office or position in any department thereof, other than the school department, may serve as such member and may at the same time receive the salary or compensation which is payable out of the city treasury for such office or position during his term of office as a member of said school committee.

SECTION 2. This act shall take effect upon its acceptance by the city of Brockton.

Approved March 16, 1964.

Chap. 185. AN ACT RELATIVE TO THE RATES OF SPEED OF MOTOR VEHICLES IN THICKLY SETTLED OR BUSINESS DISTRICTS AND IN SCHOOL ZONES

Be it enacted, etc., as follows:

The second sentence of section 17 of chapter 90 of the General Laws, as amended by chapter 716 of the acts of 1963, is hereby further amended by striking out, in lines 9 and 10, the words "twenty miles per hour for the distance of one eighth of a mile" and inserting in place thereof the words. — thirty miles per hour for the distance of one eighth of a mile, or (3) within a school zone established in conformance with the standards of the department of public works at a rate of speed exceeding twenty miles per hour.

Approved March 16, 1964

Chap. 186. AN ACT FURTHER REGULATING THE APPOINTMENT OF ELECTION OFFICERS AT VOTING PRECINCTS IN CERTAIN CITIES

Be it enacted, etc., as follows:

The first sentence of section 11 of chapter 54 of the General Laws, as appearing in section 1 of chapter 432 of the acts of 1941, is hereby amended by striking out, in lines 8 and 9, the words "in the ward of which such precinct forms a part" and inserting in place thereof the words — of the city.

Approved March 18, 1964.

Chap. 187. AN ACT PROVIDING FOR THE RESTRICTED USE OF CERTAIN FARM EQUIPMENT OR VEHICLES ON WAYS OF THE COMMONWEALTH IF EQUIPPED WITH A STOP LIGHT AND BRAKES.

Be it enacted, etc., as follows:

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

Any tractor or other self propelled vehicle used exclusively for agricultural or farming purposes, excepting automobiles and trucks, the use of which is declared by the owner or person in control thereof to be restricted to the period from a half hour before sunrise to a half hour after sunset, and which is operated in or upon any way during said period shall be equipped with one stop light and with brakes as manufactured, including a stationary brake with ratchet and pawl. Upon declaration by the owner or person in control of such vehicle that the use of such vehicle is to be so restricted, the person making the periodic inspection of motor vehicles and trailers, as provided under section seven A, may, notwithstanding the failure of such restricted tractor or other vehicle to have the necessary lights and other equipment required by the first paragraph of this section, issue a windshield sticker, so called, if the stop light and brakes are in good order. Any windshield sticker so issued shall state thereon that such vehicle is to be used upon the ways of the commonwealth only during the period from a half hour before sunrise to a half hour after sunset.

Approved March 18, 1964.

Chap. 188. AN ACT CLARIFYING THE SENIORITY RIGHTS OF CERTAIN PUBLIC EMPLOYEES

Be it enacted, etc., as follows:

Chapter 510 of the acts of 1962 is hereby amended by adding at the end the following section —

Section 2 The provisions of paragraph 2 of section fifteen D of chapter thirty-one of the General Laws, as amended by section one of this act, shall not affect the computation of seniority of employees who were permanently transferred prior to the effective date of this act

Approved March 18, 1964.

Chap. 189. AN ACT CLARIFYING AND EXTENDING THE TIME IN WHICH COUNTIES, CITIES AND TOWNS SHALL ERECT MONUMENTS MARKING THE TERMINI AND ANGLE OF WAYS

Be it enacted, etc., as follows:

Section 1 of chapter 86 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 — If they neglect to establish such monuments within six months after being notified so to do by an owner of land abutting on such way, the county or city, if it is a highway, or the town, if it is a town way, shall forfeit to him fifty dollars for each month during which such neglect continues from and after the termination of said six-month period.

Approved March 18, 1964.

Chap. 190. AN ACT RELATIVE TO STANDARDIZED MILK

Be it enacted, etc., as follows:

Chapter 94 of the General Laws is hereby amended by striking out section 12B, inserted by section 2 of chapter 757 of the acts of 1955, and inserting in place thereof the following section: — *Section 12B.* "Standardization" is hereby defined as the process by which the fat content of milk, or of a blend of milk, is increased by the addition of cream or is reduced by the addition of skimmed milk or is altered either upward or downward through the use of standardizing equipment, but this definition shall not include the normal process of mixing whole milks of varying fat content from two or more different sources to produce a blend of average fat content. The milk, skimmed milk or cream used for purposes of standardization shall each have been received on the same day and shall each have originated from sources approved for sale in the commonwealth. Standardization shall not reduce or increase the fat content of milk, or of a blend of milk, by more than one half of one per cent. All standardized milk shall meet the requirements as to milk standards set forth in section twelve.

No person shall standardize milk except as above provided nor shall any ingredients be used to produce a standardized milk other than those prescribed above. Whoever violates any provision of this section shall be fined not less than twenty-five dollars nor more than one hundred dollars for each offence

Approved March 18, 1964

Chap. 191. AN ACT RELATIVE TO THE TERM OF THE INCUMBENT OF THE OFFICE OF COMMISSIONER OF INSURANCE.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law the incumbent of the office of commissioner of insurance on the effective date of this act shall serve until January fifth, nineteen hundred and sixty-seven.

Approved March 18, 1964

Chap. 192. AN ACT MAKING CERTAIN PROVISIONS OF LAW RELATIVE TO THE CLOSING OF THE HUNTING SEASON BY PROCLAMATION OF THE GOVERNOR APPLICABLE TO HUNTING ON COASTAL WATERS

Be it enacted, etc., as follows:

The second paragraph of section 57 of chapter 131 of the General Laws, as appearing in chapter 21 of the acts of 1953, is hereby amended by striking out the last sentence

Approved March 19, 1964

Chap. 193. AN ACT RELATIVE TO THE CALLING OF A SPECIAL TOWN MEETING BY A JUSTICE OF THE PEACE IN A TOWN HAVING A FORM OF REPRESENTATIVE TOWN MEETING GOVERNMENT

Be it enacted, etc., as follows:

Section 12 of chapter 39 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following sentence — In a town having a form of representative town meeting government a special town meeting called under this section shall be conducted as a representative town meeting, and notice thereof shall be given to the town meeting members as provided by law.

Approved March 19, 1964

Chap. 194. AN ACT REQUIRING POLICE OFFICERS HAVING JURISDICTION ON TOLL ROADS OR BRIDGES TO REPORT MOTOR VEHICLE ACCIDENTS OCCURRING THEREON TO THE REGISTRAR OF MOTOR VEHICLES

Be it enacted, etc., as follows:

Section 29 of chapter 90 of the General Laws is hereby amended by striking out the ninth sentence and inserting in place thereof the following sentence: — The chief officer of the police department of every city and town, the chairman of the board of selectmen of such towns as have no regular police department or, in the case of toll roads and toll bridges, the chief officer of the police force having jurisdiction to enforce laws relating to motor vehicles thereon, shall notify the registrar forthwith, upon blanks furnished by him, of the particulars of every accident referred to in section twenty-six which happens within the limits of his city or town, or on such toll road or bridge, in which a motor vehicle is involved, together with such further information relative to such accident as the registrar may require, and shall also, if possible, ascertain the name of the person operating such vehicle and notify the registrar of the same.

Approved March 19, 1964.

Chap. 195. AN ACT PROHIBITING VOTING BY MUNICIPAL AND DISTRICT BOARDS BY SECRET OR WRITTEN BALLOT.

Be it enacted, etc , as follows:

The third paragraph of section 23A of chapter 39 of the General Laws, as appearing in section 3 of chapter 437 of the acts of 1960, is hereby amended by adding the following sentence. — In any matter requiring a vote of the board, the vote shall be by voice or roll call vote, and no secret or written ballot shall be used. *Approved March 19, 1964*

Chap. 196. AN ACT AUTHORIZING THE CONSOLIDATION OF THE BOSTON DISPENSARY, THE BOSTON FLOATING HOSPITAL AND NEW ENGLAND CENTER HOSPITAL UNDER THE NAME OF NEW ENGLAND MEDICAL CENTER HOSPITALS.

Be it enacted, etc , as follows:

SECTION 1. The Boston Dispensary, The Boston Floating Hospital, and New England Center Hospital, three charitable corporations organized and existing under the laws of the commonwealth, are hereby authorized to consolidate into one charitable corporation under the name of New England Medical Center Hospitals, hereinafter referred to as the consolidated corporation, which shall in all respects be a continuation of said three consolidating corporations and shall have all their respective powers, privileges and exemptions, including the authority and powers granted said consolidating corporations by chapter forty of the acts of nineteen hundred and thirty, as amended, to form an alliance with the Trustees of Tufts College and such other charitable corporations as may from time to time be mutually agreed upon, for the purpose of establishing, maintaining and operating a medical center, and the consolidated corporation shall be subject to and liable for all the respective duties, liabilities and obligations of said consolidating corporations

SECTION 2. The consolidated corporation shall be organized and operated exclusively for charitable, scientific and educational purposes; no part of its net earnings shall inure to the benefit of any individual, no substantial part of its activities shall be carrying on propaganda, or otherwise attempting, to influence legislation; and it shall not participate or intervene in any political campaign on behalf of any candidate for public office.

SECTION 3. When such consolidation becomes effective, all property, real, personal and mixed, and all rights and interests, legal and equitable, of each of said consolidating corporations, including all devises, bequests, gifts and transfers heretofore and hereafter made to or for each of them, shall vest in or for the benefit of the consolidated corporation without further act or deed, and shall be held and administered by the consolidated corporation upon and subject to the same terms, conditions, limitations and trusts as they are now held or would have been held had such consolidation not been effected; and without limiting the foregoing, each of the officers of said consolidating corporations is hereby authorized to execute, acknowledge and deliver all such instruments

and to perform all such other acts as may be deemed necessary or proper to carry out the consolidation authorized by this act and to confirm in the consolidated corporation the record title to the property, rights and interests of said consolidating corporations.

SECTION 4. When such consolidation becomes effective, the members of said consolidating corporations shall be the members of the consolidated corporation, the managers of The Boston Dispensary, the trustees of The Boston Floating Hospital and the trustees of New England Center Hospital shall be the trustees of the consolidated corporation, and thereafter each of said members and trustees of the consolidated corporation shall continue as such subject to, and for such time as may be determined pursuant to, its by-laws.

SECTION 5 The consolidation shall not become effective unless and until

(a) each of said consolidating corporations shall have accepted this act and shall have approved the by-laws for the consolidated corporation, at meetings duly called for the purpose, by (i) vote of a majority of its board of trustees, or board of managers in the case of The Boston Dispensary, and (ii) vote of two thirds of its members present and voting, and

(b) unless after the aforesaid meetings, the prospective board of trustees of the consolidated corporation shall have elected its first officers by vote of a majority of such trustees present and voting at a meeting held at such time and place as shall be specified in a call and notice thereof mailed to each such trustee by the presidents of said consolidating corporations at least seven days before the day appointed by them for the meeting

SECTION 6 The consolidation shall be complete and effective upon the filing with the secretary of the commonwealth and the recording in the office of the registrar of deeds for Suffolk county, within two years after the passage of this act, of a certificate signed by each of the presidents of said consolidating corporations to the effect that the conditions of section five have been satisfied.

SECTION 7 The consolidated corporation may hold real and personal estate to any amount.

SECTION 8 If the application of any provision of this act to any property or funds held by any of said consolidating corporations shall be held invalid, the application of such provision to property and funds other than those as to which it is held invalid shall not be affected thereby.

Approved March 19, 1964.

Chap. 197. AN ACT EXTENDING THE PERIOD FOR REGISTRATION OF VOTERS FOR THE PRESIDENTIAL PRIMARY IN THE CURRENT YEAR.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to extend immediately the period for the registration of voters for the presidential primary in the current year because the last day for registration as currently provided for would fall on a day of religious observance, namely Good Friday, 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 twenty-six of chapter fifty-one of the General Laws, the final day and hour for registration of voters for the presidential primary in the current year shall be ten o'clock post meridian on March thirtieth. *Approved March 21, 1964.*

Chap. 198. AN ACT AUTHORIZING THE CITY OF MALDEN TO BORROW A CERTAIN SUM OF MONEY FOR THE FURTHER DEVELOPMENT OF FORESTDALE CEMETERY IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. The city of Malden may borrow from time to time a sum not exceeding one hundred and fifty thousand dollars for further developing land in the Forestdale cemetery for burial purposes and for the construction of paths and avenues and embellishing the grounds in said developed area, and may issue bonds or notes therefor which shall bear on their face the words, City of Malden, Forestdale Cemetery Loan, Acts of 1964. Said loan shall be payable in not more than five years from its date. The proceeds from the sale of the exclusive rights of burials and erecting tombs and cenotaphs upon any of the lots of Forestdale cemetery, and of ornamenting the same, shall be paid into the city treasury and shall be kept separate from other funds and be appropriated to reimburse the city for its payment of installments on the aforementioned loan.

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

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

Approved March 23, 1964.

Chap. 199. AN ACT PLACING THE POSITION OF THE SCHOOLHOUSE CUSTODIAN IN THE SCHOOL DEPARTMENT OF THE CITY OF BOSTON UNDER THE CIVIL SERVICE LAWS AND RULES.

Be it enacted, etc., as follows:

Section 5 of chapter 31 of the General Laws is hereby amended by striking out, in line 22, as appearing in chapter 26 of the acts of 1951, the words “; the schoolhouse custodian of the city of Boston”.

Approved March 23, 1964.

Chap. 200. AN ACT AUTHORIZING THE REGISTRAR OF MOTOR VEHICLES TO SUSPEND THE RIGHT TO OPERATE A MOTOR VEHICLE OF ANY PERSON WHO VIOLATES CERTAIN PROVISIONS OF THE MOTOR VEHICLE LAWS.

Be it enacted, etc., as follows:

SECTION 1. Subdivision (1) of section 24 of chapter 90 of the General Laws is hereby amended by striking out paragraph (b), as appearing in

section 1 of chapter 434 of the acts of 1936, and inserting in place thereof the following paragraph: —

(b) A conviction of a violation of the preceding paragraph of this section shall be reported forthwith by the court or magistrate to the registrar, who shall revoke immediately the license or the right to operate of the person so convicted, and no appeal, motion for new trial or exceptions shall operate to stay the revocation of the license or right to operate.

SECTION 2. Said subdivision (1) of said section 24 of said chapter 90 is hereby further amended by striking out paragraph (c), as most recently amended by section 1 of chapter 198 of the acts of 1955, and inserting in place thereof the following paragraph. —

(c) The registrar, after having revoked the license or the right to operate of any person under the preceding paragraph of this section, shall not issue a new license or reinstate the right to operate to such person, except in his discretion if the prosecution of such person has terminated in favor of the defendant, until five years after a conviction of a violation of paragraph (a) hereof committed within six years after conviction of a violation of said paragraph, nor until one year after a conviction of any violation of said paragraph other than one committed within six years as aforesaid, but notwithstanding the foregoing, no new license shall be issued or right to operate be reinstated by the registrar to any person convicted of a violation of paragraph (a) of subdivision (1) of this section until ten years after the date of conviction in case the registrar determines upon investigation and after hearing that the action of the person so convicted in committing such offence caused an accident resulting in the death of another, nor at any time after a subsequent conviction of such an offence, whenever committed, in case the registrar determines in the manner aforesaid that the action of such person, in committing the offence of which he was so subsequently convicted, caused an accident resulting in the death of another.

SECTION 3 Paragraph (a) of subdivision (2) of said section 24 of said chapter 90, as amended by section 1 of chapter 230 of the acts of 1937, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence — Whoever upon any way or in any place to which the public has a right of access, or any place to which members of the public have access as invitees or licensees, operates a motor vehicle recklessly, or operates such a vehicle negligently so that the lives or safety of the public might be endangered, or upon a bet or wager or in a race, or whoever operates a motor vehicle for the purpose of making a record and thereby violates any provision of section seventeen or any regulation under section eighteen, or whoever without stopping and making known his name, residence and the register number of his motor vehicle goes away after knowingly colliding with or otherwise causing injury to any other vehicle or property, or whoever uses a motor vehicle without authority knowing that such use is unauthorized, or whoever loans or knowingly permits his license to operate motor vehicles to be used by any person, or whoever makes false statements in an application for such a license or falsely impersonates the person named in such an application or procures such false impersonation whether of himself or of another, or whoever in an application for registration of a motor vehicle or trailer gives as his name or address or the place where such vehicle is principally garaged a false

name, address or place, shall be punished by a fine of not less than twenty nor more than two hundred dollars or by imprisonment for not less than two weeks nor more than two years, or both, and whoever operates a motor vehicle 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, and, without stopping and making known his name, residence and the register number of his motor vehicle, goes away after knowingly colliding with or otherwise causing injury to any person shall be punished by imprisonment for not less than two months nor more than two years.

SECTION 4. Paragraph (b) of said subdivision (2) of said section 24 of said chapter 90, as appearing in section 1 of chapter 434 of the acts of 1936, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence. — A conviction of a violation of the preceding paragraph of this section shall be reported forthwith by the court or magistrate to the registrar, who may in any event, and shall unless the court or magistrate recommends otherwise, revoke immediately the license or right to operate of the person so convicted, and no appeal, motion for new trial or exceptions shall operate to stay the revocation of the license or right to operate

SECTION 5. Said subdivision (2) of said section 24 of said chapter 90 is hereby further amended by striking out paragraph (c), as most recently amended by section 3 of chapter 198 of the acts of 1955, and inserting in place thereof the following paragraph: —

(c) The registrar, after having revoked the license or right to operate of any person under the preceding paragraph of this section, in his discretion may issue a new license or reinstate the right to operate to him, if the prosecution of such person in the superior court has terminated in favor of the defendant, or, after an investigation or upon hearing, may issue a new license or reinstate the right to operate to a person convicted in any court of the violation of any provision of paragraph (a) of subdivision (2) of this section, provided, that no new license or right to operate shall be issued by the registrar to any person convicted of going away without stopping and making known his name, residence and the register number of his motor vehicle after having, while operating such vehicle upon any way or in any place to which the public has a right of access, or any place to which members of the public have access as invitees or licensees, knowingly collided with or otherwise caused injury to any person until one year after the date of his original conviction if for a first offence or two years after the date of any subsequent conviction, or to any person convicted of violating any other provision of paragraph (a) of subdivision (2) of this section, until sixty days after the date of his original conviction if for a first offence or one year after the date of any subsequent conviction within a period of three years. But the registrar, after investigation, may at any time rescind the revocation of a license or right to operate revoked because of a conviction of operating a motor vehicle upon any way or in any place to which the public has a right of access, or any place to which members of the public have access as invitees or licensees, negligently so that the lives or safety of the public might be endangered.

Approved March 23, 1964.

Chap. 201. AN ACT PROVIDING THAT A JUSTICE OR SPECIAL JUSTICE OF A DISTRICT COURT SHALL BE DISQUALIFIED FROM HEARING ANY CASE IN WHICH HE HAS ISSUED A COMPLAINT OR A SEARCH WARRANT.

Be it enacted, etc., as follows:

Section 35 of chapter 218 of the General Laws is hereby amended by adding at the end the following sentence: — If, after a hearing on the issuance of a complaint or a request for a search warrant, by a justice or special justice of a district court he issues such complaint or warrant, he shall be disqualified from presiding over a trial on the merits of any matter brought to trial because of such complaint or warrant if the defendant objects to his sitting before any evidence is taken.

Approved March 23, 1964.

Chap. 202. AN ACT AUTHORIZING THE CONSOLIDATION OF GROTON COMMUNITY HOSPITAL, INC. AND COMMUNITY MEMORIAL HOSPITAL UNDER THE NAME OF THE NASHOBA COMMUNITY HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. Groton Community Hospital, Inc., a corporation established and existing under the laws of the commonwealth by virtue of chapter one hundred and eighty of the General Laws, and Community Memorial Hospital, a corporation established and existing under the laws of the commonwealth by virtue of chapter one hundred and twenty-five of the Revised Laws, are hereby authorized, by acceptance of this act in the manner hereinafter provided within two years after its effective date, to consolidate into one corporation under the name of The Nashoba Community Hospital, hereinafter called the consolidated corporation, which consolidated corporation shall in all respects be a continuation of, shall have all the rights, powers, privileges, immunities and exemptions of, and shall be deemed to have assumed and shall be liable for all the liabilities and obligations of, said existing corporations.

SECTION 2. The consolidation shall not be completed: —

(a) unless at meetings called for the purpose, each of said existing corporations, by not less than a two-thirds vote of those members present and voting, shall have accepted this act; and

(b) unless after the aforesaid acceptances, said existing corporations shall have called and held a meeting for organization of the consolidated corporation composed of persons designated by said existing corporations, for the purpose of adopting by-laws for the consolidated corporation and of electing initial trustees and other officers thereof.

SECTION 3. The consolidation shall be complete and effective upon the filing in the office of the secretary of the commonwealth of a certificate signed by the clerks or recording officers of said existing corporations and by the recording officer of the meeting for organization of the consolidated corporation setting forth compliance with the provisions of section two and stating the names and addresses of the trustees and other officers initially elected at said meeting for organization of the consolidated corporation. Said certificate shall be so filed not later than thirty days after the final adjournment of the meeting for organization of the consolidated corporation.

SECTION 4. Within sixty days after the consolidation shall have become complete and effective, the clerk or other officer of the consolidated corporation shall file in the registry of deeds of Middlesex county a certificate stating the date on which the certificate required by section three was filed in the office of the secretary of the commonwealth, together with one copy of each vote of acceptance of this act by said existing corporations, certified by the clerk or other recording officer of said existing corporations.

SECTION 5. Upon the consolidation becoming effective, all property, real and personal, and all rights and interests, legal and equitable, of said existing corporations, including all bequests, devises, gifts and transfers of any kind heretofore or hereafter made to or for the benefit of either of them, shall be transferred to and vested in the consolidated corporation without further act or deed. The consolidated corporation shall have the same rights, powers, privileges, immunities and exemptions with respect to such property and with respect to such bequests, devises, gifts and transfers as would have been possessed by the consolidated corporation had such bequests, devises, gifts and transfers been made directly to it and for its purposes, so far as such rights, powers, privileges, immunities and exemptions can be constitutionally conferred by the general court and without prejudice to any court proceeding, and otherwise shall have with respect to such property and such bequests, devises, gifts and transfers the same rights, powers, privileges, immunities and exemptions as would have been possessed by said existing corporations had such consolidation not been effected, and the treasurers or other officers of said existing corporations are hereby respectively authorized to execute, acknowledge and deliver all papers and documents that may be deemed necessary or proper for the purpose of confirming in the consolidated corporation the title to the property or any interest therein of said existing corporations.

SECTION 6. Upon the consolidation becoming effective, the members of the existing corporations shall be the members of the consolidated corporation until such time as the consolidated corporation may, by an amendment of its by-laws, alter its membership.

SECTION 7. The consolidated corporation may hold real and personal property to an amount not exceeding the aggregate amount of property which the existing corporations were authorized to acquire and hold, and may receive, hold, manage, invest, reinvest and distribute any real and personal property for any of its purposes. The consolidated corporation may solicit and receive funds separately or with others to support its work, and may make appropriations to carry on its work, including appropriations to other persons and organizations to enable them to assist in carrying on such work.

SECTION 8. Any questions arising as to the rights, powers, privileges, immunities, exemptions, duties, obligations and responsibilities of the consolidated corporation with respect to its property and with respect to the properties of said existing corporations, including all bequests, devises, gifts and transfers of any kind heretofore and hereafter made to or for the benefit of either of them, and also any other questions arising as to the legal effect of this act or of any of the provisions thereof, may, notwithstanding any general or special law to the contrary, be initially and finally determined by the supreme judicial court upon the application of any person interested or of the attorney general.

Approved March 23, 1964.

formerly of Walter Leaver et ux for a distance of approximately 152 feet on the west, by land now or formerly of the town of Tewksbury for a distance of 329 feet on the northwest, and by land now or formerly of the town of Tewksbury for a distance of approximately 612 feet on the northeast, containing approximately 6.06 acres.

SECTION 2. The town of Tewksbury may convey the parcel of land described in section one or any portion thereof, to the Tewksbury Housing Authority pursuant to the vote adopted under article eighty-three of the warrant for the annual town meeting held March seventh, nineteen hundred and sixty-four, notwithstanding that this act was not 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 24, 1964.

Chap. 206. AN ACT RELATIVE TO LOANS BY SAVINGS BANKS SECURED BY MORTGAGES ON LEASEHOLD INTERESTS IN CERTAIN AIR RIGHTS.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of section 35 of chapter 168 of the General Laws is hereby amended by inserting after the word "mortgaged", in line 4, as appearing in section 1 of chapter 432 of the acts of 1955, the words —, and, in the case of loans of the class specified in paragraph 4, on leasehold interests created pursuant to chapter three hundred and fifty-four of the acts of one thousand nine hundred and fifty-two, as amended, in air rights over land owned or held by the Massachusetts Turnpike Authority, mortgaged or to be mortgaged

SECTION 2. The first sentence of paragraph 4 of said section 35 of said chapter 168, as appearing in section 3 of chapter 50 of the acts of 1962, is hereby amended by inserting after the word "estate", in line 2, the words — or, in the case of a mortgage loan on a leasehold interest created pursuant to chapter three hundred and fifty-four of the acts of nineteen hundred and fifty-two, as amended, the value of such leasehold interest

Approved March 24, 1964.

Chap. 207. AN ACT PROVIDING THAT NO MORE THAN FOUR TRUSTEES OF THE BOARD OF TRUSTEES OF THE SOUTHEASTERN MASSACHUSETTS TECHNOLOGICAL INSTITUTE SHALL BE RESIDENTS OF THE SAME CITY OR TOWN.

Be it enacted, etc., as follows:

SECTION 1. The second sentence of section 21A of chapter 15 of the General Laws, as appearing in section 2 of chapter 543 of the acts of 1960, is hereby amended by adding after the word "Technology", in line 4, the words — ; provided, that no more than four trustees shall be residents of the same city or town

SECTION 2. The provisions of section twenty-one A of chapter fifteen of the General Laws, as amended by section one of this act, shall not affect the tenure of any member of the board of trustees of the Southeastern Massachusetts Technological Institute appointed prior to the effective date of this act.

—Approved March 24, 1964

Chap. 203. AN ACT DIRECTING THE COUNTY COMMISSIONERS OF CERTAIN COUNTIES TO MAKE EXPENDITURES IN ANTICIPATION OF THE COUNTY APPROPRIATION ACT FOR THE CURRENT YEAR FOR THE PURPOSE OF EFFECTING ADJUSTMENTS IN THE SALARIES OF CERTAIN COUNTY OFFICIALS AND THEIR ASSISTANTS.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of chapter thirty-five of the General Laws, the county commissioners of all counties, except Suffolk and Nantucket, shall on and after January first in the current year, expend from any available funds such sums as may be necessary to effect adjustments in the salaries of certain county officials and their assistants as provided in chapters seven hundred and ninety, eight hundred and ten, eight hundred and thirty-three, and eight hundred and forty-one of the acts of nineteen hundred and sixty-three, respectively, and any money so expended shall be included in the appropriation act for the current year.

Approved March 23, 1964.

Chap. 204. AN ACT DESIGNATING A CERTAIN SKATING RINK IN THE TOWN OF SAUGUS AS THE KASABUSKI BROTHERS MEMORIAL RINK.

Be it enacted, etc., as follows:

The metropolitan district commission skating rink on Forest street in the Breakheart reservation in the town of Saugus shall be designated and known as the Kasabuski Brothers Memorial rink, in memory of Walter Kasabuski and his brother John Kasabuski, both of Saugus, who were killed while serving in the armed forces of the United States during World War II, and said commission shall erect thereon and thereafter maintain a suitable marker bearing said designation.

Approved March 23, 1964.

Chap. 205. AN ACT AUTHORIZING THE TOWN OF TEWKSBURY TO CONVEY CERTAIN LAND TO THE TEWKSBURY HOUSING AUTHORITY FOR THE CONSTRUCTION OF HOUSING FOR AGED CITIZENS OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of Tewksbury is hereby authorized to convey for a nominal consideration to the Tewksbury Housing Authority a certain parcel of land, being part of the premises formerly owned by the Tewksbury state hospital and infirmary and conveyed to said town under authority of chapter five hundred and sixty-four of the acts of nineteen hundred and fifty-six, to be used by said Authority for the construction thereon of housing for aged citizens of said town, said parcel being generally described as bounded by land now or formerly of Ruth Cameron, William H. Kelley, Arthur C. Norris and George F. Garland for a distance of approximately 366 feet on the east, by land now or formerly of Mary Aldrich and Herbert W. Pillsbury for a distance of approximately 695.09 feet on the southwest, by land now or

Chap. 208. AN ACT MAKING CERTAIN CHANGES IN THE LAW ESTABLISHING MASSACHUSETTS CREDIT UNION SHARE INSURANCE CORPORATION AND RELATIVE TO THE ESTABLISHMENT OF GUARANTY FUNDS BY CREDIT UNIONS WHICH ARE MEMBERS THEREOF.

Be it enacted, etc., as follows:

SECTION 1. Section 19 of chapter 171 of the General Laws is hereby amended by striking out the second sentence, inserted by chapter 324 of the acts of 1963, and inserting in place thereof 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 deposit and share liabilities of such credit union; and thereafter shall add to such guaranty fund at the end of each such period seven 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

SECTION 2. *Section 6* in section 1 of chapter 294 of the acts of 1961 is hereby amended by striking out the second paragraph

SECTION 3. The first paragraph of *section 7* in said section 1 of said chapter 294 is hereby amended by striking out the third sentence and inserting in place thereof the following sentence: — Such assessments may be charged by the member credit union to its guaranty fund, reserve account, undivided earnings, or established as an asset.

SECTION 4. *Section 8* in said section 1 of said chapter 294 is hereby amended by striking out the second and third paragraphs and inserting in place thereof the following paragraph: —

In or within thirty days after June thirtieth and December thirty-first of each year, except as hereinbefore provided, while a member credit union, such credit union shall pay to the corporation an assessment equal to one twenty-fourth of one per cent of its share and deposit liabilities payable as shown on its financial statement as of said dates, provided, however, that the directors may with the approval of the commissioner, by action taken not more than sixty days prior to the semi-annual assessment date, reduce the rate of the semi-annual assessment or waive the same. The assessment referred to herein may be charged to the guaranty fund, reserve account, undivided earnings or operating expense

Approved March 24, 1964.

Chap. 209. AN ACT RELATIVE TO THE AMOUNT WHICH A CO-OPERATIVE BANK MAY INVEST IN BANKING QUARTERS.

Be it enacted, etc., as follows:

The first paragraph of section 30 of chapter 170 of the General Laws, as amended by section 1 of chapter 197 of the acts of 1957, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence: — The aggregate amount invested in such real estate, including the cost of land and buildings, and of

alterations, improvements and additions, shall not exceed, in the aggregate, its guaranty fund, surplus account and unallocated reserves or three and one half per cent of its total assets whichever is the lesser.

Approved March 24, 1964

Chap. 210. AN ACT INCREASING THE NUMBER OF SHARES IN A CO-OPERATIVE BANK WHICH MAY BE HELD BY A PERSON INDIVIDUALLY OR BY CERTAIN CORPORATIONS OR ORGANIZATIONS.

Be it enacted, etc., as follows:

Section 16 of chapter 170 of the General Laws, as most recently amended by chapter 255 of the acts of 1963, is hereby further amended by striking out the first two paragraphs and inserting in place thereof the following two paragraphs. —

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 three hundred 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 one hundred and fifty paid-up and savings shares in the denomination of two hundred dollars; and no two or more persons, as provided in section fifteen, shall hold more than 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.

The foregoing limitations shall not apply to shares held by the commonwealth or any political subdivision thereof, a banking institution, corporation, trust, religious, charitable, medical service or cemetery organization or corporation, labor union, credit union, or fraternal benefit society, or with respect to any one estate or proceeding in the name of a judge of probate or by order or approval of court, or on account of any fund held by any fiduciary subject to the supervision of any court, or on account of any fund held in custody or trust under the jurisdiction of the commonwealth or any political subdivision thereof, or by any public or private retirement or pension system, association, corporation or trust, provided that such shares held in any one class or any combination of classes held shall not exceed sixty thousand dollars.

Approved March 24, 1964.

Chap. 211. AN ACT RELATIVE TO BORROWING POWERS OF CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

Section 31 of chapter 170 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by chapter 110 of the acts of 1962, and inserting in place thereof the following paragraph: — Such corporation, by vote of at least three fifths of all its directors, may borrow from any source to meet withdrawals, pay taxes, make loans on shares or accounts of the corporation, or make or acquire real estate loans; provided, that any such borrowing for a period exceeding five years shall be subject to the approval of the commissioner; and provided, further, that any borrowing for a period of five years or less shall be subject to such approval if such borrowing together with the aggregate of all borrowings then outstanding would exceed an amount equal to ten per cent of the assets of such corporation. A copy of such vote by the board of directors, and notice in writing of amounts so borrowed, shall be forwarded forthwith to the commissioner and the co-operative central bank.

Approved March 24, 1964.

Chap. 212. AN ACT RELATIVE TO EXTRA DISTRIBUTION OF DIVIDENDS OR INTEREST BY CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

Paragraph (c) of section 37 of chapter 170 of the General Laws, as appearing in section 2 of chapter 87 of the acts of 1953, is hereby amended by striking out the last sentence and inserting in place thereof the following two sentences: — No supplementary or extra distribution of dividends or interest shall be made from any amounts so transferred unless, at the time of such distribution, the combined guaranty fund, surplus account, reserve for bad debts and unallocated reserves, in the judgment of the board of directors, shall equal at least eight per cent of the share liability of such corporation, nor shall any supplementary or extra distribution of dividends or interest be made which will reduce said reserves to an amount less than eight per cent of the share liability of said corporations; unless the required transfer to reserves shall have first been made from current earnings. Upon written approval of the commissioner a supplementary or extra distribution of dividends may be made in part or in full from the surplus account

Approved March 24, 1964

Chap. 213. AN ACT FURTHER REGULATING REAL ESTATE LOANS BY CREDIT UNIONS.

Be it enacted, etc., as follows:

SECTION 1. Subdivision (B) of section 24 of chapter 171 of the General Laws is hereby amended by striking out the third sentence, as amended by chapter 92 of the acts of 1959, and inserting in place thereof the following sentence: — Any credit union having assets of five hundred thousand dollars or more may loan upon any one parcel of real estate to an amount not exceeding twenty thousand dollars and the total lia-

bility of any one member as borrower on loans so secured shall not exceed forty thousand dollars

SECTION 2. Paragraph 3 of said subdivision (B) of said section 24 of said chapter 171 is hereby amended by striking out the first sentence, as appearing in section 1 of chapter 105 of the acts of 1952, and inserting in place thereof the following sentence:— In first mortgages of real estate not exceeding eighty per cent of the value of the premises to be mortgaged, may be made for a period of not more than twenty-five years from the date of the note; provided, that the terms of the note shall require fixed monthly payments, in the same amount during the term of the loan, except that the fixed monthly payments for the first five years or any part thereof may be required for a larger amount than for the remaining term, which payments shall be first applied to interest and the balance thereafter remaining applied to principal.

Approved March 24, 1964.

Chap. 214. AN ACT AUTHORIZING THE CITY OF LYNN TO REACH THE RENTS AND OTHER INCOME OF CERTAIN TAX DELINQUENT REAL ESTATE IN SAID CITY.

Be it enacted, etc., as follows:

Whenever the collector of taxes of the city of Lynn shall have taken land therein pursuant to section fifty-three of chapter sixty of the General Laws, he may, in the name and behalf of said city, take immediate possession of such land and, until the tax title so acquired is redeemed, collect the rent and other income from such land, which rent and income, after the payment therefrom of all necessary expenses in the care, repair and management of such land, shall be applied on account of the taxes, assessments, rates, charges, interest and costs due said city on said land, with any balance remaining being paid to the person otherwise entitled thereto. Upon petition of any person having a right to redeem such tax title, the superior court sitting in equity within and for the county of Essex, if it adjudges justice and the circumstances so warrant, may, upon such terms as it shall deem equitable, enjoin a taking of possession under this section or command the surrender of a possession taken.

Neither said city nor any of its officers, agents or employees shall be liable or accountable to the owner or to any other person having an interest in such land for failure to collect rent or other income therefrom, and neither said city nor any of its officers, agents or employees shall be liable for injury or damage caused by the possession of land under this act to such land or to the person or property of any person, any provision of general or special law to the contrary notwithstanding.

Approved March 24, 1964.

Chap. 215. AN ACT AUTHORIZING THE CITY OF MEDFORD TO PAY RICHARD D. KIMBALL CO. A CERTAIN SUM AS COMPENSATION FOR CERTAIN ENGINEERING SERVICES RENDERED AT THE REQUEST OF ITS SCHOOL COMMITTEE

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the city of Medford is hereby authorized to pay to Richard D. Kimball Co., a corporation duly established by law, a sum not to exceed one thousand

dollars as compensation for services rendered as consulting engineers, including drafting plans and specifications for electrical and plumbing work for and at the request of the school committee of said city from June sixth to November twenty-first, nineteen hundred and fifty-five.

SECTION 2. This act shall take effect upon its acceptance during the current year by the city of Medford. *Approved March 24, 1964.*

Chap. 216. AN ACT PERMITTING CERTAIN SABBATARIANS TO OPEN AND OPERATE THEIR PLACES OF BUSINESS ON SUNDAY.

Be it enacted, etc., as follows:

Section 6 of chapter 136 of the General Laws is hereby amended by striking out clause (8), and the paragraph immediately following said clause, as appearing in section 2 of chapter 616 of the acts of 1962, and inserting in place thereof the following clause:—

(8) The opening and operation of any secular place of business not otherwise prohibited by law if the natural person in control of the business conscientiously believes that the seventh day of the week, or the period which begins at sundown on Friday night and ends at sundown on Saturday night, should be observed as the Sabbath, and causes all places of business in the commonwealth over which he has control to remain closed for secular business during the entire period of twenty-four consecutive hours which he believes should be observed as the Sabbath, and actually refrains from engaging in secular business and from laboring during that period *Approved March 24, 1964*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, March 26, 1964

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 216 of the Acts of 1964 entitled "An Act Permitting Certain Sabbatarians to Open and Operate Their Places of Business on Sunday." and the enactment of which received my approval on March 24, 1964, should take effect forthwith

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows

The postponement of the effective date of this act would greatly affect the livelihood of a number of citizens of our Commonwealth who conscientiously believe that the Sabbath be observed on Saturday and do refrain from doing business during that period. Therefore, this act should become effective at once.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth

OFFICE OF THE SECRETARY, BOSTON, March 27, 1964

I, Kevin H. White, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Ex-

cellency the Governor of the Commonwealth of Massachusetts at ten o'clock and ten minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter two hundred and sixteen of the acts of nineteen hundred and sixty-four.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 217. AN ACT TO DEFINE IN PART THE BOUNDARY LINE BETWEEN
THE TOWNS OF LEXINGTON AND WINCHESTER.

Be it enacted, etc., as follows:

SECTION 1. The following described line shall hereafter be the boundary line in part between the towns of Lexington and Winchester: — Beginning at a point on the existing boundary line as described in section one of chapter one hundred and twenty of the acts of nineteen hundred and fifty-four, said point being five and forty-nine one-hundredths (5 49) feet and south forty-five degrees, one minute east (S 45°-01' E) from the monument marking the corner Lexington-Winchester One; thence south twenty-four degrees, thirty-six minutes, twenty seconds east (S 24°-36'-20" E) a distance of six hundred fifty-five and five one-hundredths (655.05) feet to a point to be known as Lexington-Winchester One A; thence south sixty degrees, no minutes, thirty seconds east (S 60°-00'-30" E) a distance of ninety-eight one-hundredths (0 98) feet to a point formerly known and to be known as Lexington-Winchester Two; thence south forty-two degrees, twenty-seven minutes, forty seconds east (S 42°-27'-40" E) a distance of one hundred fifteen and eighty-seven one-hundredths (115 87) feet to a point to be known as Lexington-Winchester Two A; thence south forty-one degrees, eleven minutes, thirty seconds east (S 41°-11'-30" E) a distance of one hundred eighty-three and nineteen one-hundredths (183.19) feet to a point to be known as Lexington-Winchester Two B; thence south seventy-four degrees, thirty-four minutes, twenty-six seconds east (S 74°-34'-26" E) a distance of five hundred thirty-two and ten one-hundredths (532.10) feet to a point to be known as Lexington-Winchester Two C; thence south fifteen degrees, twenty-five minutes, thirty-four seconds west (S 15°-25'-34" W) a distance of one hundred twenty-two and thirty-one one-hundredths (122 31) feet to a point on the street layout line of Winchester Drive to be known as Lexington-Winchester Two D; thence south seventy-four degrees, thirty-four minutes, twenty-six seconds east (S 74°-34'-26" E) along said street layout line a distance of one hundred thirty-three and eighty-three one-hundredths (133.83) feet to a point to be known as Lexington-Winchester Two E; thence south fifteen degrees, twenty-five minutes, thirty-four seconds west (S 15°-25'-34" W) across said Winchester Drive or Johnson Road as it is known in Winchester, a distance of seventy and no one-hundredths (70.00) feet to a point in the opposite street layout line to be known as Lexington-Winchester Two F; thence by the southwesterly street layout line of said Johnson Road on a curve having a radius of one thousand one hundred ninety-five and no one-hundredths (1195.00) feet a distance of two hundred sixty-three and ten one-hundredths (263.10) feet to a point to be known as Lexington-

Winchester Two G; thence south two degrees, forty-eight minutes, forty-two seconds west (S 2°-48'-42" W) a distance of ninety-four and twenty-one one-hundredths (94.21) feet to a monument on the existing boundary line marking the corner Lexington-Winchester Three.

SECTION 2. All bearings as used in this act refer to the North American Datum which is the same as that used by the Massachusetts Harbor and Land Commission in its atlases of the boundary lines of cities and towns.

SECTION 3. Monuments marking all the points described in section one shall be placed as directed by section seven of chapter forty-two of the General Laws.

Approved March 24, 1964.

Chap. 218. 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-four, 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 March 25, 1964.

Chap. 219. AN ACT AUTHORIZING SAVINGS BANKS TO MAKE FIRST MORTGAGE LOANS UP TO NINETY PER CENT OF THE VALUE OF THE REAL PROPERTY.

Be it enacted, etc., as follows:

Section 35 of chapter 168 of the General Laws is hereby amended by inserting after paragraph 6 the following paragraph. —

6A. *Ninety Per Cent of Value.* — A mortgage loan not exceeding ninety per cent of the value of the real estate, payable not more than twenty-five years from the date of the note; provided that the loan shall be secured by a mortgage on real estate improved with a single family dwelling occupied or to be occupied by the mortgagor, and that the terms of the note or mortgage shall require monthly payments in such amounts that the aggregate principal reduction at any time during the term of the loan shall be not 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, and provided further that construction of the dwelling on the mortgaged property shall be completed prior to the making of any dis-

bursement on the loan in excess of eighty per cent of the value of the real estate, that the mortgagor shall furnish to the board of investment an affidavit that the mortgagor does not require junior financing and that the board of investment shall certify in writing that the dwelling has a useful life beyond the term said loan has to run. Each such monthly payment shall be applied first to interest and the balance to principal. Interest upon such loan shall be computed monthly on the unpaid balance. The note or mortgage also shall require payment each month of a proportionate part of the estimated real estate taxes and betterment assessment on the mortgaged real estate. No loan of this class shall be made or acquired for a sum in excess of twenty thousand dollars.

Approved March 25, 1964

Chap. 220. AN ACT RELATIVE TO CERTAIN LOANS INSURED BY THE FEDERAL HOUSING ADMINISTRATOR.

Be it enacted, etc., as follows:

The first sentence of section 51 of chapter 167 of the General Laws is hereby amended by striking out clause (b), as amended by chapter 422 of the acts of 1960, and inserting in place thereof the following clause: —

(b) to make and acquire such loans secured by mortgages on real property in the commonwealth held in fee simple as the federal housing administrator or commissioner or the secretary of agriculture under Title I of the Bankhead-Jones Farm Tenant Act, as amended, insures or gives commitments to insure, and to obtain such insurance; and in addition thereto a trust company, savings bank or co-operative bank having assets in excess of twenty-five million dollars, may make, acquire, service, or participate in with one or more trust companies, savings banks or co-operative banks described herein, loans secured by mortgages of leasehold interests in real property located in the commonwealth, provided that (1) such leasehold is held from the federal government or the commonwealth or a political subdivision of the commonwealth, or any agency of said governments; (2) the term of such lease is for not less than fifty years from the date of the execution of the mortgage and note; (3) such loan will by its terms be paid in full before the termination of the lease; (4) the federal housing administrator insures or gives commitments to insure such loan under the provisions of the National Housing Act, as amended, and such insurance is obtained; (5) the aggregate balance of amounts invested in all such loans outstanding at any one time from any such corporation shall not exceed ten per cent of its deposits, provided in the case of a savings bank the aggregate balance of amounts invested in all such loans outstanding at any one time, together with the aggregate balance of principal outstanding at any one time in investments by such a savings bank pursuant to paragraph 12 of section thirty-five of chapter one hundred sixty-eight, shall not exceed said ten per cent of its deposits and in the case of a co-operative bank said ten per cent of its deposits shall not be in addition to the aggregate investment authorized by the provisions of section twenty-four A of chapter one hundred seventy, and (6) the balance of amounts invested in any such loan outstanding at any one time from any such corporation secured by a mortgage of a single leasehold interest shall not exceed two per cent of the deposits of such corporation.

Approved March 25, 1964.

Chap. 221. 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 amended by chapter 126 of the acts of 1963, 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, notwithstanding the provisions of section twenty-four, any such corporation may invest in a participation loan shall not exceed one per cent of its deposits or thirty thousand dollars, whichever is greater, 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 25, 1964.

Chap. 222. AN ACT RELATIVE TO INVESTMENT OF FUNDS BY CREDIT UNIONS.

Be it enacted, etc , as follows:

Section 21 of chapter 171 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 1 of chapter 151 of the acts of 1957, and inserting in place thereof the following sentence — The capital, deposits, and surplus of a credit union shall be invested in loans to members, with approval of the credit committee, as provided in section twenty-two, and also when so required herein, of the board of directors, and any capital, deposits, or surplus funds in excess of the amount for which loans shall be approved by the credit committee and the board of directors may be deposited in savings banks or trust companies incorporated in the commonwealth, or in banking companies so incorporated and which are members of the Federal Deposit Insurance Corporation, or in national banks located in the commonwealth, or invested in any bonds, notes, bankers' acceptances, bank stocks, or insurance stocks which are at the time of their purchase legal investments for savings banks in the commonwealth, or, to the extent authorized by section three of chapter two hundred and sixteen of the acts of nineteen hundred and thirty-two, in the shares of the Central Credit Union Fund, Inc , or in paid-up shares and accounts of and in co-operative banks incorporated in the commonwealth, or in the shares of savings and loan associations incorporated in the commonwealth, or in the shares of federal savings and loan associations having a usual place of business within the commonwealth to an amount not to exceed ten thousand dollars in any one of such associations, but not more than ten per cent of the assets of a credit union shall be invested in bank stocks, insurance stocks or both; provided, that not more than fifteen thousand dollars or one per cent of the assets of a credit union, whichever is greater, shall be invested in the stock of any one bank or insurance company.

Approved March 25, 1964.

Chap. 223. AN ACT RELATIVE TO THE AMOUNT A CREDIT UNION MAY LOAN WITH ONE CO-SIGNER.

Be it enacted, etc., as follows:

Subdivision (A) of section 24 of chapter 171 of the General Laws is hereby amended by striking out paragraph 2, as most recently amended by section 2 of chapter 151 of the acts of 1960, and inserting in place thereof the following paragraph: —

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

Approved March 25, 1964.

Chap. 224. AN ACT TO AUTHORIZE DRAINAGE INSTALLATIONS IN THE TOWN OF MARSHFIELD

Be it enacted, etc., as follows:

SECTION 1. The town of Marshfield is hereby authorized to install a drainage system on private property on and off Ocean street in the Esplanade section of Brant Rock and to conduct the necessary engineering surveys in connection therewith

SECTION 2. This act shall become effective upon its acceptance at the next annual or special town meeting in the town of Marshfield.

Approved March 25, 1964

Chap. 225. AN ACT RELATIVE TO ELECTION OF COMMITTEES, HONORARY DIRECTORS AND THE READING OF MINUTES OF CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

SECTION 1 The first paragraph of section 8 of chapter 170 of the General Laws, as appearing in section 1 of chapter 371 of the acts of 1950, is hereby amended by striking out the fifth sentence and inserting in place thereof the following three sentences: — The directors may employ such additional assistance and appoint or constitute such committees and advisory directors as they may deem necessary and determine the reasonable compensation therefor. The directors may authorize the continuance as honorary directors of those persons who shall have served as directors for ten years or more and such honorary directors may be designated by the directors for an indefinite term and shall not be included in determining the minimum number of directors or the number of directors to be elected annually as provided herein. No such honorary director shall be deemed to be an officer or member of the board of directors of such corporation, nor shall he receive compensation or be required to attend meetings or be authorized or required to perform any duties

SECTION 2 Said section 8 of said chapter 170 is hereby further amended by striking out the last paragraph, as so appearing, and inserting in place thereof the following paragraph: —

The records of all meetings of the corporation shall be read at such meetings by a shareholder other than the clerk and the records of all meetings of the board of directors shall be read at such meetings by a director.

Approved March 25, 1964.

Chap. 226. AN ACT INCREASING SHARE AND DEPOSIT LIMITATIONS IN CREDIT UNIONS WHICH ARE MEMBERS OF THE MASSACHUSETTS CREDIT UNION SHARE INSURANCE CORPORATION.

Be it enacted, etc., as follows:

Section 10 of chapter 171 of the General Laws is hereby amended by inserting after the fourth sentence, as appearing in chapter 416 of the acts of 1963, the following two sentences. — Notwithstanding the limitations on shares and deposits contained herein a member of a credit union whose deposit and share liabilities are insured by the Massachusetts Credit Union Share Insurance Corporation may hold shares or make deposits or both therein in his own name to an amount not exceeding six thousand dollars in the aggregate and, provided that he has no other account, he may jointly with another member hold shares or make deposits or both to an amount not exceeding in the aggregate twelve thousand dollars, exclusive of club deposits, and a member of a credit union whose deposit and share liabilities are insured by the Massachusetts Credit Union Share Insurance Corporation having assets of five hundred thousand dollars or more may hold shares or make deposits or both therein in his own name to an amount not exceeding ten thousand dollars in the aggregate and, provided that he has no other account, he may jointly with another member hold shares or make deposits or both to an amount not exceeding in the aggregate twenty thousand dollars, exclusive of club deposits. The limitations on deposits and shares provided herein shall be exclusive of interest accumulated thereon and upon such interest.

Approved March 25, 1964.

Chap. 227. AN ACT RELATIVE TO CO-OPERATIVE BANK REAL ESTATE LOANS.

Be it enacted, etc., as follows:

Subsection 4 of section 24 of chapter 170 of the General Laws, as most recently amended by section 1 of chapter 125 of the acts of 1962, is hereby further amended by adding at the end the following sentence. — Notwithstanding the foregoing limitation a loan in excess of thirty thousand dollars may be made to one person evidenced by a single note secured by a mortgage covering two or more parcels of real estate owned by said person, subject, however, to all other applicable provisions of this section; provided, that loans in excess of thirty thousand dollars shall not exceed seventy-five per cent of the value of the mortgaged property as certified by the security committee.

Approved March 25, 1964.

Chap. 228. AN ACT RELATIVE TO THE METHOD OF FILLING VACANCIES IN THE MUNICIPAL COUNCIL IN THE CITY OF TAUNTON

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 211 of the acts of 1947 is hereby amended by inserting after the first sentence the following sentence: — If there is no person qualified as provided herein who is willing to serve, a registered voter of the city duly qualified to vote for the office in which there is a vacancy shall be so elected.

SECTION 2. This act shall be submitted for acceptance by the city of Taunton at the biennial state election to be held in the current year, in the form of the following question, which shall be placed upon the official ballot to be used at said election — “Shall an act passed by the General Court in the year nineteen hundred and sixty-four, entitled ‘An Act relative to the method of filling vacancies in the municipal council in the city of Taunton’, 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 26, 1964

Chap. 229. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW RELATIVE TO THE LICENSING OF RADIO AND TELEVISION TECHNICIANS.

Be it enacted, etc , as follows.

The second paragraph of section 87TTT of chapter 112 of the General Laws, as appearing in section 2 of chapter 604 of the acts of 1963, is hereby amended by striking out, in line 14, the words “filing of the copy of certificate hereinbefore referred to” and inserting in place thereof the words — presentation to said board of the above mentioned copy or certificate

Approved March 26, 1964

Chap. 230. AN ACT AUTHORIZING THE SUBMISSION TO THE VOTERS OF THE CITY OF BOSTON OF THE QUESTION WHETHER SALARIES IN THE BOSTON POLICE DEPARTMENT SHALL BE NOT LESS THAN SALARIES IN THE METROPOLITAN DISTRICT COMMISSION POLICE FORCE

Be it enacted, etc , as follows.

SECTION 1. The second paragraph of 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 second sentence and inserting in place thereof the following sentence — 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, (1) that such deputy superintendents, captains and other officers and members of said police shall receive, commencing on January sixth, nineteen hundred and sixty-five, annual salaries which shall be not less than the annual salaries officers and members of the metropolitan district commission police force, of corresponding rank and years of service in such rank, were receiving on November third, nineteen hundred and sixty-four, (2) that lieutenant detectives and sergeant detectives shall receive annual salaries three hundred dollars in excess of the annual salaries of lieutenants and sergeants, respectively, and first grade detectives, second grade detectives and third grade detectives shall receive annual salaries five hundred dollars, four hundred dollars and three hundred dollars, respectively, in excess of the maximum annual salaries of patrolmen, and (3) that in determining years of service, credit shall be given for years of service prior to January sixth, nineteen hundred and sixty-five.

SECTION 2 The second paragraph of section 10 of chapter 291 of the acts of 1906, as appearing in section 1 of chapter 814 of the acts of 1963, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — 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, (1) that such deputy superintendents, captains and other officers and members of said police shall receive, commencing on January sixth, nineteen hundred and sixty-five, annual salaries which shall be not less than the annual salaries officers and members of the metropolitan district commission police force, of corresponding rank and years of service in such rank, were receiving on November third, nineteen hundred and sixty-four, (2) that lieutenant detectives and sergeant detectives shall receive annual salaries three hundred dollars in excess of the annual salaries of lieutenants and sergeants, respectively, and first grade detectives, second grade detectives and third grade detectives shall receive annual salaries five hundred dollars, four hundred dollars and three hundred dollars, respectively, in excess of the maximum annual salaries of patrolmen, and (3) that in determining years of service, credit shall be given for years of service prior to January sixth, nineteen hundred and sixty-five

SECTION 3. (a) If a petition is obtained, signed and filed, and signatures of petitioners thereon certified, and a certificate transmitted to the state secretary, all as provided in this section, there shall be printed on the official ballot to be used in the city of Boston at the biennial state election in the current year the following question — “Shall patrolmen and superior officers of the Boston Police Department be paid a yearly salary which is not less than the yearly salary now being paid to the patrolmen and superior officers of corresponding rank of the Metropolitan District Commission Police force?”

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

(b) A petition for the printing of said question as aforesaid shall be issued only if, after the effective date of this section, ten or more registered voters of the city appear together at the office of the board of election commissioners of the city, elsewhere in this act called the election commission, and in the presence of a justice of the peace subscribe, in a book kept for the purpose by the election commission, a request for the issuance of such petition in substantially the following form

COMMONWEALTH OF MASSACHUSETTS

CITY OF BOSTON

REQUEST FOR ISSUANCE OF PETITION FOR PRINTING OF QUESTION ON BALLOT

Each of the undersigned hereby declares under the penalties of perjury on this
 day of 1964

1 That he is a registered voter of the City of Boston residing at the street and number, and in the ward, set against his name

2 That he desires to have printed on the official ballot to be used in the City of Boston at the biennial state election to be held in the current year the following question:

(Here insert the question set forth in paragraph (a) of this section)

3. And that he hereby requests the issuance of a petition for such printing of such question.

The undersigned do hereby appoint each of the following persons: — (*here insert name and address of one or more persons*) as their duly authorized agents to receive the petition hereby requested.

Signature of Petitioner	Residence on January 1, 1964	Ward	Precinct	Present Residence
Signed by the subscribers appearing together at the office of the Board of Election Commissioners of the City of Boston on this day of 1964, in the presence of				

Justice of the Peace

(c) If a request is subscribed as provided for by paragraph (b), the election commission shall check each name on such request and shall certify thereon the number of signatures so checked which are the names of registered voters of the city and, if such request contains at least ten names certified pursuant to this paragraph, shall issue, not later than five o'clock in the afternoon of the tenth day after the subscription of such request, to any one of the persons specified in such request as the duly authorized agents of the persons subscribing such request, petition sheets containing spaces for signatures equal in number to one half of the number of persons registered to vote in the city of the last regular city election preceding the filing of such request. Each petition sheet shall be in substantially the following form:

COMMONWEALTH OF MASSACHUSETTS

CITY OF BOSTON

PETITION FOR PRINTING OF CERTAIN QUESTION ON BALLOT IN THE CITY OF BOSTON

TO THE BOARD OF ELECTION COMMISSIONERS OF THE CITY OF BOSTON.

We, the undersigned, registered voters of the City of Boston, hereby petition that there be printed on the official ballot to be used in the City of Boston at the biennial state election to be held on Tuesday, November 3, 1964, the following question —

(*Here insert the question set forth in paragraph (a) of this section*)

Signatures of Petitioners (To be signed in person with name as registered)	Residence January 1, 1964 (If registered after above date, residence when registered)	Ward	Precinct	Present Residence
-------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------	------	----------	----------------------

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS BOSTON, 19

The undersigned, being the circulator or circulators of this sheet, severally certify, under the penalties of perjury, that the persons whose names are written upon the lines the numbers of which appear opposite our signatures below, signed the same in person

NAMES AND ADDRESSES OF PERSONS CIRCULATING THIS SHEET	NUMBERS OF LINES UPON WHICH APPEAR SIGNATURES AS TO WHICH CERTIFICATION IS MADE HEREBY
-------------------------------------------------------------	----------------------------------------------------------------------------------------------

NAME	ADDRESS
------	---------

(*Add here or at some other convenient place on petition sheet the following*) —

This petition sheet filed by

Signature of Filer
Number, Street, City

Each petition sheet shall, before issuance, be prepared by the election commission by making the insertion required by the foregoing form. No petition sheet shall be valid unless prepared and issued by the election commission.

(d) A petition for the printing of said question as aforesaid shall be signed by registered voters of the city to a number equal at least to five per cent of the persons registered to vote in the city at the last regular city election preceding the filing of the petition. Every voter signing such a petition shall sign in person, with his name as registered, and shall state his residence on January first preceding, or his residence when registered if subsequent thereto, and the place where he is then living, with the street and number, if any; but any voter who is prevented by physical disability from writing may authorize some person to write his name and residence in his presence. The signature of any petitioner which is not certified by the circulator of the sheet as provided in the form set forth in paragraph (c) shall not be counted in determining the number of petitioners. If the name of any voter appears as petitioner on the same petition more than once, it shall be deemed to appear but once.

(e) The separate sheets of a petition for the printing of said question as aforesaid shall be filed all together with the election commission at or before five o'clock in the afternoon of July twenty-third in the current year. Every sheet of such petition shall be signed by the person filing such petition who, if he is other than the person appointed to receive the petition upon the issuance thereof, shall add to his signature his place of residence, giving street and number, if any, and the election commission shall require satisfactory identification of such person. Such petition shall, when filed, be a matter of public record, but such petition shall not be open to public inspection until the signatures thereon have been certified.

(f) Upon the filing of a petition for the printing of said question as aforesaid the election commission shall check each name to be certified by it on such petition and shall certify thereon the number of signatures so checked which are the names of registered voters of the city, provided, however, that said commission shall not certify a greater number of names than required by paragraph (d) with one fifth of such number added thereto. Names not certified in the first instance shall not thereafter be certified on the same petition. A petition not containing names certified pursuant to this paragraph, to the number required by said paragraph (d), shall be invalid. The election commission shall complete the certification required by this paragraph at or before five o'clock in the afternoon of August twentieth in the current year.

(g) A petition for the printing of said question as aforesaid which has been filed and is in apparent conformity with law shall be deemed to be valid unless written objection thereto is made by a registered voter of the city. Such objection shall be filed with the election commission at or before five o'clock in the afternoon of August twenty-seventh in the current year. Any general or special law to the contrary notwithstanding, objections filed with the election commission shall forthwith be transmitted by it to the Boston ballot law commission, which shall forthwith consider such objections and not later than September tenth in the current year render its decision on such objections stating its finding as to the validity of the petition. In all mat-

ters relating to such objections, said commission shall have the powers and perform the duties prescribed by law for the state ballot law commission in matters under its jurisdiction; and the decision of said commission shall in like manner be final except that it shall be subject to judicial review under section fourteen of chapter thirty A of the General Laws. Certification pursuant to paragraph (f) shall not preclude a voter from filing objections to the validity of such petition.

(h) If such petition is either deemed or found to be valid under paragraph (g), the election commission shall transmit to the state secretary not later than five o'clock in the afternoon of September seventeenth in the current year a certificate of the filing of a petition in conformity with this section, of the certification of signatures of petitioners thereon to the number required by paragraph (d) and of the deeming or finding of such petition to be valid under paragraph (g).

SECTION 4. Chapter eight hundred and fourteen of the acts of nineteen hundred and sixty-three is hereby repealed.

SECTION 5. Section three of this act shall take effect upon its passage. If a question is printed on the ballot as provided in said section three, and if a majority of the votes cast in answer to said question is in the affirmative, (a) sections one and four shall thereupon take effect if chapter eight hundred and fourteen of the acts of nineteen hundred and sixty-three had not been accepted prior to the vote on said question, but not otherwise, (b) section two shall thereupon take effect if chapter eight hundred and fourteen of the acts of nineteen hundred and sixty-three had been accepted prior to the vote on said question, but not otherwise.

The compensation of no officer or member of the police department of the city of Boston shall be reduced by reason of the taking effect of section one or section two.

Approved March 26, 1964.

Chap. 231. AN ACT AUTHORIZING THE STATE SECRETARY TO VALIDATE THE ACTS OF CERTAIN PERSONS AS NOTARIES PUBLIC AND ESTABLISHING THE FEES THEREFOR.

Be it enacted, etc., as follows:

SECTION 1. Chapter 9 of the General Laws is hereby amended by inserting after section 15 the following section —

Section 15A. If a notary public, whose name has been changed by marriage or decree of court and who has failed to re-register as required by law, or a notary public or justice of the peace whose commission has expired, continues to act as such after such change of name or expiration the state secretary, upon the application of such person and the payment of a fee of five dollars, may issue a certificate validating all such acts done after such change of name or expiration.

SECTION 2. Chapter 30 of the General Laws is hereby amended by striking out section 13, as amended by chapter 409 of the acts of 1951, and inserting in place thereof the following section — *Section 13.* Before the delivery of a commission to a person appointed commissioner under section three or four of chapter two hundred and twenty-two, a notary public, master in chancery or justice of the peace, he shall pay to the state secretary a fee of seven dollars. A person whose acts as

a notary public or justice of the peace have been validated by the general court or the state secretary shall pay a fee of twenty-five dollars before the delivery of the first commission for either of said offices to be delivered after such validation. Upon the change of name of any woman who has been appointed and qualified as a notary public, she shall re-register under her new name and shall pay to the state secretary a fee of one dollar

Approved March 26, 1964

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, April 2, 1964

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 231 of the Acts of 1964 entitled "An Act Authorizing the State Secretary to Validate the Acts of Certain Persons as Notaries Public and Establishing the Fees Therefor" and the enactment of which received my approval on March 26, 1964, 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. The Legislature and the Secretary of State's office have many requests to validate certain acts of notaries public. This bill will immediately eliminate the need for burdensome special legislation and will allow the Secretary of State to issue forthwith a certificate validating such acts. The convenience of the public would be served by having this act become effective at once.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, April 2, 1964

I, Edward T Sullivan, Deputy Secretary, Acting Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at five 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 two hundred and thirty-one of the acts of nineteen hundred and sixty-four.

EDWARD T SULLIVAN,
*Deputy Secretary,
Acting Secretary of the Commonwealth.*

Chap. 232. AN ACT TO PERMIT SAVINGS BANKS TO INVEST IN THE STOCK OF BANK HOLDING COMPANIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 168 of the General Laws is hereby amended by striking out the caption preceding section 47, as appearing in section 1 of chapter 432 of the acts of 1955, and inserting in place thereof the following caption: — *Bank and Bank Holding Company Stocks*.

SECTION 2. Said section 47 of said chapter 168, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence — Such corporation may invest in the common stock of the following banking corporations and bank holding companies subject to the conditions, limitations and requirements of this section.

SECTION 3. Said section 47 of said chapter 168 is hereby further amended by adding at the end the following paragraph. —

4. *Bank Holding Company Stocks*. — In the common stock of a bank holding company, as defined in chapter one hundred and sixty-seven A, provided such stock is received pursuant to an offer made by such bank holding company to exchange shares of its common stock for shares of a trust company incorporated under the laws of this commonwealth or for shares of a national banking association doing business in this commonwealth, or provided that such stock is received pursuant to a plan for the merger or consolidation of such a trust company or of such a national banking association with or into, or the transfer, sale or exchange of property or of assets of such a trust company or of such a national banking association to or with, a trust company incorporated under the laws of this commonwealth or a national banking association doing business in this commonwealth the stock of which trust company or national banking association, as the case may be, is at the time owned by such bank holding company.

Approved March 26, 1964.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, April 2, 1964.

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 232 of the Acts of 1964 entitled "An Act to Permit Savings Banks to Invest in the Stock of Bank Holding Companies" and the enactment of which received my approval on March 26, 1964, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

The deferred operation of this act would tend to defeat its purpose, which in part would effectuate proposed mergers of certain banks. This legislation would insure further stability and further serve the convenience and banking needs of the general public. Therefore, this act should become effective at once.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, April 2, 1964.

I, Edward T. Sullivan, Deputy Secretary, Acting Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at five o'clock and sixteen minutes, P M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter two hundred and thirty-two of the acts of nineteen hundred and sixty-four.

EDWARD T. SULLIVAN,
*Deputy Secretary,
Acting Secretary of the Commonwealth.*

Chap. 233. AN ACT PROHIBITING CERTAIN EMPLOYERS FROM REQUIRING OR KNOWINGLY PERMITTING EMPLOYEES TO USE DEVICES, COMMONLY KNOWN AS STILTS, IN THE PERFORMANCE OF THEIR WORK.

Be it enacted, etc , as follows:

Chapter 149 of the General Laws is hereby amended by inserting after section 129A the following section: —

Section 129B. Whoever, being engaged in construction work, requires or knowingly permits any person employed by him in such work to use certain devices, commonly called stilts, designed to be attached to the feet or legs of such employee for the purpose of elevating him to high placed or positioned work, shall be punished by a fine of not more than one hundred dollars. Each violation of this section shall constitute a separate offense.

Approved March 26, 1964.

Chap. 234. AN ACT RELATING TO THE AUTHORITY OF THE CITIES AND TOWNS TO APPROPRIATE MONEY TO PROMOTE THEIR NATURAL RESOURCES.

Be it enacted, etc , as follows:

Section 5 of chapter 40 of the General Laws is hereby amended by striking out clause 51, as amended by chapter 208 of the acts of 1959, and inserting in place thereof the following clause —

(51) For the purpose of establishing and maintaining a conservation commission to promote the development and better utilization of the natural resources within the city or town. Money so appropriated in any year may be placed in a conservation fund and allowed to accumulate from year to year, and may be expended by said commission for any purpose authorized by section eight C.

Approved March 26, 1964.

Chap. 235. AN ACT VALIDATING CERTAIN ACTION TAKEN BY THE TOWN OF BARNSTABLE AT ITS ANNUAL TOWN MEETING IN THE YEAR NINETEEN HUNDRED AND SIXTY-FOUR RELATIVE TO ABOLISHING THE PLAYGROUND AND RECREATION COMMISSION.

Be it enacted, etc , as follows:

SECTION 1. The town of Barnstable is hereby authorized to abolish its playground and recreation commission and to transfer all the powers

and duties of said commission to its park commission. Said town is hereby further authorized to change the name of said park commission to the park and recreation commission and to increase the number of members of said commission from three to seven.

SECTION 2 At the annual town meeting in the year nineteen hundred and sixty-five the four additional members of said commission authorized under section one shall be elected as follows — one to serve for a term of one year, one to serve for a term of two years and two to serve for terms of three years, and thereafter upon the expiration of the terms of such additional members their successors shall be elected for terms of three years.

SECTION 3 The action taken by the town of Barnstable at its annual town meeting in the year nineteen hundred and sixty-four, under Articles 94, 95, 96 and 97 of the warrant for said meeting, 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 March 26, 1964.

Chap. 236. AN ACT AUTHORIZING THE PURCHASE BY A BANK OR GROUP OF BANKS OF GROUP ACCIDENT AND HEALTH INSURANCE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 167 of the General Laws is hereby amended by inserting after section 56A, inserted by chapter 339 of the acts of 1962, the following section —

Section 56B A bank, or group of banks, under regulations established by the commissioner, may purchase group accident and health insurance covering debtors of such bank or group of banks if the debtors request such insurance. Such insurance shall cover all or part of the indebtedness of such debtors. The premium for such insurance, or the premium on an individual accident and health insurance policy held to cover the indebtedness, may be added to the payments required of any such debtor who elects to become insured, and the proceeds of any such dividends or premium refunds on such insurance, shall be applied by the bank, or group of banks, for the sole benefit of the debtors in the manner provided in section fifty-six. No trustee, director, officer or employee of such bank or group of banks shall benefit financially, directly or indirectly, from the sale of such insurance. Such bank or group of banks may take or receive a service charge which shall be reasonably related to the cost to such bank or group of banks of administering such insurance.

SECTION 2 The first sentence of subdivision (A) of section 110 of chapter 175 of the General Laws is hereby amended by inserting after the word "policy", in line 28 as appearing in section 1 of chapter 532 of the acts of 1952, the following — ; or (j) a bank or group of banks covering a group of persons who are debtors of such bank or group of banks, up to the amount of the indebtedness of such debtors.

SECTION 3 Subdivision (B) of said section 110 of said chapter 175, as most recently amended by section 1 of chapter 254 of the acts of 1963, is hereby further amended by inserting after the words "subdivision (D)", in line 18, the words — ; or (7) a bank described in clause (j) of subdivision (A) or, in the case of such a policy issued to a group of such banks such person as the group shall designate.

SECTION 4 Section 177 of said chapter 175 is hereby amended by inserting after the third sentence the following sentence. — Nothing in this section shall prohibit the payment to any bank, or group of banks, of a service charge as provided in section fifty-six B of chapter one hundred and sixty-seven

SECTION 5. The second sentence of section 184 of said chapter 175 as most recently amended by chapter 206 of the acts of 1961, is hereby further amended by adding after the word “thirty-nine”, in line 25, the words: — , or (4) the payment to any bank, or group of banks, of a service charge as provided in section fifty-six B of chapter one hundred and sixty-seven.

Approved March 26, 1964

Chap. 237. AN ACT AUTHORIZING CERTAIN BANKING INSTITUTIONS TO PROVIDE CERTAIN GROUP INSURANCE AND BENEFITS FOR EMPLOYEES, OFFICERS AND DIRECTORS

Be it enacted, etc , as follows.

Section 57 of chapter 167 of the General Laws, inserted by chapter 465 of the acts of 1961, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence — A savings bank, co-operative bank or credit union may provide group life insurance, group accident and health insurance or group medical, surgical and hospital insurance or benefits, or all or any combination thereof, for its employees, officers, and directors

Approved March 26, 1964.

Chap. 238. AN ACT DESIGNATING THE DISTRICT #1 HEADQUARTERS BUILDING OF THE DEPARTMENT OF PUBLIC WORKS IN THE TOWN OF LENOX AS THE WILLIAM J GOGGINS MEMORIAL BUILDING.

Be it enacted, etc , as follows:

The district #1 headquarters building of the state department of public works in the town of Lenox shall be known and designated as the William J. Goggins Memorial Building, in memory of William J Goggins, a district highway engineer for said department. A suitable marker bearing said designation shall be attached thereto by said department.

Approved March 26, 1964

Chap. 239. AN ACT RELATIVE TO THE FILLING OF VACANCIES IN THE OFFICE OF TOWN MEETING MEMBER IN THE TOWN OF DEDHAM

Be it enacted, etc , as follows:

SECTION 1 Section 7 of chapter 358 of the acts of 1926 is hereby amended by striking out the first two sentences and inserting in place thereof the following five sentences — In the event of any vacancy in the full number of town meeting members of any precinct such vacancy shall be filled until the next annual town election by the town clerk from the list of candidates who sought election as town meeting members at the last prior town election The candidate receiving the next highest

vote after the last person elected shall fill such vacancy, but if such person does not accept the office, the candidate who shall have received the next highest number of votes shall fill such vacancy. This procedure shall be repeated until all vacancies are filled. In the event of a tie vote of those next succeeding the last person elected at the most recent town election, or in the event there is no defeated candidate who will accept the office, the town clerk shall call a special meeting of the town meeting members of the precinct in which the vacancy or tie occurs for the purpose of filling the vacancy or vacancies until the next annual town election, from among those having the tie votes or, if no tie is involved, from among the registered voters of the precinct. Notice of the purpose, time and place of the meeting shall be mailed by the town clerk to the remaining town meeting members not less than seven days before the time set for the meeting.

SECTION 2. This act shall take effect upon its acceptance by the town of Dedham.

Approved March 26, 1964.

Chap. 240. AN ACT AUTHORIZING THE RETREAT, INC., A MASSACHUSETTS CORPORATION, TO MERGE WITH THE RETREAT, INCORPORATED, A CONNECTICUT CORPORATION.

Be it enacted, etc., as follows:

SECTION 1. The Retreat, Inc., a corporation organized and existing under the laws of the commonwealth, hereinafter referred to as the Massachusetts corporation, is hereby authorized to merge with The Retreat, Incorporated, a non-stock corporation organized and existing under the laws of the state of Connecticut, hereinafter referred to as the surviving Connecticut corporation, which shall in all respects be a continuation of each of said existing corporations.

SECTION 2. When such merger has become effective. —

(a) the Massachusetts corporation shall no longer continue to exist,

(b) all property of the Massachusetts corporation, including all bequests, devises, gifts and transfers of any kind heretofore or hereafter made for its benefit shall be transferred to and vest in the surviving Connecticut corporation, without further act or deed,

(c) the surviving Connecticut 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 the surviving Connecticut corporation 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 and such bequests, devises, gifts and transfers the same powers, rights and privileges as would have been possessed by the Massachusetts corporation had such merger not been effected;

(d) the surviving Connecticut corporation shall be deemed to have assumed and shall be liable for all the liabilities and obligations of the Massachusetts corporation; and

(e) the surviving Connecticut corporation shall be deemed to have agreed that it may be sued in the commonwealth for any obligation or liability of the Massachusetts corporation and shall be deemed to have

irrevocably appointed the secretary of the commonwealth as its agent to accept service of process in any action for the enforcement of any such obligation or liability.

SECTION 3 The merger shall not be completed —

(a) unless the Massachusetts corporation shall accept this act by the affirmative vote of not less than two-thirds of the members of its executive board present and voting at a meeting called for the purpose at which not less than six members of said executive board are present and by the affirmative vote of not less than two-thirds of the members present and voting at a meeting of members of the Massachusetts corporation called for the purpose; and

(b) unless after acceptance as aforesaid by the Massachusetts corporation the surviving Connecticut corporation shall accept this act by the affirmative vote of not less than a majority of the members of its board of directors present and voting at a meeting called for the purpose and by the affirmative vote of not less than two-thirds of its members, of each class entitled to vote thereon, if it has more than one class, at a meeting called for the purpose

SECTION 4 The merger shall be complete and become effective upon the filing with the secretary of the commonwealth of a certificate signed by the secretary, or some other officer thereunto duly authorized, of the Massachusetts corporation and by the secretary, or some other officer thereunto duly authorized, of the surviving Connecticut corporation, each of whom shall make affidavit setting forth detailed compliance with the provisions of section three. Said certificate shall be filed not later than ninety days after the meeting of members of the surviving Connecticut corporation at which this act is accepted by them.

SECTION 5. Any question 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 March 26, 1964.

Chap. 241. AN ACT PROVIDING THAT APPOINTMENTS AND PROMOTIONS UNDER CIVIL SERVICE MUST BE EFFECTIVE PRIOR TO THE EXPIRATION OF THE ELIGIBLE LISTS THEREFOR

Be it enacted, etc., as follows:

Section 12 of chapter 31 of the General Laws, as most recently amended by chapter 571 of the acts of 1955, is hereby further amended by adding at the end the following paragraph —

No person shall be deemed to have been appointed or promoted to any position requiring certification by the director from an eligible list unless the appointing officer, prior to the date of expiration of such eligible list, shall have notified the director in writing that such person has been so appointed or promoted.

Approved March 26, 1964.

Chap. 242. AN ACT AUTHORIZING CREDIT UNIONS TO MAKE CERTAIN
LOANS UPON COLLATERAL CONSISTING OF CERTAIN COMMON
AND PREFERRED STOCK.

Be it enacted, etc , as follows:

Paragraph 5 of subdivision (A) of section 24 of chapter 171 of the General Laws, as most recently amended by section 22 of chapter 493 of the acts of 1961, is hereby further amended by adding the following sentence. — In addition to the authority given herein, a credit union having assets of five hundred thousand dollars or more may lend an amount not in excess of two per cent of assets upon said collateral and may also secure such notes by taking as collateral therefor the readily marketable common or preferred stocks of corporations listed on a stock exchange which is subject to regulation by the Securities and Exchange Commission, valued at not more than eighty per cent of their market value.

Approved March 26, 1964.

Chap. 243. AN ACT FURTHER DEFINING THE BOUNDARIES OF THE
BURLINGTON WATER AND SEWER DISTRICT AND BROADEN-
ING THE POWERS OF SAID DISTRICT WITH RESPECT TO THE
MANNER OF PROVIDING FOR PAYMENT OF THE COST OF
SEWERS AND CERTAIN OTHER MATTERS

Be it enacted, etc , as follows:

SECTION 1 Chapter 635 of the acts of 1949 is hereby amended by striking out section 1, as amended by section 1 of chapter 726 of the acts of 1962, and inserting in place thereof the following section: —
Section 1. The inhabitants of the town of Burlington, liable to taxation in said town and residing within the territory comprising the town of Burlington as bounded by its corporate limits, excepting that portion in the southwesterly part of the town lying between the boundaries of the towns of Lexington and Bedford, the northerly side of Route 128 and the westerly side of new Route 3, shall constitute a water and sewer district and are hereby made a body corporate by the name of the Burlington Water and Sewer District, hereinafter called the district, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and discontinue the same, to regulate the use of such water and to fix and collect rates to be paid therefor, for the purpose of providing a system of sewage disposal for a part or the whole of its territory, with power to lay out, construct, maintain and operate a system or systems of common sewers, with such connections, pumping stations, treatment plants and other works as may be required for such system of sewage disposal, and to contract for said purposes with any person, corporation, city, town, district or the metropolitan district commission, and for the purposes of assessing and raising taxes as provided herein for the payment of such services, and for defraying the necessary expenses of carrying on the business of said district, subject to all general laws now or hereafter in force relating to such districts, except as otherwise provided herein. Except as otherwise expressly provided herein, the district shall have all the powers of a town granted by sections one through nine, inclusive, fifty-nine A and sixty of

chapter ninety-two of the General Laws, and all provisions of said sections relative to towns shall apply to the district, including without limitation the authority of the metropolitan district commission to contract with any town for the extension thereto of the metropolitan sewerage district system of sewage disposal, the reception and disposal of the sewage therefrom, the admission of any town to said sewerage district, the use by any town of a part of the metropolitan system as a municipal sewer, and the acquisition of the local sewer of any town to become a part of the metropolitan system. The district shall have power to prosecute and defend all actions relating to its property and affairs.

SECTION 2 Section 2A of said chapter 635, inserted by section 3 of said chapter 726, is hereby amended by adding at the end the following sentence. — In connection with its sewerage system, the district may construct, maintain and operate sewers and related installations in any adjoining town or city, provided, that no such sewers shall be laid in a public way in any such town or city without the consent and approval of the board or officers of such town or city having control over the installation of sewer pipes in such ways, pursuant to the provisions of any special law, ordinance or other provisions of law pertaining to said town or city; and provided, further, that nothing herein shall authorize the taking of land in any such adjoining town or city

SECTION 3 Said chapter 635 is hereby further amended by striking out section 5A, inserted by section 6 of said chapter 726, and inserting in place thereof the following two sections — *Section 5A* The district shall, at the time of authorizing each loan referred to in section four A, provide for the payment thereof in accordance with said section four A and determine by vote the proportion, if any, of the annual principal and interest payments thereon the district shall pay as part of the cost of said system. When a vote to that effect has been passed, a general sewer district tax equal to the sum which will be sufficient to pay such proportion of such annual principal and interest payments shall without further vote be assessed upon the entire district by the assessors of said town of Burlington annually thereafter until the debt incurred by said loan has been extinguished. In providing for the payment of the remaining portion of the cost of the part of said sewerage system for the construction of which the proceeds of the loan are to be applied, or any portion of such cost, the district may avail itself of any or all of the methods permitted to towns 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 authorizes each such loan, the district shall by vote determine the proportion of such remaining portion of the cost to be provided for by one or more of said methods, as determined by such vote, and the provisions of section twenty-three of chapter eighty-three of the General Laws shall not apply to require payment of any minimum proportion of costs by the district. The collector of taxes of said town shall certify the payment or payments of such assessments, or apportionments thereof to the commissioners who shall preserve a record thereof.

Section 5B. When one or more votes authorizing loans referred to in section four A have been adopted, if, for any year while any such loans are outstanding, the sum of the amount of taxes to be assessed for interest and principal payments thereon as provided in section five A and estimated proceeds from sewer charges and assessments and other funds to be available for payment of expense of operating the sewer system and required interest and principal payments on such loans and other obligations of the district on account of the sewer system, is less than the sum of such interest and principal payments and amounts appropriated by vote of the district for expense of operating the sewer system and payment of other obligations of the district on account of the sewer system, all as certified to the assessors of said town of Burlington by the commissioners, then, in such event, there shall without further vote be assessed upon the district by said assessors a sewer deficiency tax sufficient to meet such deficiency. At any time when there are no such loans outstanding the district may by vote assess annually a sewer deficiency tax equal to any amount by which the amounts appropriated by vote of the district for expense of operating the sewer system and payment of other obligations of the district on account of the sewer system may exceed the estimated proceeds from sewer charges and assessments and any other funds to be available for payment of the amounts so appropriated.

SECTION 4 Section 7 of said chapter 635, as amended by section 8 of said chapter 726, is hereby further amended by striking out, in lines 15 and 16, the words "tax assessed on account of the system of sewerage under this act" and inserting in place thereof the words: — sewer deficiency tax assessed as provided in section five B.

SECTION 5. Section 10A of said chapter 635, inserted by section 12 of said chapter 726, is hereby amended by striking out, in line 5, the word "all".

SECTION 6 Section 13B of said chapter 635, inserted by section 16 of said chapter 726, is hereby amended by adding at the end the following sentence — The district may enter into contracts with any persons or corporations providing for special contributions by them to the cost of said sewerage system or any portion thereof, or otherwise relating to said system, and for credit against taxation and assessments in connection therewith, each such contract providing for any such credit to be subject to approval by vote of the district

SECTION 7. Said chapter 635 is hereby further amended by inserting after section 13C, as so inserted, the following section. —

Section 13D. Upon a petition in writing addressed to said board of commissioners requesting that certain real estate, accurately described therein, located in said town and abutting on said district and not otherwise served by a public water supply and sewerage system be included within the limits thereof, and signed by the owners of such real estate, or a major portion of such real estate, said 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 8. This act shall take full effect upon its acceptance by vote of a majority of the voters of the Burlington Water and Sewer District present and voting thereon at an annual district meeting or a special district meeting called for the purpose within five years after its passage, but not otherwise.

Approved March 30, 1964.

Chap. 244. AN ACT POSTPONING THE EFFECTIVE DATE OF A CERTAIN ZONING REGULATION IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section 14 of chapter 665 of the acts of 1956, as amended by section 1 of chapter 408 of the acts of 1957, is hereby further amended by striking out, in lines 16 and 17, the words "twelve months have expired after it is so filed" and inserting in place thereof the words: — December thirty-first, nineteen hundred and sixty-four.

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

Approved March 31, 1964.

Chap. 245. AN ACT DESIGNATING THE ADDITION TO THE NURSES' HOME TO BE CONSTRUCTED AT THE WESTERN MASSACHUSETTS HOSPITAL AS THE GEORGE DUFFY CLARK BUILDING.

Be it enacted, etc., as follows.

The addition to the nurses' home to be constructed for the use of the training of practical nurses at the Western Massachusetts hospital shall, upon its completion, be designated and known as the George Duffy Clark Building, in honor of George Duffy Clark, newspaperman, athlete, and public servant in the city of Westfield, who was stricken with paralysis in the prime of life and bore his affliction with exemplary fortitude. The department of public health shall erect a suitable tablet or marker bearing said designation in an appropriate location at said building.

Approved April 1, 1964.

Chap. 246. AN ACT RELATIVE TO BORROWINGS BY CITIES, TOWNS AND DISTRICTS IN ANTICIPATION OF REVENUE.

Be it enacted, etc., as follows:

Section 4 of chapter 44 of the General Laws, as most recently amended by section 2 of chapter 298 of the acts of 1947, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — Cities, towns and fire, water, sewer, light and improvement districts may, by a majority vote, incur debt in the year in which the vote is taken and in the ensuing year for temporary loans in anticipation of the revenue of the financial year in which the debt is incurred, and may issue notes therefor to an amount which for cities and towns shall not exceed in the aggregate the total tax levy of the financial year preceding the year in which the debt is incurred, together with the corporation and income tax received during such financial year, exclusive of special or additional assessments or revenue from any other

source except payments made by the commonwealth in lieu of taxes on account of property taken for institutions or for metropolitan district purposes; and for districts shall not exceed the receipts from taxes, rates and services of the year preceding that in which the debt is incurred, and for newly established districts which have not yet had receipts from taxes, rates and services throughout an entire year an amount as fixed by vote of the district.

Approved April 1, 1964

Chap. 247. AN ACT DESIGNATING THE INTERSTATE HIGHWAY NUMBERED ROUTE 93 AS THE SAMUEL ADAMS HIGHWAY

Be it enacted, etc, as follows

The interstate highway numbered route 93 shall be known and designated as the Samuel Adams Highway. Suitable markers bearing said designation shall be erected along said highway by the department of public works, in compliance with the standards of said department and as authorized by the federal bureau of public roads

Approved April 1, 1964

Chap. 248. AN ACT AUTHORIZING THE APPROPRIATION OF FUNDS TO COVER THE COST OF IN-SERVICE TRAINING FOR CERTAIN MUNICIPAL OFFICERS OR EMPLOYEES.

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 60 of the acts of 1963, 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 any training program or programs for municipal officers or municipal employees, relating to special aspects of their duties and 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, authorized by the board of selectmen in a town, or by the town manager in a town having the same, by the mayor in a city, or by a city manager in a city having the same, if such appropriation is specified to be and is limited to such expenses as aforesaid. Such expenses may also be incurred anywhere within the commonwealth and in such case shall be chargeable against any appropriation of the department incurring the same. Total appropriations in any year under the provisions of this clause for the necessary expenses of municipal officers and employees of any particular department incurred outside the commonwealth shall be limited to one one-hundredth of one per centum of the average assessed valuation in a city or town of the three preceding years.

Approved April 1, 1964.

Chap. 249. AN ACT AUTHORIZING THE SOUTH DEERFIELD WATER SUPPLY DISTRICT TO OBTAIN AN ADDITIONAL WATER SUPPLY.

Be it enacted, etc., as follows:

SECTION 1 For the purposes set forth in chapter four hundred and eighty-six of the acts of nineteen hundred and two and for the added purpose of increasing and protecting its water supply, the South Deerfield Water Supply District, hereinafter called the district, acting by and through its board of water commissioners, may take by eminent domain under chapter seventy-nine of the General Laws or acquire by lease, purchase or otherwise, and hold, the waters, or any portion thereof, of any pond, spring or stream, or of any ground sources of supply, by means of driven, artesian or other wells or ponds within the land area hereinafter described; 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 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.

Said land area is located in the town of Deerfield and is bounded and described as follows Beginning at a stone monument in the southwesterly corner of the Deerfield, Conway town line, thence northerly along the said town line 3,959 feet to a stone monument, thence continuing northerly along said town line about 10,000 feet to a point on the said town line on the northerly sideline of Route 116, known as Conway Road, thence northerly 1,800 feet along the said town line to a point, thence S 70° E about 8,400 feet to the intersection of Sand Gully and Lee Roads as relocated by the layout of Interstate Route 91, said intersection being a corner of the southerly line of a proposed extension of the Deerfield Fire District, thence easterly and southerly along Lee Road and Mill Village Road to a point in the easterly line of Mill Village Road, said point being the northwest corner of Walter Laczynski and the southwest corner of Elizabeth Fuller; thence easterly about 3,150 feet following the south line of the said Fire District extension to the northwest corner of the 1948 extension of the South Deerfield Water District, thence S 83° 45' E a distance of 4,550 feet to a point in the northeast corner of said extension, thence continuing S 83° 45' E about 8,450 feet to the west bank of the Connecticut River; thence southerly and southwesterly on the bank of said river to the Deerfield, Whately town line, thence westerly following the said town line to the stone monument at the point of beginning

SECTION 2. The district may construct and maintain on the lands acquired and held under this act proper dams, wells, springs, reservoirs, standpipes, tanks, pumping plants, buildings, fixtures and other structures, including also the establishment and maintenance of filter beds and purification works or systems, and may make excavations, procure and operate machinery and provide such other means and appliances,

and do such other things as may be necessary for the establishment and maintenance of complete and effective water works, and for that purpose may construct pipe lines, wells and reservoirs and establish pumping works, and may construct, lay, acquire and maintain aqueducts, conduits, pipes and other works under or over any land, water courses, and public or other ways, and along such ways, in said town, in such manner as not unnecessarily to obstruct the same, and for the purposes of constructing, laying, maintaining, operating and repairing such aqueducts, conduits, pipes and other works, and for all proper purposes of this act, the district may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel on such ways, provided, that the manner in which all things are done upon any such way shall be subject to the direction of the selectmen of the town of Deerfield. 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 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 This act shall take effect upon its passage

Approved April 4, 1964

Chap. 250. AN ACT CLARIFYING THE LAW RELATIVE TO ADDITIONAL TIME OFF OR ADDITIONAL PAY FOR CERTAIN MEMBERS OF THE FIRE DEPARTMENT OF THE CITY OF WORCESTER WHO ARE REQUIRED TO WORK ON CERTAIN LEGAL HOLIDAYS.

Be it enacted, etc., as follows:

SECTION 1. The provisions of section one of chapter five hundred and fifty-one of the acts of nineteen hundred and fifty-eight shall apply to those members of the fire department of the city of Worcester who are employed in the administrative office, fire prevention division, maintenance division, fire alarm division and drill school of said department.

SECTION 2. This act shall take effect upon its acceptance by the city of Worcester.

Approved April 4, 1964.

Chap. 251. AN ACT RELATIVE TO THE PAYMENT OF BENEFITS BY HOLYOKE POLICE RELIEF ASSOCIATION.

Be it enacted, etc., as follows:

Holyoke Police Relief Association, a corporation duly established by law, acting by its board of directors, is hereby authorized to pay or cause to be paid from its death fund to any member in good standing, upon the death of his wife or her husband, such sum of money not exceeding five hundred dollars, as may from time to time be fixed by vote of said corporation. Any amount paid in accordance with this provision shall reduce the death benefit otherwise available upon the death of such member.

Approved April 6, 1964.

Chap. 252. AN ACT RELATIVE TO THE CORPORATE POWERS OF THE HOLYOKE POLICE RELIEF ASSOCIATION.

Be it enacted, etc., as follows:

Holyoke Police Relief Association, a corporation duly established by law, is hereby authorized, upon the retirement from the police department of the city of Holyoke of any member in good standing, to pay to such member such sum, not exceeding one thousand dollars, as may be determined by vote of said corporation. Any amount paid in accordance with this provision shall reduce the death benefit otherwise available upon the death of such member. *Approved April 6, 1964.*

Chap. 253. AN ACT REQUIRING ALL ADVERTISEMENTS RELATING TO OCEAN CRUISES AND ALL TICKETS FOR SUCH CRUISES TO INDICATE THE FLAG OF REGISTRY OF THE VESSEL TO BE USED ON SUCH CRUISE.

Be it enacted, etc., as follows:

Section 277B of chapter 94 of the General Laws, as most recently amended by chapter 94 of the acts of 1963, is hereby further amended by inserting after the second paragraph the following paragraph —

No person shall sell, or advertise, offer or expose for sale any passenger tickets for ocean cruises unless such tickets, or such advertisement, contain a statement indicating the flag of registry of the vessel.

Approved April 6, 1964.

Chap. 254. AN ACT FORBIDDING A PERSON WHO CHANGES HIS PARTY ENROLLMENT FROM BEING A CANDIDATE FOR NOMINATION FOR CERTAIN OFFICES FOR ONE YEAR.

Whereas, The deferred operation of this act would tend to defeat its purpose which is, in part, to make its provisions applicable to the printing of names on the ballot to be used at any special election held after its effective date, 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 paragraph of section 48 of chapter 53 of the General Laws, as appearing in chapter 332 of the acts of 1951, is hereby amended by adding the following sentence — No such certificate shall be issued to any person who is a candidate for nomination for any such office, if such person has changed his party enrollment less than one year prior to the last day for filing nomination papers with the state secretary as provided by this section. *Approved April 7, 1964.*

Chap. 255. AN ACT RELATIVE TO THE FILLING OF VACANCIES IN THE CITY COUNCIL AND SCHOOL COMMITTEE OF THE CITY OF MALDEN.

Be it enacted, etc., as follows:

SECTION 1. The third paragraph of section 9 of chapter 169 of the acts of 1881 is hereby amended by striking out the last sentence, as

appearing in section 1 of chapter 286 of the acts of 1958, and inserting in place thereof the following sentence — The city council shall keep a record of its own proceedings, and judge of the election of its own members

SECTION 2. Said section 9 of said chapter 169, as so appearing, is hereby further amended by adding at the end the following paragraph —

If at any time a vacancy occurs in the office of councillor-at-large 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 defeated candidates for the office of councillor-at-large at the regular municipal election at which councillors-at-large 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, a registered voter of the city duly qualified to vote for the office of councillor-at-large in which the vacancy occurs. If at a regular municipal election there is a failure to elect a councillor-at-large, or if a person elected councillor-at-large at such an election dies or resigns before taking office or refuses to accept the same, the city clerk shall, as soon as conveniently may be after the remaining city councillors take office, notify the city council of such failure to elect or accept, death or resignation; and within fifteen days after such notification, the members thereof shall choose, as councillor-at-large for the unexpired term, whichever of the defeated candidates for the office of councillor-at-large 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, a registered voter of the city duly qualified to vote for a candidate for the office of councillor-at-large 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. If at any time a vacancy occurs in the city council for the office of ward councillor or if at a regular municipal election there is a failure to elect a ward councillor, or if a person elected to such office at such an election dies or resigns before taking office or refuses to accept the same, the mayor and city council shall issue their warrant for a special election to fill such vacancy, provided, however, that in a municipal election year, if any such vacancy occurs after July first, no special election shall be held to fill such vacancy.

SECTION 3. Section 24 of said chapter 169 is hereby amended by striking out the sixth sentence and inserting in place thereof the following two sentences — If at any time a vacancy occurs in the school committee from any cause, the mayor, the president of the city council and the remaining school committeemen, meeting in joint convention, shall, within fifteen days after the vacancy arises, choose, as school committeeman for the unexpired term, whichever of the defeated candidates for the office of school committeeman at the regular municipal election at which school committeemen were elected for the term in which the vacancy occurs, who are eligible and willing to serve, received the high-

est number of votes at such election, or, if there is no such defeated candidate eligible and willing to serve, a registered voter of the city duly qualified to vote for a candidate for the office of school committeeman. If at a regular municipal election there is a failure to elect a school committeeman or if a person elected school committeeman at such an election resigns or dies before taking office or refuses to accept the same, within fifteen days after the remaining school committeemen-elect take office, such school committeemen and the then mayor and the then president of the city council shall meet in joint convention and choose, as school committeeman for the unexpired term, whichever of the defeated candidates for the office of school committeeman at such election, who are 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, a registered voter of the city duly qualified to vote for a candidate for the office of school committeeman.

SECTION 4 This act shall take effect upon its acceptance by the city of Malden.

Approved April 7, 1964.

Chap. 256. AN ACT PROVIDING A FINAL FILING DATE FOR THE PLACING OF CERTAIN QUESTIONS ON THE ELECTION BALLOT.

Be it enacted, etc., as follows:

Section 58A of chapter 54 of the General Laws is hereby amended by adding at the end the following paragraph —

The final date for notifying, or filing a petition with, the city or town clerk or the state secretary to place such a question on the ballot shall be, if no final date is otherwise provided, thirty-five days before the city or town election or sixty days before the state election

Approved April 7, 1964.

Chap. 257. AN ACT REQUIRING THE TAGGING OF SHELLFISH PROCESSED IN A PURIFICATION PLANT AND REGULATING THE TAKING OF CERTAIN MARINE PLANTS.

Be it enacted, etc., as follows:

SECTION 1. Section 82 of chapter 130 of the General Laws is hereby amended by inserting after the first sentence, as appearing in section 1 of chapter 598 of the acts of 1941, the following sentence — If such shellfish have been processed at a shellfish purification plant operated under the provisions of section seventy-six, the label or tag shall be so marked, and shall contain such other information as the director may by rule or regulation require

SECTION 2 Said chapter 130 is hereby further amended by striking out section 102, as so appearing, and inserting in place thereof the following section — *Section 102.* No person shall take by mechanical means Irish moss or kelp, marine plants of the species *chondrus crispus*, except with the written approval of the director and in accordance with such rules and regulations relative thereto as he may adopt.

Approved April 7, 1964.

Chap. 258. AN ACT RELATIVE TO THE ORGANIZATION OF CREDIT UNIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 171 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the first two sentences and inserting in place thereof the following two sentences. — Ten or more persons, resident in the commonwealth, who have associated themselves by a written agreement with the intention of forming a corporation for the purpose of accumulating and investing the savings of its members and making loans to them for provident purposes, may, with the consent of the commissioner, become such a corporation upon complying with section three. Said commissioner may grant such consent when satisfied that the proposed field of operation is favorable to the success of such corporation, and that the standing of the proposed incorporators is such as to give assurance that its affairs will be administered in accordance with the spirit of this chapter.

SECTION 2. Section 3 of said chapter 171 is hereby amended by striking out the first sentence, as most recently amended by chapter 536 of the acts of 1962, and inserting in place thereof the following two sentences. — Credit unions shall be organized under the provisions, so far as applicable, of sections six to ten, inclusive, of chapter one hundred and seventy-two after such notice and hearing, if any, as the commissioner may require. The fee for filing and recording the articles of organization, including the issuing by the state secretary of the certificate of incorporation, shall be ten dollars.

SECTION 3 The last paragraph of section 30 of said chapter 171, as appearing in chapter 90 of the acts of 1946, is hereby amended by striking out the first two sentences and inserting in place thereof the following two sentences. — Any credit union operating under a charter other than one issued by the commonwealth and having a usual place of business therein, may, if authorized by a vote of at least a majority of its members present and voting at a meeting specially called for that purpose, make application to the commissioner for consent for incorporation under this chapter. Said commissioner may grant his consent to such incorporation when satisfied that the assets of such credit union qualify for investment by a credit union incorporated under this chapter.

Approved April 7, 1964.

Chap. 259. AN ACT RELATIVE TO THE TIME FOR FILING PETITIONS FOR JUDICIAL REVIEW OF DECISIONS OF THE STATE BALLOT LAW COMMISSION.

Be it enacted, etc., as follows.

The last sentence of the second paragraph of section 32 of chapter 6 of the General Laws, added by section 2 of chapter 193 of the acts of 1957, is hereby amended by striking out, in line 3, the word "ten" and inserting in place thereof the word. — five.

Approved April 7, 1964.

Chap. 260. AN ACT INCREASING THE NUMBER OF SIGNATURES REQUIRED ON PRIMARY NOMINATION PAPERS.

Be it enacted, etc., as follows:

Chapter 53 of the General Laws is hereby amended by striking out section 44, as most recently amended by chapter 249 of the acts of 1955, and inserting in place thereof the following section: — *Section 44.* The nomination of candidates for nomination at state primaries shall be by nomination papers or by endorsement for nominations by state convention as provided in section fifty-four. In the case of offices to be filled by all the voters of the commonwealth, nomination papers shall be signed in the aggregate by at least five thousand voters, not more than twelve hundred and fifty of the total number required to be from any one county. Such papers for all other offices to be filled at a state election shall be signed by a number of voters as follows. — for representative in congress, two thousand voters, for councillor, district attorney, clerk of courts, register of probate and insolvency, register of deeds, county commissioner, sheriff and county treasurer, one thousand voters, for state senator, three hundred voters, for representative in the general court and commissioners to apportion Suffolk county, one hundred and fifty voters, provided, however, that if ten per cent of the number of voters in the respective district who are enrolled in the party whose nomination the candidate seeks is a lesser number than the aggregate required above, then such ten per cent shall be the required aggregate. The total number of such enrolled voters shall be determined from the records in the office of the state secretary. In Dukes and Nantucket counties such papers for nomination to all offices within the county to be filled at any state election shall be signed by twenty-five voters.

Approved April 7, 1964.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, April 22, 1964.

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 260 of the Acts of 1964 entitled "An Act Increasing the Number of Signatures Required on Primary Nomination Papers" and the enactment of which received my approval on April 7, 1964, 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. You, as the Secretary of State, have informed me that if said law is permitted to take effect in due course, an advantage would accrue to those candidates for nomination in the forthcoming September primaries who file their nomination papers prior to such effective date over those who file subsequent to such effective date in that the number of minimum signatures required under said law is greater than those

required under existing law; and that by declaring such law an emergency it will provide uniform treatment for all candidates. Therefore I concur with the Election Division of your office that this act should become effective at once.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth

OFFICE OF THE SECRETARY, BOSTON, April 22, 1964

I, Kevin H. White, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at ten o'clock and forty-five minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter two hundred and sixty of the acts of nineteen hundred and sixty-four.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 261. AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO REVOKE ITS ACCEPTANCE OF THE VISUAL TAG LAW, SO CALLED.

Be it enacted, etc., as follows:

The city of Springfield 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 April 7, 1964.

Chap. 262. AN ACT AUTHORIZING THE TEMPORARY RECEIPT OF MILK FROM UNREGISTERED DAIRY FARMS FOR SALE WITHIN THE COMMONWEALTH IF A SHORTAGE EXISTS OR IS IMMINENT.

Be it enacted, etc., as follows:

Chapter 94 of the General Laws is hereby amended by striking out section 16H, inserted by section 3 of chapter 305 of the acts of 1932, and inserting in place thereof the following section — *Section 16H.* Whenever the quantity of fresh milk available from registered dairy farms is, for each of three consecutive months, less than one hundred and thirty per cent of the quantity disposed of by licensed milk dealers as fluid milk within the commonwealth, the board shall authorize the director to approve the temporary receipt, by any licensed milk dealer applying therefor, of milk produced on unregistered dairy farms in such areas as the board may approve; provided, that such milk shall not otherwise be exempted from compliance with the Massachusetts standards for fluid milk. and provided, further, that subject to the discretion of the board, the director may be authorized to inspect and register such farms under the provisions of section sixteen C to the extent necessary to assure a

continued supply of fresh milk to the Massachusetts market at a level which shall be not less than one hundred and thirty per cent of the quantity of fluid milk disposed of within the commonwealth. Nothing in this section shall be construed as preventing the board, for emergency reasons involving the public health, from authorizing the temporary receipt of otherwise acceptable milk from unregistered farms for such periods, and in such volume as the board may determine to be necessary or advisable

Approved April 7, 1964.

Chap. 263. AN ACT DESIGNATING A CERTAIN BRIDGE OVER THE MASSACHUSETTS TURNPIKE AT WOODLAND ROAD IN THE AUBURNDALE SECTION OF THE CITY OF NEWTON AS THE LASELL BRIDGE

Be it enacted, etc , as follows.

SECTION 1. The bridge over the Massachusetts Turnpike at Woodland road in the Auburndale section of the city of Newton shall be designated and known as the Lasell bridge, and a suitable marker bearing said designation shall be attached thereto by the Massachusetts Turnpike Authority. The cost of said marker shall be paid for by Lasell Junior College.

SECTION 2. This act shall take effect upon its acceptance by the Massachusetts Turnpike Authority.

Approved April 7, 1964.

Chap. 264. AN ACT AUTHORIZING CITIES AND TOWNS TO BORROW ON ACCOUNT OF PUBLIC WELFARE AND VETERANS' BENEFITS

Be it enacted, etc , as follows.

SECTION 1. Subject to the provisions of this act, any city or town, by a two-thirds vote as defined in section one of chapter forty-four of the General Laws, and with the approval of the mayor or selectmen and of the emergency finance board established under section one of chapter forty-nine of the acts of nineteen hundred and thirty-three, may borrow in each of the years nineteen hundred and sixty-four and nineteen hundred and sixty-five inside its limit of indebtedness as prescribed by section ten of said chapter forty-four, for use only for meeting appropriations made or to be made for public welfare, including in such term old age assistance, medical assistance for the aged, aid to families with dependent children, and disability assistance, and for veterans' benefits to an amount not more than one half of one per cent of the average of the assessors' valuation of its taxable property for the three preceding years, such valuation to be reduced and otherwise determined as provided in said section ten of said chapter forty-four, and may issue bonds or notes therefor, which shall bear on their face the words (name of city or town) Municipal Relief Loan, Act of 1964. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than five years from their dates, as said board shall fix, and, except as herein provided, shall be subject to said chapter forty-four, exclusive of the limitation contained in the first paragraph of section seven thereof.

Loans may be issued hereunder in the year nineteen hundred and sixty-four or nineteen hundred and sixty-five, as the case may be, only

by a city or town which in such year has appropriated to be raised by taxation, or appropriated from available funds, for the purposes enumerated in the preceding paragraph, an amount not less than ninety per cent of its expenditures made in the year preceding the year of issue for veterans' benefits, and for public welfare, including in such term old age assistance, medical assistance for the aged, aid to families with dependent children, and disability assistance, made otherwise than from the proceeds of federal grants, all as determined by the board.

If a loan under authority of this act has been approved by said board during the year nineteen hundred and sixty-four or nineteen hundred and sixty-five for a city or town, the amount of any appropriation voted by such city or town for said year for public welfare, including in such term old age assistance, medical assistance for the aged, aid to families with dependent children, disability assistance, and veterans' benefits, shall not be reduced during the said year by appropriation, transfer or otherwise, except with the written approval of the board. Whenever used in this act, the words "veterans' benefits" shall include the forms of aid to veterans now or formerly known as state aid, military aid, soldiers' relief, and soldiers' burials, or any words or phrases connoting the same.

SECTION 2 A loan order voted in any city under authority of this act shall be deemed to be an emergency order and as such may be passed in such manner as is provided for emergency orders or ordinances in its charter, and shall be in full force and effect immediately upon final favorable action thereon by its city council or chief executive, as the case may be, or upon expiration of any period specified by such charter for the approval or disapproval of such orders by its chief executive in any case where he fails to approve or disapprove such an order within such period, notwithstanding any provision of general or special law or ordinance to the contrary, provided, that in the city of Boston such loan orders may be passed in the manner provided in its charter for loan orders for temporary loans in anticipation of taxes.

SECTION 3 In any city a loan order under authority of this act may be passed by vote of two-thirds of all the members of the city council, or of each branch thereof where there are two branches, notwithstanding any provision of law to the contrary. *Approved April 7, 1964.*

Chap. 265. AN ACT AUTHORIZING THE COMMONWEALTH TO GRANT AN ANNUITY TO F. MILDRED DILLON OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1 Notwithstanding any provision of law to the contrary, there shall be paid to F. Mildred Dillon of Boston, widow of Frederick J. Dillon, a former judge of probate in the county of Suffolk who had served in that office for more than nineteen years until his death in nineteen hundred and fifty-four, an annuity equal to that which she would have been entitled had section sixty-five C of chapter thirty-two of the General Laws been in effect at the time of the death of said Judge Dillon and had he reached age fifty-five at the time of his death.

SECTION 2. The annuity payable under this act shall commence with the month next following the effective date of this act.

Approved April 8, 1964.

Chap. 266. AN ACT PROVIDING A PENALTY FOR THE UNLAWFUL DISTRIBUTION OF ABSENT VOTER BALLOTS

Be it enacted, etc., as follows:

Chapter 56 of the General Laws is hereby amended by inserting after section 27 the following section: —

Section 27A. Whoever, at any election at which absent voting is permitted, knowingly and wilfully delivers an absent voter ballot to a voter or other person in any other manner than is provided for in section eighty-nine of chapter fifty-four shall be punished by a fine of not more than five hundred dollars

Approved April 8, 1964.

Chap. 267. AN ACT INCREASING THE MINIMUM SALARY OF PUBLIC SCHOOL TEACHERS.

Be it enacted, etc., as follows:

SECTION 1. Section 40 of chapter 71 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 594 of the acts of 1962, and inserting in place thereof the following sentence. — The compensation of every teacher employed in any public day school in the commonwealth, except persons in training and those employed as temporary substitutes, shall be at a rate of not less than five thousand dollars for the school year

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

Approved April 9, 1964.

Chap. 268. AN ACT PROVIDING FOR PENSIONS TO WIDOWS OF CERTAIN FIRE FIGHTERS OR POLICE OFFICERS WHO ARE KILLED IN THE PERFORMANCE OF DUTY

Be it enacted, etc., as follows:

Chapter 32 of the General Laws is hereby amended by adding at the end the following section: —

Section 100 Notwithstanding any provision of this chapter or of any other law, if a fire fighter while in the performance of his duties and as the result of an accident while responding to an alarm of fire or while at the scene of a fire is killed or sustains injuries which result in his death, or if a police officer while in the performance of his duties and as the result of an assault on his person is killed or sustains injuries which result in his death, there shall be paid to the widow of such fire fighter or such police officer an annual amount of pension which shall be equal to the amount of salary which would have been paid to such fire fighter or such police officer, had he continued in service in the position held by him at the time of his death, provided, however, that upon the date at which such fire fighter or police officer would have reached the maximum retirement age for his group such pension shall be reduced to an amount equal to the amount that such fire fighter or police officer would have received had he lived and been retired at his maximum retirement age. Any pension payable to a widow under this section shall be paid to her so long as she remains unmarried In the event of the death or remarriage of any

widow eligible to receive a pension under this section, and in case there is any child of such deceased fire fighter or police officer, there shall be paid to the guardian of each such child the sum of three hundred and twelve dollars per annum until such time as such child shall have attained age eighteen, or if there is any child of such deceased fire fighter or police officer who is over age eighteen and who is physically or mentally incapacitated from earning, there shall be paid to such child or to the guardian, if any, the sum of three hundred and twelve dollars per annum

The benefits provided by this section shall be in the alternative to the benefits provided by any other section of this chapter, provided, however, that if any such deceased fire fighter or police officer was a member of a contributory retirement system established under the provisions of section twenty, any accumulated total deductions credited to his account in the annuity savings fund of such system shall be paid in one sum, in accordance with the provisions of subdivision (2) of section eleven, to his surviving beneficiary or beneficiaries entitled thereto.

The benefits payable under this section to the widow of such deceased fire fighter or police officer shall be paid as follows. — if her husband was a member of the state employees' retirement system or any county, city or town contributory retirement system, as the case may be, established under the provisions of sections one to twenty-eight, inclusive, or under corresponding provisions of earlier laws, and subject thereto, or any contributory retirement system established for the employees of any governmental unit under the provisions of any special law, from the same appropriation, and in the same manner, as accidental death benefits payable under the provisions of section nine, if her husband was not a member of a contributory retirement system, from the same appropriation, and in the same manner, as annuities to dependents payable under the provisions of section eighty-nine or section eighty-nine A

If any fire fighter or police officer is killed or sustains injuries resulting in his death, in the manner set forth in this section, and he was so killed or sustained such injuries while assisting another governmental unit, pursuant to the provisions of subdivision (4) of section seven, the benefits provided by this section shall be paid to the widow as provided in the preceding paragraph, but the governmental unit which requested such assistance shall annually, on or before January fifteenth, reimburse the governmental unit which had employed such deceased fire fighter or police officer in the amount of any benefits paid to his widow during the preceding calendar year

The presumptions created by sections ninety-four and ninety-four A shall not be applicable to the death of any fire fighter or police officer for which a pension is provided under this section

This section shall be administered by the state board of retirement as to employees of the commonwealth or the metropolitan district commission; by the appropriate retirement board, established under section twenty, having jurisdiction in the governmental unit in which any such fire fighter or police officer was employed at the time of his death, or if such fire fighter or police officer was employed by a town and was not a member of any contributory retirement system, by the board of selectmen of such town.

Approved April 9, 1964.

Chap. 269. AN ACT ESTABLISHING THE OFFICE OF DEPUTY COMMISSIONER AND GENERAL COUNSEL IN THE DIVISION OF BANKS AND LOAN AGENCIES

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for a deputy commissioner and general counsel of the division of banks and loan agencies who shall exercise and perform the powers and duties of the commissioner of banks during the absence or disability of said commissioner and his deputy, or in the event of vacancies in the offices of said commissioner and deputy 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 most recently amended by chapter 441 of the acts of 1963, is hereby further amended by striking out the first two sentences and inserting in place thereof the following three sentences — Subject to the approval of the governor and council, the commissioner may appoint and remove a deputy commissioner, and a deputy commissioner and general counsel 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 In case of the absence or disability of the commissioner and the deputy commissioner, the deputy commissioner and general counsel shall exercise and perform the powers and duties of the office of commissioner

Approved April 10, 1964

Chap. 270. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE CITY OF CAMBRIDGE MAY BORROW FOR THE PURPOSE OF CONSTRUCTING AN ADDITION TO THE CAMBRIDGE CITY HOSPITAL AND FOR RECONSTRUCTING OR REMODELING THE EXISTING HOSPITAL FACILITIES

Be it enacted, etc , as follows:

SECTION 1 Chapter 506 of the acts of 1957 is hereby amended by striking out section 1, as most recently amended by section 1 of chapter 421 of the acts of 1962, and inserting in place thereof the following section — *Section 1.* For the purpose of constructing an addition to the Cambridge City Hospital, for originally equipping and furnishing said building, and for remodeling or reconstructing the existing hospital buildings, or for the construction of a new hospital building or buildings, and for equipping and furnishing said building or buildings, in another location within the confines of the city, the city of Cambridge may borrow, from time to time, within a period of ten years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, six million dollars and may issue bonds or notes therefor which shall bear on their face the words, Cambridge Hospital Loan, Act of 1957. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates Indebtedness incurred under this act shall be in excess of the statutory limit but shall, except as provided herein, be subject to chapter forty-four of the General Laws, excluding the limitation contained in the first paragraph of section seven thereof

SECTION 2. This act shall take effect upon its passage

Approved April 10, 1964

Chap. 271. AN ACT EXTENDING THE TIME FOR CHANGING THE REGISTRATION PLATES OF A DULY REGISTERED MOTOR VEHICLE.

Be it enacted, etc, as follows:

The first sentence of section 9 of chapter 90 of the General Laws, as appearing in chapter 85 of the acts of 1956, is hereby amended by striking out, in line 12, the word "first" and inserting in place thereof the word — second.

Approved April 10, 1964.

Chap. 272. AN ACT RELATIVE TO THE APPOINTMENT OF THE COUNTY HEALTH OFFICER IN THE COUNTY OF BARNSTABLE

Be it enacted, etc, as follows:

SECTION 1. Chapter 133 of the acts of 1926 is hereby amended by striking out section 1, as amended by section 1 of chapter 193 of the acts of 1928, and inserting in place thereof the following section: —
Section 1. The county commissioners of Barnstable county may appoint a person qualified in the field of public health as county health officer, such qualification to be determined by the county commissioners, subject to approval by the state commissioner of public health. Such county health officer shall perform such duties as the said commissioners may prescribe and may, upon written application of the board of health of any town within said county filed with the said commissioners, act as inspector of milk or agent of the board of health in such town. Said commissioners may appoint such assistants and clerks to assist said officer as said commissioners deem proper. The county health officer, assistants and clerks so appointed shall be paid by said county such salaries as shall be established by said commissioners and necessary expenses incurred in the performance of their duties.

SECTION 2. This act shall take effect upon its acceptance during the current year by the county commissioners of the county of Barnstable, but not otherwise.

Approved April 10, 1964.

Chap. 273. AN ACT REQUIRING CONVALESCENT OR NURSING HOMES AND REST HOMES TO PROCURE MEDICINE AND DRUGS FOR PATIENTS RECEIVING OLD AGE ASSISTANCE FROM PHARMACIES CHOSEN BY SUCH PATIENTS.

Be it enacted, etc., as follows:

SECTION 1. The last paragraph of section 1 of chapter 118A of the General Laws, as appearing in section 5 of chapter 781 of the acts of 1960, is hereby amended by adding at the end the following sentence: — A convalescent or nursing home furnishing care to an individual who is receiving assistance under the provisions of this section shall obtain from such individual the name of the pharmacy of his choice, shall maintain a record of such choice, and shall obtain all medicines and drugs prescribed for such individual from such pharmacy and no other, provided that such pharmacy is in the same town as the convalescent or nursing home and maintains a delivery service.

SECTION 2. Section 1A of said chapter 118A of the General Laws, as most recently amended by section 6 of chapter 781 of the acts of 1960,

is hereby further amended by adding at the end the following sentence: — Any such home furnishing care under the provisions of this section to a person who is a recipient of old age assistance shall obtain from such person the name of the pharmacy of his choice, shall maintain a record of such choice, and shall obtain all medicines and drugs prescribed for such person from such pharmacy and no other, provided that such pharmacy is in the same town as such home and maintains a delivery service.

Approved April 10, 1964

Chap. 274. AN ACT INCREASING THE AMOUNT OF MONEY THE COUNTY COMMISSIONERS OF THE COUNTY OF DUKES COUNTY MAY EXPEND FOR THE PURPOSE OF PROMOTING THE RECREATIONAL ADVANTAGES OF SAID COUNTY.

Be it enacted, etc., as follows:

Section 1 of chapter 134 of the acts of 1938, as most recently amended by section 1 of chapter 58 of the acts of 1953, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence — The county commissioners of the county of Dukes County may, for the purpose of advertising the recreational advantages of said county and for operating information booths in said county, expend such sums, not exceeding forty thousand dollars in any one year, as may be appropriated therefor.

Approved April 10, 1964.

Chap. 275. AN ACT RELATIVE TO THE ACTION TO BE TAKEN BY PERSONS WHO ARE AUTHORIZED TO MAKE SUSPENSIONS OF CIVIL SERVICE EMPLOYEES FOR A PERIOD NOT EXCEEDING FIVE DAYS.

Be it enacted, etc., as follows.

Paragraph (e) of section 43 of chapter 31 of the General Laws, as most recently amended by chapter 26 of the acts of 1963, is hereby further amended by striking out the second, third and fourth sentences and inserting in place thereof the following three sentences — The officer or employee suspended shall be reinstated by the person authorized to make the suspension at the expiration of the period of such suspension, but shall not be entitled to compensation for such period unless, as hereinafter provided, the suspension is found after hearing or upon appeal to have been without just cause. Within twenty-four hours after his suspension, such officer or employee shall be given a copy of sections forty-three, forty-five and forty-six A, by the person authorized to make the suspension, together with a written notice stating the specific reason for the suspension and informing him that he may, within forty-eight hours of his receipt of such notice, request in writing a hearing by the appointing authority on the question of whether there was just cause for the suspension and if he so requests he shall be given a hearing within five days of the receipt of such request by the appointing authority. A copy of the notice of suspension to the officer or employee shall be forwarded forthwith to the director of civil service by the person authorized to make the suspension, together with a request for the approval of reinstatement of the officer or employee to be effective at the expiration of the period of suspension.

Approved April 10, 1964.

Chap. 276. AN ACT AUTHORIZING THE CITY COUNCIL OF THE CITY OF WORCESTER TO ESTABLISH THE COMPENSATION OF THE CITY MANAGER OF SAID CITY WITHOUT LIMITATION

Be it enacted, etc., as follows:

Notwithstanding the provisions of section one hundred and three of chapter forty-three of the General Laws, the city council of the city of Worcester may establish the compensation of the city manager at such sum as it may fix by ordinance

Approved April 10, 1964.

Chap. 277. AN ACT REQUIRING CONVALESCENT OR NURSING HOMES TO BE OF FIREPROOF OR FIRE-RESISTANT CONSTRUCTION.

Be it enacted, etc., as follows:

Section 71 of chapter 111 of the General Laws is hereby amended by adding the following two paragraphs —

Notwithstanding any of the foregoing provisions of this section no original license for the establishment or maintenance of a convalescent or nursing home shall be issued by the department unless the applicant for such license submits to the department a certificate of an inspector of the division of inspection of the department of public safety that each building to be occupied by patients of such convalescent or nursing home is of at least Class 2 construction as set forth in rules and regulations of said department relating to structural safety and prevention of fire in connection with the construction of school houses

No major repair, alteration, or addition shall be made to any licensed convalescent or nursing home unless such major repair, alteration or addition is made in accordance with the same standards relative to fireproof construction and fire-resistive materials as are required of an applicant for an original license for the establishment or maintenance of a nursing or convalescent home, nor shall any such major repair, alteration or addition be made without the prior approval of the commissioner or of a qualified person designated by him.

Approved April 13, 1964.

Chap. 278. AN ACT REQUIRING THE WOODS HOLE, MARTHA'S VINEYARD AND NANTUCKET STEAMSHIP AUTHORITY TO AWARD CERTAIN CONTRACTS TO THE LOWEST BIDDER

Be it enacted, etc., as follows:

Section 15 of chapter 701 of the acts of 1960 is hereby amended by adding at the end the following paragraph —

No contract shall be awarded by the Authority for construction work or for the purchase of equipment, supplies or materials, whether for repairs or original construction, the estimated cost of which amounts to one thousand dollars or more, except in cases of special emergency involving the health, convenience or safety of the people using the facilities of the Authority, unless proposals for the same have been invited by advertisements in at least one newspaper published in each of the towns of Falmouth and Nantucket and the county of Dukes County once a week for at least two consecutive weeks, the last publication to

be at least one week before the time specified for the opening of said proposals. Such advertisements shall state the time and place where plans and specifications of proposed work or supplies may be had and the time and place for opening the proposals in answer to said advertisements. Every such contract shall be awarded to the lowest responsible and eligible bidder, provided, however, the Authority may reject any such proposal if it is in the public interest. Nothing hereinbefore contained shall be construed as requiring the invitation of proposals for engineering or architectural work in connection with a proposed project

Approved April 13, 1964.

Chap. 279. AN ACT EXEMPTING CERTAIN SAVINGS DEPOSITS IN A TRUST COMPANY FROM THE LIMITATIONS ON THE AMOUNT TO BE HELD IN SAVINGS DEPOSITS ACCOUNTS

Be it enacted, etc , as follows:

Section 51 of chapter 172 of the General Laws, as amended by chapter 376 of the acts of 1963, is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph —

Said limitations 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 thereof, deposits by a religious, charitable or educational corporation or organization, a 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 or deposits on account of a sinking fund of a town in the commonwealth, 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, deposits in such corporation acquired by any person or persons by inheritance or bequest, deposits of the funds of any state, county or municipal retirement or pension system or association, deposits of the funds of any private retirement or pension system or association, and deposits of funds of any housing authority created under section twenty-six K of chapter one hundred and twenty-one

Approved April 13, 1964

Chap. 280. AN ACT RELATIVE TO INVESTMENTS BY SAVINGS BANKS.

Be it enacted, etc , as follows.

Subdivision B of section 44 of chapter 168 of the General Laws, as appearing in section 1 of chapter 432 of the acts of 1955, is hereby amended by striking out paragraph 5 and inserting in place thereof the following paragraph —

5 *Security* — Such equipment obligations shall be secured by a first lien on, or by a lease of, or conditional sale of, standard gauge railroad equipment that is new or is sold by the manufacturer with the same warranties as to workmanship and materials as in the case of new equipment, free from any other encumbrances, for the purchase of which obligations were issued at not exceeding ninety per cent of the purchase price of such equipment, provided that, pending the completion and delivery of the

equipment, such obligations may be secured by cash, deposited with or to the credit of the trustee under the instrument under which such securities were issued, in an amount not less than the principal amount of all such obligations outstanding

Approved April 13, 1964.

Chap. 281. AN ACT RELATIVE TO THE OBSERVANCE OF BOY SCOUT WEEK

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by inserting after section 15G the following section: —

Section 15H. The governor shall annually issue a proclamation calling for the proper observance of Boy Scout Week as a period for special attention to the Boy Scout movement, its ideals and its accomplishments

Approved April 13, 1964.

Chap. 282. AN ACT RELATIVE TO THE OBSERVANCE OF MARITIME DAY.

Be it enacted, etc , as follows:

Chapter 6 of the General Laws is hereby amended by inserting after section 12X the following section: —

Section 12Y. The governor shall annually issue a proclamation setting apart May twenty-second as Maritime Day and recommending that said day be observed in appropriate manner by the public

Approved April 13, 1964.

Chap. 283. AN ACT PERMITTING DAVID S MACINTOSH, A CITY COUN-
CILLOR IN THE CITY OF QUINCY, TO JOIN THE CONTRIBU-
TORY RETIREMENT SYSTEM.

Be it enacted, etc , as follows:

Notwithstanding the provisions of chapter thirty-two of the General Laws relative to the maximum age for joining the contributory retirement system, David S. MacIntosh, a city councillor of the city of Quincy, may become a member of the contributory retirement system of said city, provided, that within ninety days after the effective date of this act, he deposits in the annuity savings fund of said system an amount representing five per cent of the salary he received while so employed, together with regular interest to the date of such deposit. Upon depositing such amount he shall become eligible to receive a retirement allowance as provided in said chapter thirty-two.

Approved April 13, 1964.

Chap. 284. AN ACT REQUIRING A PUBLIC HEARING PRIOR TO THE
ISSUANCE OF ORIGINAL LICENSES TO KEEP BILLIARD,
POOL OR SIPPIO TABLES, OR BOWLING ALLEYS.

Be it enacted, etc., as follows:

Section 177 of chapter 140 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding the following paragraph: —

No original license shall be granted under the provisions of this section, except after a public hearing by the appropriate licensing authority, notice of the time and place of which shall have been given, at the expense of the applicant, by the clerk of such licensing authority, by publication not less than seven days prior thereto in a newspaper, if any, published in the city or town of application; otherwise, in the county in which such city or town lies, and notice of which shall also have been given by the applicant, by registered mail, not less than seven days prior to such hearing, to all owners of real estate abutting on the land on which is located the premises for which said license is sought or directly opposite said land on any public or private street as such owners appear on the most recent local tax list at the time the application for such license is filed.

Approved April 13, 1964

Chap. 285. AN ACT PROVIDING THAT CERTAIN FARM MACHINERY AND EQUIPMENT OWNED BY PERSONS PRINCIPALLY ENGAGED IN AGRICULTURE SHALL NOT BE SUBJECT TO THE PROPERTY TAX BUT SHALL BE SUBJECT TO AN EXCISE TAX.

Be it enacted, etc , as follows:

SECTION 1. Clause Twentieth of section 5 of chapter 59 of the General Laws, as most recently amended by chapter 384 of the acts of 1956, is hereby further amended by striking out, in lines 3 to 7, inclusive, the words "and to an amount not exceeding a total value of one thousand dollars in respect to the farm machinery, other than motor vehicles and trailers upon which a motor vehicle or trailer excise is payable, owned by individuals and partnerships engaged principally in agriculture;"

SECTION 2. Section 8A of said chapter 59 is hereby amended by striking out the first paragraph, as amended by chapter 130 of the acts of 1960, and inserting in place thereof the following paragraph — Any person, not including a corporation, engaged principally in agriculture, who owns farm machinery and equipment, other than motor vehicles and trailers which are exempt under clause Thirty-fifth of section five, or mules, horses, neat cattle, swine, sheep, goats, domestic fowl or mink, which are not exempt under clause Twenty-first of section five, shall annually on or before March first, make a return on oath to the assessors of the town where such machinery and equipment or such animals are located, setting forth the make, age, model if any, and purchase price of such machinery and equipment, and the number and kind of each class of such animals, owned by him on the next preceding January first. If the assessors are satisfied of the truth of the return they shall assess such machinery and equipment and such animals at the rate of five dollars per one thousand dollars of valuation, as determined by the state tax commission, of such machinery and equipment and of each class and kind of such animals, and such persons shall be otherwise exempt from taxation on these classes of property under this chapter.

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

Approved April 13, 1964.

Chap. 286. AN ACT PROVIDING LIFE TENURE FOR JAMES KERIVAN, INCUMBENT OF THE OFFICE OF EXECUTIVE DIRECTOR OF THE RETIREMENT BOARD OF THE CITY OF LYNN

Be it enacted, etc , as follows:

SECTION 1. The tenure of office of James Kerivan, incumbent of the office of executive director of the retirement board of the city of Lynn, shall be unlimited, but he may be removed therefrom for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws

SECTION 2 This act shall take effect upon its acceptance by the city of Lynn.

Approved April 13, 1964.

Chap. 287. AN ACT CLARIFYING THE PENALTY WHICH MAY BE IMPOSED UPON PERSONS VIOLATING CERTAIN PROVISIONS OF THE CONFLICT OF INTEREST LAW, SO CALLED.

Be it enacted, etc , as follows:

Section 2 of chapter 268A of the General Laws is hereby amended by striking out clause (d), as appearing in section 1 of chapter 779 of the acts of 1962, and inserting in place thereof the following clause —

(d) Whoever, directly or indirectly, corruptly asks, demands, exacts, solicits, seeks, accepts, receives or agrees to receive anything of value for himself or for any other person or entity in return for influence upon the testimony under oath or affirmation of himself or any other person as a witness upon any such trial, hearing or other proceeding or in return for the absence of himself or any other person therefrom, — shall be punished by a fine of not more than five thousand dollars or by imprisonment in the state prison for not more than three years or in a jail or house of correction for not more than two and one half years, or by both such fine and imprisonment in a jail or house of correction, and in the event of final conviction shall be incapable of holding any office of honor, trust or profit under the commonwealth or under any state, county or municipal agency.

Approved April 14, 1964

Chap. 288. AN ACT INCREASING IN CERTAIN CASES THE SHARE OF THE ESTATE OF A DECEASED PERSON TO WHICH A SURVIVING SPOUSE IS ENTITLED IN LIEU OF THE PROVISIONS MADE FOR SUCH SPOUSE BY WILL

Be it enacted, etc , as follows:

SECTION 1 Chapter 191 of the General Laws is hereby amended by striking out section 15, as amended by section 2 of chapter 316 of the acts of 1956, and inserting in place thereof the following section — *Section 15* The surviving husband or wife of a deceased person, except as provided in section thirty-five or thirty-six of chapter two hundred and nine, within six months after the probate of the will of such deceased, may file in the registry of probate a writing signed by him or by her, waiving any provisions that may have been made in it for him or for her, or claiming such portion of the estate of the deceased as he or she is given the right to claim under this section, and if the deceased left issue, he or she shall thereupon take one third of the personal and

one third of the real property; and if the deceased left kindred but no issue, he or she shall take twenty-five thousand dollars and one half of the remaining personal and one half of the remaining real property; except that in either case if he or she would thus take real and personal property to an amount exceeding twenty-five thousand dollars in value, he or she shall receive, in addition to that amount, only the income during his or her life of the excess of his or her share of such estate above that amount, the personal property to be held in trust and the real property vested in him or her for life, from the death of the deceased. If the deceased left no issue or kindred, the surviving husband or wife shall take twenty-five thousand dollars and one half of the remaining personal and one half of the remaining real property absolutely. If the real and personal property of the deceased which the surviving husband or wife takes under the foregoing provisions exceeds twenty-five thousand dollars in value, and the surviving husband or wife is to take only twenty-five thousand dollars absolutely, the twenty-five thousand dollars, above given absolutely, shall be paid out of that part of the personal property in which the husband or wife is interested, and if such part is insufficient the deficiency shall, upon the petition of any person interested, be paid from the sale or mortgage in fee, in the manner provided for the payment of debts or legacies, of that part of the real property in which he or she is interested. Such sale or mortgage may be made either before or after such part is set off from the other real property of the deceased for the life of the husband or widow. If, after probate of such will, legal proceedings have been instituted wherein its validity or effect is drawn in question, the probate court may, within said six months, on petition and after such notice as it orders, extend the time for filing the aforesaid claim and waiver until the expiration of six months from the termination of such proceedings.

SECTION 2. The provisions of section fifteen of chapter one hundred and ninety-one of the General Laws, as amended by section one of this act shall apply only in cases of estates of persons dying on or after January first, nineteen hundred and sixty-five *Approved April 14, 1964.*

Chap. 289. AN ACT INCREASING THE AMOUNT OF MONEY THE COUNTY COMMISSIONERS OF BRISTOL COUNTY MAY BORROW TO CONSTRUCT A NEW POULTRY PLANT AT THE BRISTOL COUNTY AGRICULTURAL SCHOOL.

Be it enacted, etc., as follows:

SECTION 1. Chapter 603 of the acts of 1963 is hereby amended by striking out section 1 and inserting in place thereof the following section — *Section 1* The county commissioners of Bristol county are hereby authorized to raise and expend a sum of money not exceeding one hundred and thirty-five 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. Section 2 of said chapter 603 is hereby amended by inserting after the word "hundred", in line 4, the words: — and thirty-five.

SECTION 3 This act shall take effect upon its passage.

Approved April 21, 1964.

Chap. 290. AN ACT PERMITTING DIRECTORS OF CO-OPERATIVE CORPORATIONS TO INCREASE THE AMOUNT OF DIVIDENDS ON PAID-UP CAPITAL STOCK.

Be it enacted, etc., as follows:

Section 6 of chapter 157 of the General Laws is hereby amended by striking out paragraph 2, as appearing in the Tercentenary Edition, and inserting in place thereof the following paragraph —

2 They shall declare and pay dividends on the paid-up capital stock not exceeding seven per cent per annum

Approved April 21, 1964

Chap. 291. AN ACT PROVIDING FOR THE ANNUAL OBSERVANCE OF OCTOBER TWENTY-FIFTH AS STATE CONSTITUTION DAY

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by inserting after section 14A, as appearing in the Tercentenary Edition, the following section: —

Section 14B The governor shall annually issue a proclamation setting apart the twenty-fifth day of October, the effective date of the state constitution, adopted in seventeen hundred and eighty, as State Constitution Day and recommending that it be observed by the people with appropriate exercises in the schools and elsewhere to the end that the significance of that eventful day may be a constant reminder of the courage and wisdom of our forefathers, who, having won their independence, secured their liberty by establishing on a new foundation a government of law and order, and who did their work so well that said constitution is the oldest written constitution in operation

Approved April 21, 1964.

Chap. 292. AN ACT INCLUDING A NEWSPAPER PRINTED IN THE TOWN OF ATHOL AMONG THE NEWSPAPERS IN WHICH NOTICES OF HEARINGS ON PREMIUM CHARGES FOR COMPULSORY MOTOR VEHICLE LIABILITY INSURANCE ARE REQUIRED TO BE ADVERTISED

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 828 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 towns of Athol and Greenfield, at least ten days prior to said date. Such notice shall be in such form as the commissioner may deem expedient. *Approved April 21, 1964*

Chap. 293. AN ACT AUTHORIZING THE PROCESSING OF LAUNDRY FOR HOSPITALS, CLINICS, NURSING AND REST HOMES, AND PHYSICIANS' OFFICES ON LEGAL HOLIDAYS

Be it enacted, etc., as follows.

Section 14 of chapter 136 of the General Laws is hereby amended by striking out the first paragraph, as amended by chapter 265 of the acts of 1963, 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 the processing of laundry for hospitals, clinics, nursing and rest homes, and physicians' offices be prohibited on any legal holiday. Hunting, if otherwise lawful, shall not be prohibited on any legal holiday.

Approved April 21, 1964.

Chap. 294. AN ACT ESTABLISHING A PARK AND CEMETERY COMMISSION IN THE TOWN OF WESTON.

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 Weston a park and cemetery commission hereinafter called the commission, consisting of three members to be appointed by the selectmen. Upon the effective date of this act the selectmen shall appoint one member of the commission to serve until the next April first thereafter, one member to serve until the second April first thereafter, and one member to serve until the third April first thereafter. In the year of the expiration of the shortest of such initial terms, and in each year thereafter, the selectmen shall appoint one member to serve for a term of three years commencing April first. The selectmen shall fill any vacancy in the commission for the unexpired term

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

Approved April 21, 1964.

Chap. 295. AN ACT INCREASING THE AMOUNT OF CERTAIN DEATH BENEFITS WHICH MAY BE PAID BY THE SOMERVILLE POLICE RELIEF ASSOCIATION.

Be it enacted, etc , as follows:

The Somerville Police Relief Association, a corporation duly established under the laws of the commonwealth, is hereby authorized, upon

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

Approved April 21, 1964.

Chap. 296. AN ACT PROVIDING LIFE TENURE FOR ROBERT GOOKIN, INCUMBENT OF THE OFFICE OF GAS INSPECTOR OF THE TOWN OF DRACUT

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Robert Gookin, incumbent of the office of gas inspector of the town of Dracut, shall be unlimited, but he may be removed therefrom for cause and for reasons specifically given him in writing by the board of selectmen

SECTION 2. This act shall be submitted for acceptance to the voters of said town at the annual town meeting in the year nineteen hundred and sixty-five 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-four, entitled ‘An Act providing life tenure for Robert Gookin, incumbent of the office of gas inspector of the town of Dracut’, be accepted?” If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise

Approved April 21, 1964

Chap. 297. AN ACT PROVIDING LIFE TENURE FOR WALTER DOUCETTE, INCUMBENT OF THE OFFICE OF TREE WARDEN OF THE TOWN OF TEWKSBURY

Be it enacted, etc , as follows:

SECTION 1 The tenure of office of Walter Doucette, incumbent of the office of tree warden of the town of Tewksbury 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 Tewksbury at the annual town meeting to be held in the year nineteen hundred and sixty-five 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-four, entitled ‘An Act providing life tenure for Walter Doucette, incumbent of the office of tree warden of the town of Tewksbury’, 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 21, 1964

Chap. 298. AN ACT FURTHER REGULATING THE SUSPENSION OF LICENSES TO OPERATE AND CERTIFICATES OF REGISTRATION OF MOTOR VEHICLES IN CASES WHERE JUDGMENTS FOR PROPERTY DAMAGE ARE NOT SATISFIED

Be it enacted, etc , as follows:

The second sentence of 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, in line 9, the words "one thousand dollars" and inserting in place thereof the words. — five thousand dollars and that such company, at the time such judgment was rendered, remained liable thereunder

Approved April 21, 1964

Chap. 299. AN ACT PROHIBITING THE SERVICING, SALE OR GRINDING OF CERTAIN USED BRAKE DRUMS

Be it enacted, etc , as follows.

Chapter 90 of the General Laws is hereby amended by inserting after section 7F the following section —

Section 7G. No person shall service, install, give away, or sell or offer for sale, for use on a passenger motor vehicle, a used brake drum the interior diameter of which exceeds sixty-thousandths of one inch maximum oversize, nor shall any person turn or grind a used brake drum for use on a passenger vehicle to an interior diameter any greater than sixty-thousandths of one inch maximum oversize. Whoever violates any provision of this section shall be punished by a fine of not more than five hundred dollars

Approved April 21, 1964

Chap. 300. AN ACT FURTHER REGULATING THE SUBMISSION AND CONTENT OF CERTAIN REPORTS TO THE DIRECTORS OF A TRUST COMPANY

Be it enacted, etc , as follows.

Chapter 172 of the General Laws is hereby amended by striking out section 17, as appearing in section 1 of chapter 493 of the acts of 1961, and inserting in place thereof the following section — *Section 17* The board of directors shall meet at least once in each calendar month. At intervals of not more than two months each, the treasurer or any other officer designated by the board of directors shall submit to a meeting of the board of directors a written report, over his signature, for the period running from the closing date of the last report to a date not more than eighteen days prior to the date of the meeting at which the report is submitted. The report shall be filed with the records of the meeting and shall cover the following transactions

1 All changes in investments, including a list of the securities purchased or sold

2 All changes in any reserve or contingency account, however designated, and an itemized list of the credits and debits to profit and loss and reserve accounts

3 List of the following loans, the date thereof, and the date to which interest has been paid, setting forth the total liabilities of the borrower to the corporation, both secured and unsecured —

(a) All loans payable on demand in excess of five thousand dollars each, other than real estate mortgage loans.

(b) All time loans in excess of five thousand dollars each, overdue for more than thirty days, other than real estate mortgage loans

(c) All real estate mortgage loans on which interest is more than six months in arrears.

(d) All real estate mortgage loans concerning which any tax upon the underlying security is more than twelve months overdue

(e) All real estate mortgage loans concerning which any tax upon the underlying security has been paid by and not repaid to such corporation, specifying the amounts of taxes so paid and the years for which they were paid.

4. A statement setting forth the number and aggregate amount of all real estate mortgage loans exceeding legal limitations based on valuation, together with the aggregate of the excess, and indicating the number, aggregate amount and aggregate excess of such loans concerning which no principal payment program is in operation

5. A list of all loans, secured or unsecured, and discounts of any borrower including both direct and indirect liabilities made during such period which brings the aggregate of the liabilities of such borrower to an amount in excess of five thousand dollars, with a notation of any line of credit possessed by such borrower

Approved April 21, 1964.

Chap. 301. AN ACT RELATIVE TO THE OBSERVANCE OF AMERICAN EDUCATION WEEK.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by striking out section 12G, inserted by chapter 96 of the acts of 1935, and inserting in place thereof the following section — *Section 12G.* The governor shall annually issue a proclamation setting apart the week commencing with the Sunday immediately preceding Veterans Day as American Education Week, and recommending that such week be properly observed as a period of special attention to the work of our schools.

Approved April 21, 1964.

Chap. 302. AN ACT MAKING CERTAIN CONFIDENTIAL RECORDS OF THE DIVISION OF EMPLOYMENT SECURITY AVAILABLE IN THE TRIAL OF HOMICIDE CASES

Be it enacted, etc., as follows:

Section 46 of chapter 151A of the General Laws is hereby amended by striking out the second sentence, as amended by chapter 512 of the acts of 1954, and inserting in place thereof the following sentence: — Such information shall not be open to the public, nor shall it be admissible in any action or proceeding unless the division or the commonwealth is a party to such action or proceeding, or unless such action or proceeding is in the nature of a criminal prosecution under some provision of federal law or under chapter two hundred and sixty-four, or in the trial of a person for homicide, in which case such information shall be produced upon summons of the commonwealth or of

the defendant, but any employer or claimant, upon request, shall be supplied by the division with information concerning his own record which is necessary to him in his relations with the division.

Approved April 21, 1964.

Chap. 303. AN ACT PROVIDING THAT THE PRESENCE OF FIRE DEPARTMENT PERSONNEL MAY BE REQUIRED AT DEMOLITION BURNINGS.

Be it enacted, etc , as follows.

Chapter 48 of the General Laws is hereby amended by striking out section 13, as most recently amended by chapter 274 of the acts of 1951, and inserting in place thereof the following section. — *Section 13.* No person shall set, maintain or increase a fire in the open air at any time except by permission, covering a period not exceeding two days from the date thereof, granted by the forest warden or chief of the fire department in cities and towns, or, in cities having such an official, the fire commissioner, provided, that if such permission is not in writing a written record of the granting thereof, setting forth the date upon which permission was granted, the dates covered by such permission, the name and address of the person to whom, and the manner in which, such permission was granted, and any other necessary information relative thereto, shall be made and kept by the forest warden, chief or fire commissioner, as the case may be, and shall be open to public inspection, and provided, further, that persons over the age of twenty-one may, without a permit, set, maintain or increase a reasonable fire for the purpose of cooking, upon sandy or gravelly land free from living or dead vegetation or upon sandy or rocky beaches bordering on tide water, if the fire is enclosed within rocks, metal or other non-inflammable material. The forest warden, chief or fire commissioner, as the case may be, may make it a condition for granting a permit that any burning shall be done only after four o'clock (eastern standard time) in the afternoon, and in the case of a permit for a demolition burning may make it a condition for granting such permit that sufficient fire department personnel, to be assigned by proper authority at the expense of the person seeking such permit, shall be present at such burning to control the fire until it is entirely extinguished. Any permit granted under this section may be revoked at any time. The forester may make rules and regulations relating to the granting and revocation of such permits binding throughout the commonwealth. Such rules and regulations shall take effect subject to section thirty-seven of chapter thirty, when approved by the governor and council. The forest wardens in towns and officials performing the duties of forest wardens in cities shall cause public notice to be given of the provisions of this section and shall enforce the same. 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 one month, or both. In this section, a demolition burning shall mean a fire set for the purpose of burning debris resulting from the demolition of buildings.

Approved April 21, 1964

Chap. 304. AN ACT RELATIVE TO THE GUARANTY FUND FOR SAVINGS DEPOSITS IN A TRUST COMPANY.

Be it enacted, etc., as follows.

The first paragraph of section 64 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 the last three sentences and inserting in place thereof the following three sentences — The said sums shall continue to be set apart until the guaranty fund amounts to five per cent of the savings deposits, provided, however, that if such trust company is not a member of the Federal Deposit Insurance Corporation, or any successor of such corporation, it shall set apart said sums until the guaranty fund amounts to seven and one half per cent of the savings deposits. The guaranty fund shall be invested in securities legal for the investment of deposits in savings banks. Further additions to the guaranty fund shall be at the discretion of the board of directors and any sum in the guaranty fund in excess of the required five per cent or seven and one half per cent, as the case may be, may be transferred to the general funds at the discretion of the board of directors.

Approved April 21, 1964

Chap. 305. AN ACT RELATIVE TO THE SAFEKEEPING OF MUNICIPAL STANDARDS FOR WEIGHING AND MEASURING

Be it enacted, etc , as follows:

SECTION 1 Chapter 98 of the General Laws is hereby amended by striking out section 6, as appearing in the Tercentenary Edition, and inserting in place thereof the following section — *Section 6.* In every town the sealer shall, at the expense of the town, provide therein accessible places for the safe and suitable keeping and preservation of the standards furnished by the commonwealth, which shall be used only as standards. The sealer shall have the care and oversight thereof, shall see that they are kept in good order and repair, and if any are lost, destroyed or irreparably damaged, shall, at the expense of the town, replace them by similar standards. Towns may effect insurance on such standards for their own benefit

SECTION 2. Said chapter 98 is hereby further amended by striking out section 7, as so appearing, and inserting in place thereof the following section: — *Section 7.* Every such sealer who neglects to provide a suitable place for keeping such standards, or to keep them in good order and repair, or who suffers any of them through his neglect to be lost, damaged or destroyed, shall forfeit five hundred dollars

SECTION 3 Said chapter 98 is hereby further amended by striking out section 32, as most recently amended by chapter 213 of the acts of 1960, and inserting in place thereof the following section: — *Section 32.* Upon the request of a sealer, and at such other times as the director deems necessary, said director shall cause the standards of apothecaries' weights and of apothecaries' liquid measures and the other standard weights, measures and balances of each town to be tested, adjusted and sealed or certified under his direction. He shall also see that such standards are kept in good order and condition, and may at any time, and shall on request of the sealer, cause an inspection of the standards to be

made The director and his inspectors may also inspect any weighing or measuring devices used for buying, selling or exchanging goods, wares, merchandise or other commodity, or for public weighing in a town, and, if found inaccurate, shall forthwith inform the mayor or selectmen, who shall cause the law relating thereto to be enforced. If the director or an inspector discovers a violation of law, he may make and prosecute a complaint and shall have therefor the same statutory powers relative to the enforcement of laws pertaining to weights and measures as are vested in local sealers Every sealer neglecting to have the standards in his care sealed as provided in this section shall forfeit not more than fifty dollars.

Approved April 21, 1964.

Chap. 306. AN ACT PROVIDING THAT CERTAIN LICENSES GRANTED BY THE DEPARTMENT OF PUBLIC WORKS TO THE NORTH STATION INDUSTRIAL BUILDING, INC. SHALL BE IRREVOCABLE.

Be it enacted, etc., as follows:

SECTION 1. In consideration of the payment to the commonwealth of such compensation as was assessed by the department of public works for tidewater displacement pursuant to the provisions of section twenty-one of chapter ninety-one of the General Laws, and of the payment to the commonwealth of such compensation as was 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 ninety-one, any provision of general or special law to the contrary notwithstanding, License No. 886, dated April 17, 1928, and recorded with Suffolk Deeds Book 4998, Page 274, issued by the department of public works to North Station Industrial Building, Inc., providing for a bulkhead, solid fill, and erection of a warehouse, storage and office building in or over a portion of the Charles river in the city of Boston, shall be deemed irrevocable.

SECTION 2 In consideration of the payment to the commonwealth of such compensation as was assessed by the department of public works for tidewater displacement pursuant to the provisions of section twenty-one of chapter ninety-one of the General Laws, and of the payment to the commonwealth of such compensation as was 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 ninety-one, any provision of general or special law to the contrary notwithstanding, that part of License No. 1177A, dated August 26, 1930, and recorded with Suffolk Deeds Book 5213, Page 28, granted by department of public works to Boston and Maine Railroad providing among other things for solid fill in a portion of the Charles river near the North Station in the city of Boston, shall be deemed irrevocable; so far as said license applies to the following parcel of land situated in the city of Boston: Beginning at a point located on a curved line having a radius of 63 50 feet about westerly 5 53 feet from the most southerly point of intersection of Parcel A described in Chapter 691 of the Acts of 1962 with Warren Ave ; thence turning and running by said Parcel A with a curve to the left having a radius of 63 50 feet for a distance of 45.30 feet; thence by said Parcel A South 57° 05' 53" West for a distance of 54 15 feet,

thence by said Parcel A with a curve to the left having a radius of 21.04 feet for a distance of 34 21 feet, thence running by said Parcel A along Accolon Way (Private) South $36^{\circ} 03' 32''$ East about 40 feet, thence turning and running southeasterly by the line of an ancient Sea Wall shown on the Plan recorded with said License 886 about 115 feet to Beverly Street, thence turning and running North $36^{\circ} 02' 00''$ West by Beverly Street about 18 feet to a point, thence turning and running still by Beverly Street with a curve to the right in a general northeasterly direction having a radius of 232.72 about 52 feet to the point of beginning.

SECTION 3 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 April 21, 1964.

Chap. 307. AN ACT RELATIVE TO THE CONSTRUCTION OF THE WORDS "HEIRS" AND "NEXT OF KIN" AS USED IN CERTAIN INSTRUMENTS.

Be it enacted, etc., as follows

SECTION 1 Chapter 184 of the General Laws is hereby amended by inserting after section 6 the following section:—

Section 6A In a limitation of real or personal property to a class described as the "heirs" or "next of kin" of a person, or described by words of similar import, to take effect in enjoyment upon the happening of an event within the period of the rule against perpetuities, the class shall, unless a contrary intention appears by the instrument creating such limitation, be determined as if such person died at the time of the happening of such event.

SECTION 2. The provisions of section six A of chapter one hundred and eighty-four of the General Laws, added by section one of this act, shall be applicable only to instruments executed after the effective date of this act.

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

Approved April 22, 1964.

Chap. 308. AN ACT RELATIVE TO PROCEEDINGS AGAINST DELINQUENT AND WAYWARD CHILDREN, AND OFFENDERS BETWEEN THE AGES OF FOURTEEN AND SEVENTEEN

Be it enacted, etc., as follows:

SECTION 1. Section 56 of chapter 119 of the General Laws, as amended by section 1 of chapter 244 of the acts of 1943, is hereby further amended by striking out the seventh sentence, and inserting in place thereof the following two sentences — In any appealed case, if the allegations with respect to such child are proven, the superior court shall not commit such child to any correctional institution, jail or house of correction, but may adjudicate such child to be a wayward child or a delinquent child, and may make such disposition as may be

made by a court under section fifty-eight. Before making such disposition, the superior court shall be supplied with a report of any investigation regarding the child made by the probation officer of the court from which the appeal was taken

SECTION 2. Said chapter 119 is hereby further amended by striking out section 61, as amended by section 7 of chapter 310 of the acts of 1948, and inserting in place thereof the following section — *Section 61.* If it be alleged in a complaint made under sections fifty-two to sixty-three, inclusive, that a child has committed an offense against a law of the commonwealth, or has violated a city ordinance or town by-law, and if such alleged offense or violation was committed while the child was between his fourteenth and seventeenth birthday, and if the court is of the opinion that the interests of the public require that he should be tried for said offense or violation, instead of being dealt with as a delinquent child, the court may, after a hearing on said complaint, order it dismissed

SECTION 3. Said chapter 119 is hereby further amended by striking out section 72, as most recently amended by chapter 595 of the acts of 1949, and inserting in place thereof the following section. — *Section 72.* Courts, including the superior court on appeal, shall continue to have jurisdiction in their juvenile sessions over children who attain their seventeenth birthday pending adjudication of their cases, or pending hearing and determination of their appeals, or during continuances or probation, or after their cases have been placed on file; and if a child commits an offense prior to his seventeenth birthday, and is not apprehended until between his seventeenth and eighteenth birthdays, the court shall deal with such child in the same manner as if he had not attained his seventeenth birthday, and all provisions and rights applicable to a child under seventeen shall apply to such child. Nothing herein shall authorize the commitment of a child to the youth service board after he has attained his eighteenth birthday, or give any court in its juvenile session any power or authority over a child after he has attained his eighteenth birthday.

SECTION 4. Said chapter 119 is hereby further amended by inserting after section 72 the following section. —

Section 72A. The case of any person who commits an offense or violation prior to his seventeenth birthday, and who is not apprehended until after his eighteenth birthday, shall be heard and determined in accordance with sections fifty-three to sixty-three, inclusive. In any such case, the court, in its discretion after hearing on the complaint, either shall order that the person be discharged, if satisfied that such discharge is consistent with the protection of the public; or shall order that the complaint be dismissed, if the court is of opinion that the interests of the public require that such person be tried for such offense or violation instead of being discharged.

SECTION 5. Sections seventy-three, seventy-six, seventy-seven, seventy-eight, seventy-nine, eighty, eighty-one and eighty-two of said chapter one hundred and nineteen are hereby repealed.

SECTION 6. Said chapter 119 is hereby further amended by striking out section 74, as most recently amended by section 3 of chapter 353 of the acts of 1960, and inserting in place thereof the following section. — *Section 74.* Criminal proceedings shall not be begun against any person who prior to his seventeenth birthday commits an offense

against the law of the commonwealth or who violates any city ordinance or town by-law, unless proceedings against him as a delinquent child have been begun and dismissed as required by section sixty-one or seventy-two A.

SECTION 7. Said chapter 119 is hereby further amended by striking out section 75, as most recently amended by section 4 of said chapter 353, and inserting in place thereof the following section: — *Section 75.* If, under section sixty-one or seventy-two A, the court orders that a delinquency complaint against a person be dismissed, the court shall forthwith cause a criminal complaint to be issued against such person for the alleged offense or violation, cause such complaint to be subscribed by the complainant, and examine on oath the complainant and the witnesses produced by him, and, if the person appears to be guilty of the offense or violation, the court shall commit him or bind him over for trial in the superior court according to the usual course of criminal proceedings. Section thirty of chapter two hundred and eighteen shall apply to any such case, and section sixty-eight of this chapter shall apply to any person committed under this section for failure to recognize, pending a determination by the court that he appears to be guilty and pending final disposition in the superior court

SECTION 8. Said chapter 119 is hereby further amended by striking out section 83, as amended by section 20 of chapter 310 of the acts of 1948, and inserting in place the following section — *Section 83.* The indictment of any person bound over under section seventy-five shall be tried before the superior court in the same manner as any criminal proceeding, and upon conviction such person may be sentenced to such punishment as is provided by law for the offense, or placed on probation, with or without a suspended sentence for such period of time and under such conditions as the court may order. But, if such person has not attained his eighteenth birthday prior to a finding or plea of guilty, the superior court may, in its discretion, and in lieu of a judgment of conviction and sentence, adjudicate such person as a delinquent child, and make such disposition as may be made by a district court or the Boston juvenile court under section fifty-eight, but no person adjudicated a delinquent child under the provisions of this section shall, after he has attained his eighteenth birthday, be committed to the youth service board or continued on probation or under the jurisdiction of the court

SECTION 9. Said chapter 119 is hereby further amended by adding after section 83 the following section —

Section 84. Whenever a person is committed to the youth service board by a court under section fifty-six, fifty-eight or eighty-three, a warrant of commitment shall be issued in substance as follows

THE COMMONWEALTH OF MASSACHUSETTS

(County) ss

To the Sheriff of the County of . . . or his Deputy, or any Constable
or Police Officer in said County, and to the Youth Service Board at

Greeting

Whereas, (name of person committed) of . . . in the county of . . .
, a boy (or girl) between seven and seventeen (or eighteen)
years of age, has this day been brought before the . . . court of . . .
. . . , by virtue of a summons (or warrant) issued to (against) him (or

her) on the complaint of _____ of _____ in the county of _____, who therein, upon oath, says that said defendant, at _____ in the county of _____, on the _____ day of _____ in the year of our Lord one thousand nine hundred and _____, was guilty of _____ as is more fully alleged in said complaint

And after hearing all matters and things concerning the same, and all persons entitled thereto having been summoned and notified of the pendency of said complaint, as required by law, it is adjudged by said court that said defendant is delinquent and that he (or she) is of the age of _____ years and _____ months, and is a suitable subject for commitment to the custody of the youth service board, and that his (or her) moral welfare and the good of society require that he (or she) should be sent thereto for diagnosis, treatment and training, and it is thereupon ordered by said court that said defendant stand committed to the custody of the youth service board during his (or her) minority, or until he (or she) be discharged according to law

You are therefore hereby required, in the name of the Commonwealth of Massachusetts, to take the said defendant and him (or her) carry to the youth service board and him (or her) deliver to the (designated officer) thereof, together with an attested copy hereof, and thereafterward forthwith to return this warrant with your doings thereon into said court

And you, the youth service board, are alike required to receive said defendant into your custody, and him (or her) safely keep for diagnosis, treatment, instruction and training until the expiration of said term of his (or her) minority, or he (or she) be discharged according to law

Witness, _____ at said _____ this _____ day of _____ in the year of our Lord one thousand nine hundred and _____

A true copy.

(Constable of _____)

Attest.

(Sheriff of _____)

No variance from said form shall be considered material if it sufficiently appears upon the face thereof that the person is committed by the court in the exercise of the powers conferred by this chapter. The warrant may be executed by any officer qualified to serve civil or criminal process in the county where the case is heard. Accompanying the warrant, the court or magistrate shall transmit to the designated officer of the youth service board, by the officer serving it, a statement of the substance of the complaint and testimony given in the case, and such other particulars relative to the person committed as can be ascertained.

SECTION 10 Section twenty-nine of chapter two hundred and eighteen of the General Laws is hereby repealed.

SECTION 11 Chapter 218 of the General Laws is hereby amended by striking out section 60, as amended by section 9 of chapter 722 of the acts of 1962, and inserting in place thereof the following section: — *Section 60* Within the territorial limits prescribed in section fifty-seven, said court shall have and exercise jurisdiction, exclusive of the municipal court of the city of Boston, over cases of neglected, wayward or delinquent children, and over proceedings referred to it under the provisions of section four A of chapter two hundred and eleven. Said court may, from time to time, make general rules in reference to, and provide forms of, procedure

SECTION 12 Chapter 279 of the General Laws is hereby amended by striking out section 33, as most recently amended by section 25 of chapter 715 of the acts of 1956, and inserting in place thereof the following section: — *Section 33* Whoever is sentenced to the Massachusetts reformatory for larceny of property of a value exceeding one hundred dollars or for any felony may be held therein for not more than five years unless sentenced for a longer term, in which case he may be held therein for such longer term; if sentenced to said reformatory for any

other offense, including larceny of property of a value not exceeding one hundred dollars, he may be held therein for not more than two years

SECTION 13 This act shall take effect on July first, nineteen hundred and sixty-four; and its provisions shall apply to any person who, prior to his seventeenth birthday, shall have committed an offense against the law of the commonwealth or violated a city ordinance or town by-law, whether such offense or violation was committed prior to or subsequent to the effective date of this act.

Approved April 22, 1964

Chap. 309. AN ACT ADJUSTING THE PENSIONS OF CERTAIN RETIRED EMPLOYEES OF THE CITY OF MALDEN

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law, the pension or retirement allowance of each employee of the city of Malden, other than employees of its school department, who retired in the year nineteen hundred and sixty-three shall be recomputed and paid to him on the basis of the highest salary or wages paid during said year for the classification held by such employee at the time of his retirement, as if any increase in such salary during said year was being received by the retired employee at the time of his retirement.

SECTION 2. This act shall take effect upon its acceptance by the city of Malden

Approved April 22, 1964.

Chap. 310. AN ACT PROVIDING A PENALTY FOR ALTERING, FORGING OR COUNTERFEITING COPIES OF RECORDS OF BIRTH, MARRIAGE OR DEATH.

Be it enacted, etc., as follows:

Chapter 46 of the General Laws is hereby amended by adding the following section: —

Section 30. Whoever falsely makes, alters, forges or counterfeits, or procures or assists another to falsely make, forge or counterfeit, a copy of a record of birth, marriage or death, or whoever forges or without authority uses the signature, facsimile of the signature, or validating signature stamp of a city or town clerk, or the secretary of state upon a genuine or falsely made, altered, forged or counterfeited copy of such a record, or whoever utters, publishes as true or in any way makes use of a falsely made, altered, forged or counterfeited copy of such a record, or whoever uses, or attempts to use, with intent to defraud or deceive, a copy of a record of the birth or marriage of a person other than himself, shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months in a house of correction.

Approved April 22, 1964

Chap. 311. AN ACT PROTECTING CERTAIN TITLES TO LAND AGAINST CERTAIN DEFECTS IN DEEDS OR INSTRUMENTS AFTER TEN YEARS FROM THE RECORDING THEREOF.

Be it enacted, etc., as follows:

SECTION 1. Chapter 184 of the General Laws is hereby amended by striking out section 24, added by section 1 of chapter 348 of the acts of

1956, and inserting in place thereof the following section. — *Section 24.* When any owner of land the title to which is not registered, or of any interest in such land, signs an instrument in writing conveying or purporting to convey his land or interest, or in any manner affecting or purporting to affect his title thereto, and the instrument, whether or not entitled to record, is recorded, and indexed, in the registry of deeds for the district wherein such land is situated, and a period of ten years elapses after the instrument is accepted for record, and the instrument or the record thereof because of defect, irregularity or omission fails to comply in any respect with any requirement of law relating to seals, corporate or individual, to the validity of acknowledgment, to certificate of acknowledgment, witnesses, attestation, proof of execution, or time of execution, to recitals of consideration, residence, address, or date, to the authority of a person signing for a corporation who purports to be the president or treasurer or a principal officer of the corporation, such instrument and the record thereof shall notwithstanding any or all of such defects, irregularities and omissions, be effective for all purposes to the same extent as though the instrument and the record thereof had originally not been subject to the defect, irregularity or omission, unless within said period of ten years a proceeding is commenced on account of the defect, irregularity or omission, and notice thereof is duly recorded in said registry of deeds and indexed and noted on the margin thereof under the name of the signer of the instrument and, in the event of such proceeding, unless relief is thereby in due course granted.

SECTION 2. The provisions of section twenty-four of chapter one hundred and eighty-four of the General Laws, as amended by section one of this act, shall also apply to instruments recorded prior to January first, nineteen hundred and sixty-five, except that in the case of an instrument accepted for record prior to January first, nineteen hundred and fifty-six proceedings on account of a defect, irregularity or omission relative to the authority of a person who signs such instrument for a corporation and purports to be the president or treasurer or a principal officer of such corporation may be commenced and notice thereof recorded, indexed and noted at any time prior to January first, nineteen hundred and sixty-six.

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

Approved April 22, 1964.

Chap. 312. AN ACT PROVIDING FOR THE REGULATION OF THE INSTALLATION OF LIQUEFIED PETROLEUM GAS.

Be it enacted, etc., as follows:

SECTION 1. Section 12H of chapter 25 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by section 1 of chapter 557 of the acts of 1963, and inserting in place thereof the following paragraph: — There shall be in the department a board consisting of the chairman of the commission or a representative from his department designated by him, the commissioner of public safety or a representative from his department designated by him and the commissioner of public health or a representative from his department designated by him. Subject to the provisions of chapter

thirty A and after public hearing, notice of which shall have been given by advertising in at least one newspaper in each of the cities of Boston, Worcester, Springfield, Fall River, Lowell and Lynn, at least ten days before such hearing, said board shall make, and from time to time in like manner may alter, amend and repeal, rules and regulations relative to gas fitting in buildings throughout the commonwealth, and relative to liquefied petroleum gas fitting containers and regulating equipment in such buildings, which rules and regulations shall be reasonable, uniform, based on generally accepted standards of engineering practice, and designed to prevent fire, explosion, injury and death, and not inconsistent with regulation No. 11725 of the department or the provisions of chapter one hundred and forty-two or the rules and regulations made under the authority thereof, or the qualification of master plumbers and journeymen plumbers as gas fitters contained in section three of said chapter one hundred and forty-two. As used in this section the words "gas fitting" shall be construed to include the installation, alteration and replacement of a system beyond the gas meter outlet or regulator through which is conveyed or intended to be conveyed fuel gas of any kind for power, refrigeration, heating or illuminating purposes including the connection therewith and testing of gas fixtures, ranges, refrigerators, stoves, water heaters, house heating boilers, and any other gas using appliances, and all attachments and appurtenances, and the maintenance in good and safe condition of said systems, and the making of necessary repairs and changes.

SECTION 2 Section 30 of chapter 143 of the General Laws is hereby amended by inserting after the first paragraph, as appearing in chapter 217 of the acts of 1963, the following paragraph —

Said inspector shall also issue permits for the installation of containers of liquefied petroleum gas, and he shall inspect such installation and the regulating equipment used in connection therewith. He shall notify the head of the fire department, so defined in section one of chapter one hundred and forty-eight, of each permit so issued and the location of each container of liquefied petroleum gas installed thereunder.

Approved April 22, 1964.

Chap. 313. AN ACT RELATIVE TO THE MEMBERSHIP AND THE METHOD OF FILLING VACANCIES ON THE FINANCE ADVISORY BOARD OF THE WOODS HOLE, MARTHA'S VINEYARD AND NANTUCKET STEAMSHIP AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1 Section 14 of chapter 701 of the acts of 1960 is hereby amended by striking out the second sentence and inserting in place thereof the following three sentences — In the event of a vacancy on said board from whatever cause such vacancy shall be filled for the remainder of the term in the case of the county of Dukes County, by appointment by the county commissioners thereof, and in the case of said towns, by appointment by the selectmen. Upon the expiration of the term of a member from either the town of Falmouth or Nantucket his successor shall be elected in like manner for a term of two years. Upon the expiration of the term of the member elected by the voters of the county of Dukes County his successor shall be appointed by the county

commissioners of the county of Dukes County for a term of two years, and thereafter each such member shall be appointed in like manner for a term of two years.

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

Approved April 27, 1964.

Chap. 314. AN ACT PROHIBITING MEMBERS OF STATE COMMISSIONS OR BOARDS FROM BEING APPOINTED BY THE OTHER MEMBERS THEREOF TO CERTAIN POSITIONS.

Be it enacted, etc., as follows:

Chapter 268A of the General Laws, as appearing in section 1 of chapter 779 of the acts of 1962, is hereby amended by inserting after section 8 the following section:—

Section 8A. No member of a state commission or board shall be eligible for appointment or election by the members of such commission or board to any office or position under the supervision of such commission or board. No former member of such commission or board shall be so eligible until the expiration of thirty days from the termination of his service as a member of such commission or board.

Approved April 27, 1964.

Chap. 315. AN ACT INCREASING THE AMOUNT OF MONEY THE TOWN OF SHREWSBURY MAY BORROW FOR SEWERAGE AND SEWAGE DISPOSAL PURPOSES.

Be it enacted, etc., as follows:

Section 8 of chapter 502 of the acts of 1954 is hereby amended by striking out, in line 4, the words "two million seven hundred and fifty thousand" and inserting in place thereof the words. — five million.

Approved April 27, 1964.

Chap. 316. AN ACT RELATIVE TO THE SURRENDER OF PRINCIPAL BEFORE DEFAULT BY BAIL IN CRIMINAL CASES.

Be it enacted, etc., as follows:

Section 68 of chapter 276 of the General Laws is hereby amended by striking out the second sentence, as amended by chapter 356 of the acts of 1962, and inserting in place thereof the following sentence — They shall deliver to the jailer their principal, with a certified copy of the recognizance, and he shall be received and detained by the jailer, but may again be bailed in the same manner as if committed for not finding sureties to recognize for him.

Approved April 27, 1964.

Chap. 317. AN ACT DESIGNATING THE METROPOLITAN DISTRICT COMMISSION STADIUM NOW UNDER CONSTRUCTION IN THE CITY OF MEDFORD AS THE HENRY D. HORMEL MEMORIAL STADIUM.

Be it enacted, etc., as follows:

The metropolitan district commission stadium presently under construction in the Wellington section of the city of Medford is hereby designated and shall be known as the Henry D. Hormel Memorial stadium, in memory of Henry D. Hormel, a former member of the Medford park commission. A suitable marker bearing said designation shall be placed thereat by said commission.

Approved April 27, 1964.

Chap. 318. AN ACT ELIMINATING CERTAIN IMPEDIMENTS TO THE REGULATION OF TRAFFIC AND PARKING IN THE CITY OF BOSTON BY THE TRAFFIC AND PARKING DEPARTMENT OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 263 of the acts of 1929 is hereby amended by inserting after the second sentence the following sentence — The commission shall further have exclusive authority, except as otherwise herein provided, to adopt, amend, alter and repeal rules and regulations, not inconsistent with general law as modified by this act, prohibiting or regulating the leaving of vehicles unattended within the limits of private ways furnishing means of access for fire apparatus to any building.

SECTION 2. Section 2B of said chapter 263, as amended by section 6 of chapter 338 of the acts of 1962, is hereby further amended by inserting after the word “two”, in line 4, the words — of this act, chapter twelve of the acts of nineteen hundred and fifty-six and section eighteen of chapter ninety of the General Laws

SECTION 3. Chapter five hundred and twenty-eight of the acts of nineteen hundred and sixty-one is hereby repealed.

Approved April 27, 1964

Chap. 319. AN ACT PROVIDING FOR THE OBSERVANCE OF LIBERTY TREE DAY.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by inserting after section 15H, inserted by chapter 281 of the acts of 1964, the following section —

Section 15I. The governor shall annually issue a proclamation setting apart August fourteenth as Liberty Tree day commemorating the first public shade tree planting in the new world in the year sixteen hundred and forty-six, one of the trees so planted being known from the year seventeen hundred and sixty-five until its removal by British soldiers ten years later as the Liberty Tree, a Symbol of Freedom.

Approved April 27, 1964

Chap. 320. AN ACT DESIGNATING THE SQUARE AT THE JUNCTION OF POND STREET AND POND STREET EXTENSION IN THE TOWN OF AVON AS THE SERGEANT SIDNEY B. LOTHROP SQUARE.

Be it enacted, etc., as follows:

The square at the junction of Pond street and Pond street extension, known as Harrison boulevard, in the town of Avon shall be known and designated as the Sergeant Sidney B. Lothrop square, in memory of Sidney B. Lothrop who served in World War I with the armed forces of the United States. A suitable marker bearing said designation shall be erected thereat by the department of public works.

Approved April 27, 1964.

Chap. 321. AN ACT AUTHORIZING THE TOWN OF GREAT BARRINGTON TO TAKE OVER THE FRANCHISE OF THE GREAT BARRINGTON FIRE DISTRICT SO FAR AS THE SAME RELATES TO SEWERS WITHIN THE LIMITS OF SAID DISTRICT.

Be it enacted, etc , as follows:

SECTION 1. The Great Barrington Fire District is hereby authorized to sell and convey for a nominal consideration to the town of Great Barrington all of its right, title, interest, privileges and franchise so far as the same relate to sewers in said district, and said town is hereby authorized to take over and assume the same together with all of the duties and obligations of said district

SECTION 2. The town of Great Barrington, 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 3. 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 4. 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 for 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 5 Said board of sewer commissioners, 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 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 6 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 7. 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 8 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 of the whole cost. 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, 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, 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 9 For the purpose of paying the necessary expenses and liabilities incurred under this act, the town may, from time to time, within five years after the passage of this act, borrow such sums as may be necessary, not exceeding, in the aggregate, nine hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Great Barrington Sewerage Loan, Act of 1964. 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 10 The receipts from sewer assessments and from payments made in lieu thereof shall be applied to the payment of charges and expenses incident to the maintenance and operation of said system 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 11 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 clerk may be the clerk of the board of selectmen and said superintendent of sewers may be the superintendent of streets or the superintendent of public works.

SECTION 12. 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 the board for any purpose in excess of the amount of money appropriated by the town therefor

SECTION 13 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 Great Barrington, 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 14. This act shall take effect upon the acceptance of section one by a majority of the legal voters of the Great Barrington Fire District present and voting at a meeting legally called for the purpose, and upon the acceptance of this act by the town of Great Barrington

Approved April 27, 1964.

Chap. 322. AN ACT DEFINING THE WORDS "FORESTER", "STATE FORESTER" AND "STATE FIRE WARDEN".

Be it enacted, etc., as follows:

Section 7 of chapter 4 of the General Laws is hereby amended by adding after clause Forty-fifth the following clause —

Forty-sixth, "Forester", "state forester" and "state fire warden" shall mean the commissioner of natural resources or his designee.

Approved April 27, 1964.

Chap. 323. AN ACT MAKING CERTAIN CHANGES IN THE LAW REQUIRING THAT CERTAIN MEETINGS OF CERTAIN PUBLIC BOARDS AND COMMISSIONS SHALL BE OPEN TO THE PUBLIC.

Be it enacted, etc., as follows:

SECTION 1 Chapter 39 of the General Laws is hereby amended by striking out section 23C, inserted by section 5 of chapter 437 of the acts of 1960, and inserting in place thereof the following section — *Section 23C* Upon proof of failure by any public board or commission or by

any member or officer thereof to carry out any of its or his responsibilities for public notice of meetings, for holding them open to the public, or for maintaining public records thereof, as such responsibilities are prescribed by this chapter and by chapters thirty A, thirty-four, and sixty-six, any justice of the supreme judicial or the superior court, sitting within and for the county in which such public board or commission acts or, in the case of such public board or commission of the commonwealth, sitting within and for any county, shall issue an appropriate order requiring such public board or commission or member or officer thereof to carry out as to meetings thereafter held all such responsibilities; but action otherwise duly taken at any meeting shall not be invalidated by the failure of such public board or commission or member or officer thereof to carry out the said responsibilities for public notice of meetings. Such order shall also, when appropriate, require the records of any meeting theretofore held to be made a public record unless it shall have been determined by such justice that the maintenance of secrecy with respect to such records is authorized by section eleven A of chapter thirty, by section nine F of chapter thirty-four or by section twenty-three A of this chapter. Such order may be sought in any case by petition of three or more registered voters of the commonwealth, by petition of the attorney general, or by petition of the district attorney of the district in which lies the municipality for which the officer acts. The order of notice on the petition shall be returnable not later than ten days after the filing thereof and the petition shall be heard, and determined on the return day or on such day thereafter as the court shall fix, having regard to the speediest possible determination of the cause consistent with the rights of the parties; provided, however, that orders with respect to any of the matters referred to in this section may be issued at any time on or after the filing of the petition without notice when such order is necessary to fulfill the purposes of this section. In the hearing of any petition brought pursuant to this section the burden shall be on the respondent to show by a preponderance of the evidence that its or his actions complained of in such petition were in accordance with and authorized by section eleven A of chapter thirty, by section nine F of chapter thirty-four or by section twenty-three A of this chapter, as the case may be. All processes may be issued from the clerk's office in the county in which the action is brought and, except as aforesaid, shall be returnable as the court orders. The remedy created hereby is not exclusive, but shall be in addition to every other available remedy.

SECTION 2 Chapter 66 of the General Laws is hereby amended by striking out section 5A, as amended by section 6 of said chapter 437, and inserting in place thereof the following section — *Section 5A.* The records, required to be kept by sections eleven A of chapter thirty A, nine F of chapter thirty-four and twenty-three A of chapter thirty-nine, shall report the names of all members of such boards and commissions present, the subjects acted upon, and shall record exactly the votes and other official actions taken by such boards and commissions; but unless otherwise required by the governor in the case of state boards, commissions and districts, or by the county commissioners in the case of county boards and commissions, or the governing body thereof in the case of a district, or by ordinance or by-law of the city or town, in the case of municipal boards, such records need not include a verbatim record of discussions at such meetings.

Approved April 27, 1964.

Chap. 324. AN ACT INCLUDING CREDIT UNIONS IN THE DEFINITION OF THE WORD "BANK" IN THE UNIFORM GIFTS TO MINORS ACT.

Be it enacted, etc., as follows:

Section 1 of chapter 201A of the General Laws is hereby amended by striking out clause (a), as amended by chapter 22 of the acts of 1959, and inserting in place thereof the following clause:—

(a) "Bank", a trust company, national banking association, savings and loan association, savings bank, co-operative bank, credit union, or other bank.

Approved April 27, 1964.

Chap. 325. AN ACT PROVIDING LIFE TENURE FOR GEORGE E. MILLER, INCUMBENT OF THE OFFICE OF SUPERINTENDENT OF STREETS OF THE TOWN OF CHESTER.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of George E. Miller, incumbent of the office of superintendent of streets of the town of Chester, 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 Chester at the annual town meeting to be held in the year nineteen hundred and sixty-five 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-four, entitled 'An Act providing life tenure for George E. Miller, incumbent of the office of superintendent of streets of the town of Chester', 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 27, 1964.

Chap. 326. AN ACT PROVIDING THAT GRAND JURORS IN MIDDLESEX COUNTY SHALL SERVE FOR A TERM OF SIX MONTHS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 277 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "Suffolk", in line 1, the words: — and Middlesex.

SECTION 2. Said chapter 277 is hereby further amended by inserting after section 2A the following section. —

Section 2B. The clerk of the courts for Middlesex county shall, not less than twenty-eight days before the first Mondays of January and July, respectively, issue writs of venire facias for twenty-three grand jurors to serve in said court, who shall serve for each sitting thereof for six months and until another grand jury has been impanelled in their stead.

SECTION 3. This act shall be applicable to the impanelling of grand jurors in Middlesex county for the year nineteen hundred and sixty-five

and subsequent years, and the grand jury impanelled in said county under section one of chapter two hundred and seventy-seven of the General Laws shall continue to serve until the first regular sitting of the year nineteen hundred and sixty-five, and until the grand jury provided under section two B of said chapter two hundred and seventy-seven, inserted by section one of this act, has been impanelled in its stead

SECTION 4 The clerk of courts for Middlesex county shall issue writs of venire facias for twenty-three grand jurors for service as a special grand jury during July and August of the current year Said jurors shall be drawn, summoned and returned in the same manner, and shall have the same powers and receive the same compensation as grand jurors summoned for service under sections one and two of chapter two hundred and seventy-seven of the General Laws, and the provisions of sections four to fourteen, inclusive, of said chapter so far as apt, shall apply to such jurors

SECTION 5. Section four of this act shall take effect upon its passage

Approved April 27, 1964

Chap. 327. AN ACT RELATIVE TO REGIONAL PLANNING PROCEDURES
IN THE COMMONWEALTH

Be it enacted, etc , as follows:

SECTION 1. Clause (e) of section 6 of chapter 23A of the General Laws, as appearing in section 1 of chapter 409 of the acts of 1953, is hereby amended by inserting after the word "areas", in line 5, the words:—; and from time to time, define and redefine the effective planning regions of the commonwealth

SECTION 2 Chapter 40B of the General Laws is hereby amended by striking out sections 3 and 4 and inserting in place thereof the following two sections — *Section 3.* Any group of cities, towns, or cities and towns may, by vote of their respective city councils or town meetings, vote to become members of and thus to establish a planning district, which shall constitute a public body corporate, the area of jurisdiction of which shall be an area defined by the division of planning of the department of commerce as an effective planning region under clause (e) of section six of chapter twenty-three A. *Section 4* In each planning district so established there shall be a district planning commission consisting of one member of the planning board of each city and town voting to join such district, elected annually by said planning board There may be a designee, who may or may not be a planning board member, appointed annually by the mayor in a city, confirmed by the council, or by the selectmen in a town, who may attend meetings of the district planning commission, and who shall assume the rights and duties of the planning board member in his absence In a member town which has not established a planning board, the selectmen shall annually appoint a member of the district planning commission. Such district planning commission shall annually elect a chairman, a treasurer who shall give the commission a bond, with a surety company authorized to transact business in the commonwealth as surety, for the faithful performance of his duties in such sums and upon such conditions as the commission may require, and a clerk from among its members The said commission may employ experts and clerical and other assistants. All meetings of the commission

shall be held at the call of the chairman and at such other times as the commission may determine.

SECTION 3. Section 7 of chapter 40B, as appearing in chapter 374 of the acts of 1955, is hereby amended by adding the following sentence: — Any such district planning commission may contract with the federal government or a city or town within such district for the performance of planning studies and services, within the limits of funds appropriated to the district planning commission for such purposes

Approved April 27, 1964.

Chap. 328. AN ACT RELATIVE TO THE OBSERVANCE OF UNITED NATIONS DAY

Be it enacted, etc , as follows.

The second paragraph of section 12N of chapter 6 of the General Laws, added by chapter 640 of the acts of 1962, is hereby amended by striking out, in line 1, the words "state secretary" and inserting in place thereof the word — governor.

Approved April 27, 1964.

Chap. 329. AN ACT RELATIVE TO THE AVERAGE WEEKLY HOURS OF DUTY OF THE UNIFORMED FIRE FIGHTING FORCES IN CERTAIN CITIES AND TOWNS

Be it enacted, etc , as follows:

SECTION 1 The first sentence of section 58A of chapter 48 of the General Laws, as appearing in chapter 638 of the acts of 1941, is hereby amended by adding after the word "number", in line 11, the words — ; provided that any such city by ordinance and any such town by by-law may establish such weekly hours of duty at less than seventy.

SECTION 2 The first paragraph of section 58B of chapter 48 of the General Laws, as appearing in section 1 of chapter 713 of the acts of 1957, is hereby amended by striking out, in lines 10 to 14, inclusive, the words "provided, that, except in cities and towns subject to section fifty-nine, any city by ordinance and any town by by-law may establish such average weekly hours of duty at less than forty-eight hours" and inserting in place thereof the words:— provided that any such city by ordinance and any such town by by-law may establish such weekly hours of duty at less than forty-eight.

SECTION 3 Nothing in this act shall be construed as operating to rescind any acceptance of section fifty-eight A or fifty-eight B of chapter forty-eight of the General Laws by any city or town prior to the effective date of this act.

Approved April 27, 1964.

Chap. 330. AN ACT PROHIBITING THE TRANSMISSION OF CERTAIN RACING RESULTS OR INFORMATION KNOWING IT IS TO BE USED FOR UNLAWFUL PURPOSES

Be it enacted, etc., as follows:

Chapter 271 of the General Laws is hereby amended by inserting after section 31 the following section. —

Section 31A Whoever transmits the results of a race, or information as to the progress of a race during the running thereof, in a racing meeting as defined in section one of chapter one hundred and twenty-eight A,

by any means to another knowing that such results or information is to be used or intended to be used for unlawful purposes or in furtherance of unlawful gambling, shall be punished by a fine of not more than five thousand dollars or by imprisonment in a jail or house of correction for not more than two and one half years or in the state prison for not more than five years, or by both such fine and imprisonment.

This section shall not be construed as prohibiting a newspaper from printing such results for publication as news, or a television or radio station from telecasting or broadcasting such results or information as news.

Approved April 27, 1964

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, April 30, 1964

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 330 of the Acts of 1964 entitled "An Act Prohibiting the Transmission of Certain Racing Results or Information Knowing it is to be used for Unlawful Purposes" and the enactment of which received my approval on April 27, 1964, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows

Postponement of the operation of this act would defeat its purpose as the bill applies to the conduct of race meetings the season for which is now in progress

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, April 30, 1964.

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

KEVIN H WHITE,
Secretary of the Commonwealth

Chap. 331. AN ACT RELATIVE TO THE PAR VALUE OF THE CAPITAL STOCK ISSUED BY GAS AND ELECTRIC COMPANIES

Be it enacted, etc., as follows:

Section 6 of chapter 164 of the General Laws is hereby amended by striking out paragraph (e), as amended by chapter 48 of the acts of 1947, and inserting in place thereof the following paragraph. —

(e) The par value of the shares, which may be one hundred dollars, fifty dollars, twenty-five dollars, twenty dollars, ten dollars, five dollars or one dollar, as the department shall authorize.

Approved April 30, 1964.

Chap. 332. AN ACT AUTHORIZING THE TOWN OF FALMOUTH TO TRANSFER THE CONTROL AND JURISDICTION OF THE NORTH FALMOUTH COMMUNITY BUILDING FROM ITS DEPARTMENT OF PUBLIC WORKS TO THE TRUSTEES OF THE PUBLIC LIBRARY.

Be it enacted, etc., as follows:

SECTION 1. The town of Falmouth is hereby authorized to transfer the control and jurisdiction of the North Falmouth Community Building in Frances H. Nye Park in said town from its department of public works to the Trustees of the Public Library of said town for library purposes.

SECTION 2. This act shall take effect upon its acceptance by the town of Falmouth.

Approved April 30, 1964.

Chap. 333. AN ACT AUTHORIZING THE TRUSTEES OF MOUNT HOLYOKE COLLEGE TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

Chapter 90 of the acts of 1894 is hereby amended by striking out section 1, as most recently amended by section 1 of chapter 100 of the acts of 1957, and inserting in place thereof the following section:—
Section 1. The Trustees of Mount Holyoke College are hereby authorized to hold real and personal estate to an amount not exceeding sixty million dollars.

Approved April 30, 1964.

Chap. 334. AN ACT PROVIDING FOR AN INCREASE IN THE NUMBER OF TRUSTEES OF THE WORCESTER POLYTECHNIC INSTITUTE AND AUTHORIZING SAID INSTITUTE TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 214 of the acts of 1865, as amended by chapter 11 of the acts of 1920, is hereby further amended by striking out, in line 18, the word “thirty”, and inserting in place thereof the word:— thirty-five.

SECTION 2 Section 1 of chapter 77 of the acts of 1892, as most recently amended by chapter 99 of the acts of 1957, is hereby further amended by striking out, in line 5, the word “twenty-five” and inserting in place thereof the words.— one hundred, — so as to read as follows:—
Section 1. The Worcester Polytechnic Institute is hereby authorized to receive by gift, devise, bequest or otherwise, and to hold and use for the purposes for which said institute was incorporated, real and personal estate to an amount not exceeding one hundred million dollars.

Approved April 30, 1964.

- Chap. 335.** AN ACT PROVIDING FOR THE SUBMISSION TO THE VOTERS OF THE CITY OF QUINCY OF THE ACT PROVIDING LIFE TENURE FOR CHARLES R HERBERT, INCUMBENT OF THE OFFICE OF COMMISSIONER OF PUBLIC WORKS OF SAID CITY

Be it enacted, etc., as follows.

Chapter 121 of the acts of 1964 is hereby amended by striking out section 2 and inserting in place thereof the following section — *Section 2* This act shall be submitted for acceptance to the registered voters of the city of Quincy at the municipal election to be held in said city in the year nineteen hundred and sixty-five 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-four, entitled ‘An Act providing life tenure for Charles R. Herbert, incumbent of the office of commissioner of public works of the city of Quincy’, 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 30, 1964

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- Chap. 336.** AN ACT INCREASING THE AMOUNT OF INCOME WHICH MAY BE DERIVED FROM THE REAL AND PERSONAL PROPERTY HELD BY THE FIRST CONGREGATIONAL SOCIETY IN THE TOWN OF BECKET

Be it enacted, etc., as follows

Section 2 of chapter 51 of the acts of 1797 is hereby amended by striking out, in line 3, the word “one” and inserting in place thereof the word — five

Approved April 30, 1964

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- Chap. 337.** AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SIXTY-FIVE, 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-five, in this act referred to as the year nineteen hundred and sixty-five, or for such period as may be specified

SECTION 2

GENERAL FUND.

STATE PURPOSES APPROPRIATIONS

Legislature.

		<i>Senate</i>
Item		
0101-01	For the compensation of senators, prior appropriation continued	\$331,500
0101-02	For the salary of the clerk of the senate	18,000
0101-03	For the salary of the assistant clerk of the senate	14,400
0101-04	For clerical assistance to the clerk of the senate, including not more than three permanent positions	27,100
0101-05	For the salary of the chaplain of the senate	4,686
0101-06	For personal services of the counsel to the senate and assistants, including not more than four permanent positions	60,000
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	110,000
0101-30	For expenses of senators, including travel, prior appropriation continued	66,000
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		\$655,836

House of Representatives

0102-01	For the compensation of representatives, prior appropriation continued	\$1,895,400
0102-02	For the salary of the clerk of the house of representatives	18,000
0102-03	For the salary of the assistant clerk of the house of representatives	14,400
0102-04	For clerical assistance to the clerk of the house of representatives, including not more than four permanent positions	43,800
0102-05	For the salary of the chaplain of the house of representatives	4,686
0102-06	For personal services of the counsel to the house of representatives and assistants, including not more than seven permanent positions	114,100
0102-07	For clerical and other assistance to the house committee on rules, including not more than fourteen permanent positions, prior appropriation continued	118,000
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	105,100
0102-09	For clerical and other office expenses for the members of the house of representatives	24,000
0102-30	For expenses of representatives, including travel, prior appropriation continued	334,000
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	25,000
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

Item		
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	<u>\$2,728,986</u>

Sergeant-at-Arms

0103-01	For the salary of the sergeant-at-arms	\$13,014
0103-02	For clerical and other assistance employed by the sergeant-at-arms, including not more than seven permanent positions	57,166
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	37,326
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	510,000
0103-05	For compensation of the pages of the senate and house of representatives, with the approval of the sergeant-at-arms, including not more than thirty-six permanent positions	246,770
0103-06	For the salaries of clerks employed in the legislative document room, including not more than three permanent positions	66,000
0103-51	For contingent expenses of the senate and house of representatives and necessary expenses in and about the state house, with the approval of the sergeant-at-arms, prior appropriation continued	30,000
0103-52	For the payment of witness fees to persons summoned to appear before committees of the general court, and for expenses incidental to summoning them, with the approval of the sergeant-at-arms	300
	Total	<u>\$960,576</u>

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	150,000
	Total	<u>\$159,000</u>

Recodification Counsel

0105-01	For expenses of the recodification counsel, including not more than four permanent positions	\$40,000
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Other Expenses

0110-02	For printing, binding and paper ordered by the senate and house of representatives, or by concurrent order of the two branches with the approval of the clerks of the respective branches, prior appropriation continued	\$360,000
0110-03	For printing the manual of the general court, with the approval of the clerks of the two branches	22,000
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	72,878
0110-05	For telephone service, prior appropriation continued	80,000
0110-06	For biographical sketches of certain state and federal officials	6,000
0110-11	For the compilation, indexing, annotating printing, and distribution of veterans laws subject to the joint committee on rules as provided by a joint order	3,500
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	

Item		
	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	\$7,100
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	35,000
0110-21	For printing a descriptive pamphlet of the murals, house of representatives	1,500
0110-30	For traveling and such other expenses of joint committees of the general court as may be authorized by joint order of the general court	4,500
0110-31	For the annual membership fee of the commonwealth in the National Conference of State Legislative Leaders	1,000
	Total	<u>\$593,478</u>
	Total, Legislative	<u>\$5,137,876</u>

Judiciary.

Supreme Judicial Court

0301-01	For the salaries of the chief justice and of the six associate justices	\$190,000
0301-02	For traveling allowances and expenses	3,000
0301-03	For the salary of the clerk and the assistant clerk for the commonwealth	35,438
0301-04	For clerical assistance to the clerk	6,700
0301-05	For law clerks and clerical assistance for the justices	113,000
0301-06	For office supplies, services and equipment	10,000
0301-07	For the salaries of the officers and messengers	7,150
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	42,057
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	129,500
0302-01	For the salary of the reporter of decisions	18,000
0302-02	For the service of the reporter of decisions, including not more than three permanent positions	21,735
	Total	<u>\$586,750</u>

Superior Court

0305-01	For the salaries of the chief justice and of the forty-one justices	\$1,009,000
0305-02	For traveling allowances and expenses, prior appropriation continued	60,000
0305-03	For the salary of the assistant clerk of Suffolk County	1,500
0305-04	For expenses authorized by section twenty-eight of chapter two hundred and twelve of the General Laws	94,000
0305-11	For compensation of justices of district courts while sitting in the superior court, prior appropriation continued	35,000
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-eight permanent positions	404,276
0305-15	For personal services and expenses of the office of the supervisor of probation	8,722
	Total	<u>\$1,627,498</u>

Judicial Council

Item.		
0308-01	For the service of the judicial council	\$8,000

Administration of District Courts

0311-01	For compensation and expenses in connection with the administration of district courts as authorized by chapter two hundred and eighteen of the General Laws	\$21,000
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Administration 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	1,000
0320-05	For compensation of the chief judge and for other expenses as authorized by chapter two hundred and seventeen of the General Laws	23,135
Total		\$30,635

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	\$17,000
0321-02	Register	12,750
0321-03	Assistant register	9,563
0321-04	Clerical assistance to register, including not more than four permanent positions	20,692
Berkshire		
0322-01	Judge of probate	17,000
0322-02	Register	12,750
0322-03	Assistant register	9,563
0322-04	Clerical assistance to register, including not more than five permanent positions	23,172
Bristol		
0323-01	Two judges of probate	38,000
0323-02	Register	14,250
0323-03	Two assistant registers	20,663
0323-04	Clerical assistance to register, including not more than fourteen permanent positions	65,298
Dukes		
0324-01	Judge of probate	7,500
0324-02	Register	6,075
0324-04	Clerical assistance to register, including not more than one permanent position	3,971
Essex:		
0325-01	Two judges of probate	40,000
0325-02	Register	15,000
0325-03	Three assistant registers	31,500
0325-04	Clerical assistance to register, including not more than seventeen permanent positions	74,934
Franklin		
0326-01	Judge of probate	17,000
0326-02	Register	12,750
0326-03	Assistant register	9,563
0326-04	Clerical assistance to register, including not more than two permanent positions	8,817

Item		
	Hampden.	
0327-01	Two judges of probate	\$38,000
0327-02	Register	14,250
0327-03	Three assistant registers	29,925
0327-04	Clerical assistance to register, including not more than fifteen permanent positions	70,273
	Hampshire	
0328-01	Judge of probate	17,000
0328-02	Register	12,750
0328-03	Assistant register	9,563
0328-04	Clerical assistance to register, including not more than two permanent positions	8,949
	Middlesex:	
0329-01	Three judges of probate	63,000
0329-02	Register	15,750
0329-03	Five assistant registers	51,188
0329-04	Clerical assistance to register, including not more than forty-four permanent positions	216,109
	Nantucket.	
0330-01	Judge of probate	7,500
0330-02	Register	6,075
0330-04	Clerical assistance to register, including not more than one permanent position	3,971
	Norfolk:	
0331-01	Three judges of probate	63,000
0331-02	Register	15,750
0331-03	Four assistant registers	42,525
0331-04	Clerical assistance to register, including not more than fifteen permanent positions	77,001
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	17,000
0332-02	Register	12,750
0332-03	Two assistant registers	18,488
0332-04	Clerical assistance to register, including not more than eight permanent positions	36,395
	Suffolk:	
0333-01	Three judges of probate	63,000
0333-02	Register	15,750
0333-03	Five assistant registers	51,188
0333-04	Clerical assistance to register, including not more than fifty permanent positions	240,000
	Worcester:	
0334-01	Two judges of probate	40,000
0334-02	Register	15,000
0334-03	Four assistant registers	40,500
0334-04	Clerical assistance to register including not more than sixteen permanent positions	78,745
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	\$1,894,206

Land Court.

0340-01	For the salaries of the judge, associate judges and the recorder, including not more than four permanent positions	\$90,050
0340-02	For the service of the land court, including not more than forty-five permanent positions	368,950
	Total	\$459,000

Pensions for Certain Retired Justices

Item		
0345-01	For pensions of retired judges or their widows, as authorized by law	\$160,000

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	\$254,100
0351-01	For the salaries of the district attorney and assistants for the northern district, including not more than twelve permanent positions	118,500
0352-01	For the salaries of the district attorney and assistants for the eastern district, including not more than seven permanent positions	63,000
0354-01	For the salaries of the district attorney and assistants for the southern district, including not more than seven permanent positions	63,000
0355-01	For the salaries of the district attorney and assistants for the middle district, including not more than seven permanent positions	63,000
0356-01	For the salaries of the district attorney and assistants for the western district, including not more than six permanent positions	49,000
0357-01	For the salaries of the district attorney and assistants for the northwestern district, including not more than three permanent positions	19,900
0358-01	For the salaries of the district attorney and assistants for the Norfolk district, including not more than four permanent positions	39,000
0359-01	For the salaries of the district attorney and assistants for the Plymouth district, including not more than four permanent positions	38,500
0365-01	For traveling expenses necessarily incurred by the district attorneys except in the Suffolk district, including expenses incurred in previous years	6,000
Total		<hr/> \$714,000

Committee on Probation

0370-01	For the office of the commissioner of probation, including not more than fifty-nine permanent positions	\$313,390
0370-02	For compensation and expenses of the members of the committee on probation, as authorized by section ninety-nine A of chapter two hundred and seventy-six of the General Laws	1,800
Total		<hr/> \$315,190

Board of Bar Examiners

0380-01	For the service of the board, including not more than six permanent positions	\$42,781
Total, Judiciary		<hr/> <hr/> \$5,859,060

Executive.*Governor*

0401-01	For the salary of the governor	\$27,500
0401-02	For the salaries of officers and employees in the governor's office	198,000
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		<hr/> \$325,300

Lieutenant-Governor

0402-01	For the salary of the lieutenant-governor	\$16,000
0402-02	For personal services for the lieutenant-governor's office	42,460
Total		<hr/> \$58,460

Governor's Council.

Item		
0403-01	For the salaries of the eight councillors . . .	\$32,000
0403-02	For personal services for the council	47,858
0403-03	For postage, printing, stationery, traveling and contingent expenses of the governor and council	14,000
0403-05	For travel and expenses of the lieutenant-governor and council from and to their homes . . .	4,000
	Total . . .	<u>\$97,858</u>

Extraordinary Expenses.

0405-01	For the cost, not to exceed fifteen thousand dollars, of entertainment of distinguished visitors to the commonwealth, provided that no expenditure shall be allowed for a party exceeding fifty visitors, for the payment of extraordinary expenses not otherwise provided for, and for transfers to appropriation accounts where the amounts otherwise available are insufficient, provided that requests for such transfers shall be referred to the 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
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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	\$350,000
0406-05	For training and training supplies, provided, that expenditures from this item shall be contingent upon the prior approval of the proper federal authorities for reimbursement of fifty per cent of the amounts expended for the purposes of this item, prior appropriation continued	25,000
	Total . . .	<u>\$375,000</u>
	Total, Executive	<u><u>\$956,618</u></u>

Military Division.

Adjutant General.

0420-02	For the salary of and the office of the adjutant general, including not more than thirty-six permanent positions Military.	\$251,354
0421-01	For allowances to companies and other administrative units, to be expended under the direction of the adjutant general	185,000
0421-02	For officers' uniform allowances, as authorized by section eighty-seven of chapter thirty-three of the General Laws	72,000
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 eight permanent positions	99,170
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	14,170
0421-60	For the operation of the war records project, so called, including not more than ten permanent positions . . .	48,600

Item		
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		\$680,423
<i>State Quartermaster</i>		
0423-01	For the office of the state quartermaster	\$4,300
0423-02	For the operation of armories of the first class, including not more than one hundred and two permanent positions	759,320
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	37,709
0424-05	For certain storage and maintenance facilities, including not more than twenty-eight permanent positions	123,150
0424-08	For certain national guard aviation facilities, including not more than ten permanent positions	46,698
Total		\$992,427
<i>Armory Commission</i>		
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		\$1,673,045

Boards and Commissions serving under Governor and Council.

<i>Executive Office for Administration and Finance</i>		
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 one hundred and three thousand nine hundred and eighty dollars from the Highway Fund	\$346,600
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	30,000
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 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	40,166
Total		\$426,766
<i>Fiscal Affairs Division</i>		
0441-10	For the fiscal affairs division, including not more than one hundred and eight 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 twenty-eight thousand nine hundred and ninety dollars from the Highway Fund	\$778,300

Item		
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	\$5,000
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	50,000
0441-13	For the bureau of hospital costs and finances, including not more than six permanent positions	44,397
Total		\$877,697

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	\$40,703
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	613,843
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	1,154,820
Total		\$1,809,366

Comptroller's Division

0442-01	For the comptroller's division, including not more than one hundred and twenty-seven permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of two hundred and sixty-eight thousand and ninety-nine dollars from the Highway Fund	\$893,664
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Purchasing Agent's Division

0444-01	For the purchasing agent's division, including not more than seventy-seven permanent positions, provided, that the comptroller shall transfer to the General Fund the sum of one hundred and forty-four thousand four hundred and fifty dollars from the Highway Fund	\$481,600
0444-02	For the purchase of paper used in the execution of the contracts for state printing, other than legislative	115,000
Total		\$596,600

The Group Insurance Commission

0448-01	For administration of the group insurance program, including not more than twenty-five permanent positions	\$244,152
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, provided, that notwithstanding the provisions of section twenty-six of chapter twenty-nine of the General Laws, the commission is hereby authorized to negotiate and execute a contract for hospital, surgical, medical benefits not to exceed the present level of benefits, prior appropriation continued	4,050,000
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, prior appropriation continued	140,000
Total		\$4,434,152

Rate Setting Board for Convalescent or Nursing Homes and Rest Homes

Item		
0449-01	For expenses of the board, as authorized by chapter eight hundred and nine of the acts of nineteen hundred and sixty-three, including not more than seven permanent positions	\$55,303

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, prior appropriation continued	
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Total, Executive Office for Administration and Finance	<u>\$9,093,448</u>
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Commissioners on Uniform State Laws

0457-01	For the expenses of the commissioners	\$2,950
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George Fingold Library

0459-01	For the service of the library, including not more than thirty-one permanent positions	\$211,275
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Art Commission

0460-01	For expenses of the commission, notwithstanding the limitation of section nineteen of chapter six of the General Laws	\$500
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Ballot Law Commission

0461-01	For compensation and expenses of the commissioners, including not more than three permanent positions	\$4,550
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Massachusetts Commission Against Discrimination

0462-01	For the service of the commission, including not more than nineteen permanent positions	\$152,222
0462-02	For a branch office to be located in the city of Springfield	17,429

Total	<u>\$169,651</u>
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State Racing Commission

0463-01	For the service of the commission, including not more than eleven permanent positions, provided, that fees paid to veterinarians for services in connection with horse racing shall not exceed twenty-five dollars per diem, and in connection with dog racing shall not exceed twenty dollars per diem	\$174,413
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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	\$300
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Council for the Aging

0465-01	For expenses of the council, to be in addition to any federal funds available for the purpose	\$76,787
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Mount Greylock Reservation Commission

0466-01	For the maintenance of the Mount Greylock war memorial	\$489
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Old State House

0467-01	For the contribution of the commonwealth toward the maintenance of the old provincial state house	\$1,500
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Alcoholic Beverages Control Commission

Item		
0469-01	For the service of the commission, including not more than sixty-five permanent positions	\$536,900

Contributory Retirement Appeal Board.

0471-01	For the service of the board	\$100
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Obscene Literature Control Commission

0472-01	For expenses of the commission, as authorized by section one hundred and one of chapter six of the General Laws	\$2,000
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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	\$5,000
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Metropolitan Area Planning Council

0474-01	For expenses of the council, as authorized by section one hundred and fourteen of chapter six of the General Laws	\$100,000
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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	\$25,359
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New England Board of Higher Education

0476-01	For expenses of the board, and for compensation and expenses of the members, as provided by chapter five hundred and eighty-nine of the acts of nineteen hundred and fifty-four	\$43,863
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	\$218,863

Finance Advisory Board.

0477-01	For expenses of the board	\$100
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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	\$250
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Soldiers' Home in Massachusetts.

0481-01	For the maintenance of the Soldiers' Home in Massachusetts, including not more than five hundred and ninety-three permanent positions	\$3,666,225
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Soldiers' Home in Holyoke.

0482-01	For the maintenance of the Soldiers' Home in Holyoke, including not more than two hundred and twenty-one permanent positions	\$1,438,100
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State Housing Board

Item		
0483-01	For the service of the board, including not more than forty-two 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	\$386,346
0484-01	For the service of the division of urban renewal, including not more than eleven permanent positions	92,450
Total		<u>\$477,796</u>

Commissioner of Veterans' Service

0485-01	For personal services of the commissioner and deputies, including not more than three permanent positions	\$34,688
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	532,971
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	130,000
Total		<u>\$697,659</u>

Massachusetts Aeronautics Commission

0490-01	For the compensation and expenses of members of the commission, including not more than five permanent positions	\$8,250
0490-02	For the service of the commission, including not more than nine permanent positions	77,670
Total		<u>\$85,920</u>

Commission on Employment of the Handicapped

0496-07	For expenses of the commission	\$2,250
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Massachusetts Rehabilitation Commission.

0497-01	For the service of the commission, including not more than one permanent position, prior appropriation continued	\$1,089,000
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Massachusetts Commission on Atomic Energy

0498-01	For the service of the commission	<u>\$8,417</u>
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Total, Boards and Commissions serving under Governor and Council \$18,240,452

Secretary of the Commonwealth.

0501-01	For the salary of the secretary	\$16,000
0501-02	For the office of the secretary, including not more than eighty-six permanent positions	629,879
0501-03	For the processing of certain statistical data in the division of vital statistics	7,380
0501-04	For the expenses of the bureau of corporate organization and registration, including not more than thirteen permanent positions	102,120
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
0502-03	For the expenses of the decennial census	19,000
Total		<u><u>\$785,329</u></u>

Printing Laws, etc.

Item		
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-five, 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	\$463,244
0504-04	For expenses of publications of lists of candidates and forms of questions before state elections	22,000
0504-05	For services and expenses of the electoral college	1,200
0504-07	For expenses of compiling and publishing information to voters, as required by section fifty-three of chapter fifty-four of the General Laws	165,000
	Total	\$651,444

Commission on Interstate Co-operation.

0506-01	For the service of the commission, including not more than two permanent positions	\$40,861
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Massachusetts Historical Commission.

0507-01	For the service of the commission, including not more than one permanent position	\$7,848
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Total, Department of the Secretary of the Commonwealth \$1,554,482

Treasurer and Receiver-General.

0601-01	For the salary of the treasurer and receiver-general	\$16,000
0601-02	For the office of the treasurer and receiver-general, including not more than seventy permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of two hundred and two thousand seven hundred and seventy dollars from the Highway Fund.	641,900
	Total	\$657,900

Commissioners on Firemen's Relief.

0602-01	For expenses of administration and for relief disbursed by the commissioners on firemen's relief	\$15,000
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State Board of Retirement.

0604-01	For the administrative office of the board, including not more than thirty-seven permanent positions	\$210,667
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 eight hundred thousand dollars from the Highway Fund and the sum of twenty-five thousand dollars from the Inland Fisheries and Game Fund; and, provided further, that 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	12,000,000

Item		
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 eight hundred and twenty-five thousand dollars from the Highway Fund	\$3,750,000
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	515,000
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	154,000
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
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 nineteen hundred and sixty-three; provided, that the comptroller shall transfer to the General Fund the sum of twenty thousand dollars from the Highway Fund	25,000
Total		\$17,069,167

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	\$22,101
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World War and Spanish-American War Service.

0606-01	For making payments to soldiers in recognition of service during World War I and the Spanish War, as provided by law	\$750
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Total, Department of the Treasurer and Receiver-General **\$17,764,918**

Auditor of the Commonwealth.

Item		
0701-01	For the salary of the auditor	\$16,000
0701-02	For the office of the auditor, including not more than sixty-eight permanent positions; provided that any expense incurred in the audit of the books of the Woods Hole, Martha's Vineyard and Nantucket Steamship Authority shall be reimbursed by said authority as provided by law; and, provided further, that the comptroller shall transfer to the General Fund the sum of one hundred and sixty-five thousand six hundred and eighteen dollars from the Highway Fund	736,810
	Total, Department of the Auditor	<u>\$752,810</u>

Department of the Attorney General.

0801-01	For the salary of the attorney general	\$20,000
0801-02	For the office of the attorney general, including not more than forty-five permanent positions	562,715
0801-03	For the cost of providing certain legal assistance for the benefit of veterans, their wives and dependents	18,600
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	<u>\$709,315</u>

Department of Agriculture.

0901-01	For the salary of the commissioner	\$11,000
0901-02	For the office of the commissioner, including not more than thirty-four permanent positions	243,381
0901-11	For expenses of the board of agriculture	500
0901-21	For apiaary 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	9,329
0901-24	For matching certain federal funds allocated to the department for a program of quality improvement of the production and marketing of eggs	4,500
	Total	<u>\$268,710</u>

Division of Dairying and Animal Husbandry.

0905-01	For the service of the division, including not more than five permanent positions	\$39,374
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	107,868
0905-04	For matching certain federal funds allocated to the department for a program of quality improvement of dairy products	4,450
	Total	<u>\$151,692</u>

Milk Control Commission.

0906-01	For the service of the commission, including not more than thirty-four permanent positions	\$230,049
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Division of Livestock Disease Control.

Item		
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	\$269,245
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	\$280,545

Division of Markets.

0908-01	For the service of the division, including not more than eleven permanent positions	\$116,200
0908-02	For matching federal funds in preparing certain crop survey reports	4,846
	Total	\$121,046

Division of Plant Pest Control and Fairs.

0909-01	For the service of the division, including not more than four permanent positions	\$36,480
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State Reclamation Board.

0910-01	For the service of the board, including not more than three permanent positions	\$15,324
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	\$21,824
	Total, Department of Agriculture	\$1,110,346

Department of Natural Resources.

1001-01	For the salary of the commissioner	\$13,000
1001-02	For the office of the commissioner, including not more than thirty-five permanent positions; 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	230,850
1001-04	For the expenses of the natural resources board	700
	Total	\$244,550

Division of Forests and Parks.

1002-01	For the office of the director, including not more than thirteen permanent positions	\$98,300
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	454,065
1002-14	For the expenses of forest fire patrol, including not more than ten permanent positions, as authorized by section twenty-eight A of chapter forty-eight of the General Laws	69,850

Item		
1002-21	For the development of forests, including not more than thirty-five permanent positions	\$251,650
1002-26	For certain farm forestry projects in co-operation with the United States Forest Service and the county of Berkshire, including not more than one permanent position; provided, that no expenditure shall be made under this item until the county of Berkshire shall have deposited the sum of two thousand one hundred and ten dollars in the state treasury for this project	8,438
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 nine hundred and seventy dollars in the state treasury for this project	7,877
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 nine hundred and eighty-two dollars in the state treasury for this project	7,926
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	206,850
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	58,000
1002-41	For a federal-state co-operative forest management program	22,055
	Total	\$1,185,011

Division of Law Enforcement.

1003-00	For the service of the division, including not more than seventy permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and forty-one thousand dollars from the Inland Fisheries and Game Fund, the sum of one hundred and thirty thousand dollars from the Marine Fisheries Fund and the sum of thirty thousand dollars from the State Recreation Areas Fund.	\$539,700
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Division of Conservation Services.

1005-01	For the services of the division, including not more than five permanent positions	\$64,537
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Division of Water Resources.

1010-01	For the service of the division, including not more than eight permanent positions, to be in addition to any federal or other funds available	\$139,181
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	29,800
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	77,300
1010-31	For the operation and maintenance of a certain flood control project in the town of New Marlborough	800
1010-35	For operation and maintenance of flood control reservoirs on the SuAsCo watershed	4,160

Item		
1010-36	For property surveys for establishment of flood plain limits in the Assabet and Chicopee river valleys	\$10,000
	Total	<u>\$263,541</u>
	Total, Department of Natural Resources	<u><u>\$2,297,339</u></u>

Department of Banking and Insurance.

Division of Banks.

1101-01	For the salary of the commissioner	\$15,000
1101-02	For the office of the commissioner, including not more than two hundred and one permanent positions	1,542,361
1102-01	For the office of the supervisor of loan agencies, including not more than forty-one permanent positions	325,300
	Total	<u>\$1,882,661</u>

Division of Insurance.

1103-01	For the salary of the commissioner	\$15,000
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 eighty-one permanent positions; provided, that the positions of "area legal counsel" and "assistant 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 seventy-seven thousand five hundred and seventy dollars from the Highway Fund	1,892,850
	Total	<u>\$1,907,850</u>

Division of Savings Bank Life Insurance.

1105-01	For the service of the division, including not more than twenty-eight permanent positions	\$173,430
	Total, Department of Banking and Insurance	<u><u>\$3,963,941</u></u>

Department of Corporations and Taxation.

1201-01	For the salary of the commissioner and associate commissioners	\$52,000
1201-02	For personal services of the department, except as otherwise provided, including not more than eight hundred and nineteen permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of two hundred and thirty-three thousand dollars from the Highway Fund, the sum of three hundred and fifty-seven thousand dollars from the receipts of the corporation tax and three million ninety-four thousand dollars from the receipts of the income tax	4,760,000
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 and forty dollars from the Highway Fund and one hundred and eighty thousand dollars from the receipts of the corporation tax	315,200
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	1,135,700
	Total	<u>\$6,312,900</u>

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	\$918,100
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	84,200
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	23,993
Total		<u>\$1,104,293</u>

Appellate Tax Board.

1204-01	For the service of the board, including not more than twenty-nine permanent positions; provided, that the board is hereby authorized to prepare official transcripts of hearings at no net expense to the commonwealth and, in addition to the sums appropriated in this item, expend from the receipts therefor, without appropriation, income derived from the sale of such transcripts	\$263,450
Total, Department of Corporations and Taxation		<u><u>\$7,680,643</u></u>

Department of Education.

1301-01	For the salary of the commissioner	\$27,500
1301-02	For the office of the commissioner, including not more than eighty permanent positions	584,000
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 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	150,000
1301-05	For the expenses of the advisory commission on academically talented pupils, as authorized by section six C of chapter fifteen of the General Laws	3,700
1301-06	For printing school registers and other school blanks for cities and towns	6,330
1301-07	For expenses of holding teachers' institutes	1,200
1301-10	For the service of the state building on Newbury Street, Boston, including not more than five permanent positions.	49,543
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	22,795
1301-20	For the board of education, including not more than two permanent positions	12,713
1301-23	For printing guides for school curricula	7,000
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	500,000
1301-33	For certain educational services to certain war veterans	29,550
Total		<u><u>\$1,398,231</u></u>

School Lunch and Commodity Distribution Program.

Item		
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	\$213,183
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	350,000
Total		\$563,183

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	\$148,926
1307-02	For personal services of the surplus property agency, including not more than two 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	14,116
Total		\$163,042

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	\$3,100,000
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Education of Emotionally Disturbed Children.

1312-01	For education of emotionally disturbed children of the commonwealth, as provided by section forty-six I of chapter seventy-one of the General Laws, prior appropriation continued	\$1,550,000
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Division of University Extension.

1313-01	For the university extension courses, including not more than fifty-seven 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	\$285,000
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Division of Immigration and Americanization.

1315-01	For the service of the division, including not more than seventeen permanent positions	\$115,582
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Division of Public Libraries.

1316-01	For the service of the division, including not more than twenty-five permanent positions	\$158,090
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Division of the Blind.

Item		
1317-01	For general administration and for instruction of the adult blind in their homes, including not more than seventy-three permanent positions	\$410,133
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	2,225,500
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	33,000
1317-11	For the operation of local shops, including not more than thirteen permanent positions	283,650
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	47,528
1317-16	For the operation of the Cambridge industries for the blind, including not more than twelve permanent positions	511,967
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	46,024
1317-28	For the promotion of vocational rehabilitation of the blind in co-operation with the federal government, prior appropriation continued	161,000
Total		\$3,718,802

Teachers' Retirement Board.

1319-01	For the service of the board, including not more than thirty-four permanent positions	\$190,738
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		\$191,238

Massachusetts Maritime Academy.

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	\$550,098
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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:

1329-01	For administration, as authorized by section one of chapter seventy-three of the General Laws, including not more than fourteen permanent positions	\$116,225
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 state 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 one million dollars with the approval of said trustees	6,500
1329-03	For aid to certain pupils in state colleges, under the direction of the board of trustees	4,000

Item		
1330-01	State college at Bridgewater, including not more than one hundred and seventy-three permanent positions	\$1,482,885
1330-21	State college at Bridgewater, boarding hall, including not more than thirty-eight permanent positions	304,050
1331-01	State college at Fitchburg, including not more than one hundred and thirty-seven 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	1,256,230
1331-10	For scholarships, as authorized by section seven C of chapter sixty-nine of the General Laws	10,000
1331-21	State college at Fitchburg, boarding hall, including not more than nineteen permanent positions	164,504
1332-01	State college at Framingham, including not more than one hundred and twenty permanent positions	869,100
1332-21	State college at Framingham, boarding hall, including not more than thirty-seven permanent positions	280,000
1333-01	State college at Lowell, including not more than ninety-three permanent positions	666,518
1333-21	State college at Lowell, boarding hall, including not more than four permanent positions	17,190
1334-01	State college at North Adams, including not more than sixty permanent positions	438,750
1334-21	State college at North Adams, boarding hall, including not more than eight permanent positions	54,440
1335-01	State college at Salem, including not more than one hundred and sixty-six permanent positions	1,293,930
1336-01	State college at Westfield, including not more than ninety permanent positions	691,290
1336-21	State college at Westfield, boarding hall, including not more than nine permanent positions	41,230
1337-01	State college at Worcester, including not more than one hundred and twenty-seven permanent positions	951,500
1338-01	State college at Boston, including not more than one hundred and ninety-seven permanent positions	1,626,890
1339-01	Massachusetts College of Art, including not more than forty-nine permanent positions	453,675
Total		\$10,728,907

For the maintenance of and for certain improvements at the following institutes 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-four; 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	\$613,510
1340-10	For scholarships, as authorized by section forty-six C of chapter seventy-four of the General Laws	3,750
1342-01	New Bedford Institute of Technology, including not more than sixty-nine 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-four; 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	652,290
1342-10	For scholarships, as authorized by section forty-six C of chapter seventy-four of the General Laws	3,750
Total		\$1,273,300

Lowell Technological Institute of Massachusetts.

Item		
1345-01	For the maintenance of the institute, with the approval of the trustees, including not more than two hundred and twenty-six 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-four; provided, 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 .	\$2,277,500
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	15,000
	Total	\$2,297,500

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	\$42,754
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University of Massachusetts.

1350-01	For the maintenance of the university, with the approval of the trustees, including not more than sixteen hundred and two 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 fifty-two 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	\$16,887,000
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
1350-70	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	396,400
	Total	\$17,321,600

Massachusetts Board of Regional Community Colleges.

Item		
1360-01	For administration of the program, as authorized by section twenty-seven of chapter fifteen of the General Laws, including not more than four permanent positions	\$71,925
1361-00	Massachusetts Bay community college, including not more than fifty-three permanent positions	453,310
1362-00	Northern Essex community college, including not more than thirty-four permanent positions	267,031
1363-00	Cape Cod community college, including not more than twenty-nine permanent positions	244,925
1364-00	Berkshire community college, including not more than thirty-three permanent positions	257,840
1365-00	Quinsigamond community college, including not more than thirty-six permanent positions	255,910
1366-00	Greenfield community college, including not more than twenty-one permanent positions	195,975
1367-00	Holyoke community college, including not more than forty-one permanent positions	258,400
1368-00	Mount Wachusett community college, including not more than eighteen permanent positions	103,683
1369-00	Regional community college, south shore, including not more than two permanent positions	20,000
Total		<u>\$2,128,999</u>

Division of Youth Service.

1380-01	For the youth service board and for the administration of the division of youth service, including not more than ninety permanent positions	\$1,065,478
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For the maintenance of and for certain improvements at the institutions within the division:

1381-01	Industrial school for boys, including not more than one hundred and thirty-four permanent positions	\$880,500
1382-01	Industrial school for girls, including not more than ninety-five permanent positions	585,750
1383-01	Lyman school for boys, including not more than one hundred and forty-nine permanent positions	1,110,860
1384-01	For the operation of reception and detention facilities for boys in the city of Boston, including not more than sixty-two permanent positions	455,455
1385-01	For the operation of the institute of juvenile guidance, including not more than fifty-four permanent positions	401,050
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	214,465
1387-01	For the operation of a detention center in Hampden county, including not more than eighteen permanent positions	124,564
1388-01	For the operation of a residential treatment unit for small boys in Oakdale, including not more than twenty-five permanent positions	210,610
1389-01	For the operation of a detention center in Worcester county, including not more than nineteen permanent positions	128,500
1390-01	For the maintenance of Stephen L. French Youth Forestry Camp	82,350
Total		<u>\$4,194,104</u>
Total, Division of Youth Service		<u>\$5,259,582</u>

School Building Assistance Commission.

1393-01	For the school building assistance commission	\$95,607
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Board of Educational Assistance.

Item		
1394-01	For the expenses of the board, as authorized by section twenty-six of chapter fifteen of the General Laws	\$14,196
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	400,000
1394-03	For scholarships as authorized by section seven D of chapter sixty-nine of the General Laws	15,000
	Total	\$429,196
	Total, Department of Education	\$51,370,711

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	\$57,000
1402-02	For the service of the division, including not more than two hundred and forty-seven permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of two hundred and forty thousand and ninety dollars from the Highway Fund	1,600,600
1402-21	For expenses of hearings, as authorized by section forty-three of chapter thirty-one of the General Laws	7,500
	Total	\$1,665,100

Division of Registration.

1403-01	For the salary of the director	\$8,000
1403-02	For the service of the division, including not more than fifty-nine permanent positions	452,070
	Total	\$460,070

For the service of the following agencies in the division:

1404-01	Board of registration in medicine, including not more than seven permanent positions	\$12,575
1405-01	Board of dental examiners, including not more than five permanent positions	7,500
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	3,400
1407-01	Board of registration in pharmacy, including not more than nine permanent positions	40,693
1408-01	Board of registration of nurses, including not more than twelve permanent positions	8,000
1409-01	Board of registration in embalming and funeral directing, including not more than five permanent positions	13,125
1410-01	Board of registration in optometry, including not more than five permanent positions	3,750
1411-01	Board of registration in veterinary medicine, including not more than five permanent positions	3,630
1412-01	Board of registration of professional engineers and land surveyors	27,300
1413-01	Board of registration of architects, including not more than five permanent positions	5,100
1415-01	Board of public accountancy, including not more than nine permanent positions	42,350

Item		
1416-01	State examiners of electricians, including not more than two permanent positions	\$10,000
1417-01	State examiners of plumbers, including not more than three permanent positions	9,450
1418-01	Board of registration of real estate brokers and salesmen, including not more than twenty-seven permanent positions; provided, that persons employed under this item shall not be subject to the civil service laws and rules	219,914
1419-01	Board of registration of electrologists, including not more than three permanent positions	2,125
1420-01	Board of registration of barbers, including not more than ten permanent positions	60,277
1421-01	Board of registration of hairdressers, including not more than seventeen permanent positions	109,452
1422-01	Board of registration of dispensing opticians, including not more than five permanent positions	1,375
1424-01	Board of registration of sanitarians, including not more than four permanent positions	1,500
1425-01	Board of registration of radio and television technicians, including not more than seven permanent positions	7,700
Total		<u>\$589,216</u>
Total, Department of Civil Service and Registration		<u>\$2,714,386</u>

Department of Commerce.

1551-01	For the service of the department, including not more than fifty-six permanent positions	\$655,329
1551-02	For the promotion of vacation travel within the commonwealth; provided, that no salaries or expenses of employees shall be chargeable to this item	100,000
1551-03	For the promotion of industry within the commonwealth; provided, that no salaries or expenses of employees shall be chargeable to this item	100,000
1551-10	For the commonwealth's share of the expenses of the New England governors' research committee, prior appropriation continued.	
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	36,086
1551-22	For expenses of representing the department of commerce in Washington, D. C.	36,000
Total, Department of Commerce		<u>\$927,415</u>

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	\$121,067
1603-01	For the division of industrial safety, including not more than seventy permanent positions	558,500
1605-01	For the division of occupational hygiene, including not more than fourteen permanent positions	113,450
1607-01	For the division of statistics, including not more than thirty-four permanent positions	194,195
1609-01	For administration of the division on necessities of life, including not more than five permanent positions	33,622
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	88,276
1611-01	For the board of conciliation and arbitration, including not more than fifteen permanent positions	150,975

Item		
1613-01	For the commission on minimum wage and for expenses of wage boards, including not more than thirty-four permanent positions	\$201,080
1615-01	For the division of standards, including not more than twenty-one permanent positions	157,491
	Total	<u>\$1,618,656</u>

Division of Apprentice Training.

1620-01	For the service of the division, including not more than thirty-six permanent positions; provided, that all of the positions of this division, with the exception of the head clerk, shall not be subject to chapter thirty-one of the General Laws	\$215,485
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Labor Relations Commission.

1630-01	For the service of the commission, including not more than twenty permanent positions	\$163,515
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Health, Welfare and Retirement Trust Funds Board.

1640-01	For the service of the board, as authorized by sections ten E and ten F of chapter twenty-three of the General Laws, including not more than twenty-eight permanent positions	\$213,750
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Division of Industrial Accidents.

1651-01	For personal services of members of the board, including not more than twelve permanent positions	\$181,000
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-four permanent positions	1,050,558
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 twenty thousand dollars from the Highway Fund	1,200,000
	Total	<u>\$2,456,558</u>

Division of Self-Insurance.

1651-21	For the service of the division, including not more than six permanent positions	\$39,266
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Industrial Accident Rehabilitation Board.

1652-01	For the service of the board, including not more than six permanent positions	\$15,883
	Total, Department of Labor and Industries	<u>\$4,723,113</u>

Department of Mental Health.

1701-01	For the salary of the commissioner	\$23,000
1701-02	For administration, including community nurseries for retarded children, the boarding out of children, as provided in chapter one hundred and twenty-three of the General Laws, with the consent of the parents or guardians, 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	

Item

certain feeble-minded persons, including not more than five hundred and thirty-eight permanent positions; provided, that any part of the sum appropriated in this item may be used for matching any federal grants available for this purpose \$5,823,650

Total \$5,846,650

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 ninety-two permanent positions	\$1,790,300
1711-00	Boston state hospital, including not more than one thousand one hundred and twenty-two permanent positions	6,569,800
1712-00	Danvers state hospital, including not more than eight hundred and forty-six permanent positions	4,892,200
1713-00	Foxborough state hospital, including not more than five hundred and sixty-one permanent positions	3,283,150
1714-00	Gardner state hospital, including not more than five hundred and eleven permanent positions	3,100,135
1715-00	Grafton state hospital, including not more than five hundred and seventy-six permanent positions	3,369,977
1716-00	Medfield state hospital, including not more than six hundred and seventy-nine permanent positions	3,796,850
1717-00	Metropolitan state hospital, including not more than seven hundred and forty-four permanent positions	4,382,255
1718-00	Northampton state hospital, including not more than seven hundred and fifty-one permanent positions	4,558,100
1719-00	Taunton state hospital, including not more than seven hundred and eleven permanent positions	4,710,200
1720-00	Westborough state hospital, including not more than seven hundred and seventy-nine permanent positions	4,369,900
1721-00	Worcester state hospital, including not more than one thousand and fifty permanent positions	5,717,865
1722-00	Monson state hospital, including not more than seven hundred and fifty-six permanent positions	3,759,900
1723-00	Belchertown state school, including not more than five hundred and eighty-nine permanent positions	3,134,500
1724-00	Walter E. Fernald state school, including not more than nine hundred and sixty-six permanent positions	5,675,450
1725-00	Wrentham state school, including not more than six hundred and forty-nine permanent positions	4,212,825
1726-00	Paul A. Dever state school, including not more than six hundred and twenty-six permanent positions	3,840,000
1727-00	Cushing hospital, including not more than six hundred and seventy-eight permanent positions	3,316,400
	Total	<u>\$74,479,807</u>
	Total, Department of Mental Health.	<u>\$80,326,457</u>

Department of Correction.

1801-01	For the salary of the commissioner	\$18,000
1801-02	For administration, including not more than seventy 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	587,775
	Total	<u>\$605,775</u>

For the maintenance of and for certain improvements at the following institutions under the control of the department of correction:

Item		
1810-01	Correctional institution at Bridgewater, including not more than five hundred and sixty-two permanent positions	\$4,566,500
1812-01	Correctional institution at Walpole, including not more three hundred permanent positions	2,361,870
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 therefrom from the Highway Fund to the General Fund	788,084
1814-01	Correctional institution at Concord, including not more than two hundred and forty-nine permanent positions	1,923,050
1814-02	Correctional institution at Concord, industries, including not more than fifteen permanent positions	320,950
1816-01	Correctional institution at Framingham, including not more than one hundred and thirty-four permanent positions	1,060,550
1816-02	Correctional institution at Framingham, industries, including not more than nine permanent positions	234,243
1818-01	Correctional institution at Norfolk, including not more than two hundred and fifty-five permanent positions	2,221,750
1818-02	Correctional institution at Norfolk, industries, including not more than twenty-nine permanent positions	526,800
1820-01	For the operation of correctional institution camps, including not more than thirty-six permanent positions	414,690
	Total	<u>\$14,418,487</u>

Parole Board.

1830-01	For the service of the board, including not more than seventy-three permanent positions	\$614,260
	Total, Department of Correction	<u>\$15,638,522</u>

Department of Public Welfare.

1901-01	For the salary of the commissioner	\$18,000
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 ninety-nine permanent positions	3,704,300
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	38,500
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	82,500
1906-04	For the care and maintenance of children under the jurisdiction of the division of child guardianship, prior appropriation continued	5,845,000
	Total, Department of Public Welfare.	<u>\$9,688,300</u>

Department of Public Health.

Bureau of Administration.

2001-01	For the salary of the commissioner	\$23,000
2001-02	For the service of the bureau of administration, including not more than thirty-eight permanent positions	290,425
2001-03	For a poliomyelitis vaccine program, for the purchase of poliomyelitis vaccine and for the development of programs for the administration of poliomyelitis vaccine, to be expended either with or without grants or contributions from public or private agencies; provided, that such	

Item		
	grants or contributions may be expended without appropriation; and, provided further, that the commissioner shall present a report to the general court on or before the first Wednesday in January, nineteen hundred and sixty-five, prior appropriation continued	\$222,000
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	6,104
	Total	\$541,529

Bureau of Environmental Sanitation.

2002-01	For the service of the bureau, including not more than eighty-one permanent positions	\$635,400
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	59,675
	Total	\$695,075

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 eighty permanent positions	\$1,564,398
2003-21	For a study of equine encephalitis	24,400
	Total	\$1,588,798

Bureau of Health Services.

2004-01	For the service of the bureau, including not more than sixty-one permanent positions	\$929,360
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Bureau of Hospital Facilities.

2005-01	For the service of the bureau, including not more than twelve permanent positions	\$111,411
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Bureau of Tuberculosis and Institutions.

2006-01	For the service of the bureau, including such payments for hospital care of tubercular patients as may be contracted for by the commissioner of public health, and for the commonwealth's share of the operation of certain tuberculosis clinics, including not more than thirty-nine permanent positions	\$5,515,500
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Institute of Laboratories.

2007-01	For the service of the institute, including not more than one hundred and fifty permanent positions	\$988,250
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Bureau of Consumer Products Protection.

2008-01	For the service of the bureau, including not more than sixty-nine permanent positions	\$529,400
2008-02	For the service of the pesticide board, as authorized by section nine A of chapter seventeen of the General Laws	18,177
	Total	\$547,577

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	\$4,899,000
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Item		
2022-00	Lakeville hospital, including not more than two hundred and eighty-four permanent positions	\$1,591,350
2024-00	Rutland hospital, including not more than two hundred and fifty-two permanent positions	1,000,000
2025-00	Western Massachusetts hospital, including not more than two hundred and ninety-one permanent positions	1,818,250
2026-00	Lemuel Shattuck hospital, including not more than eight hundred and thirty permanent positions	5,187,800
2026-50	For a research program of chronic hepatitis and related diseases, to be in addition to any federal or other funds available	49,700
2027-00	Massachusetts hospital school, including not more than two hundred and twenty-five permanent positions	1,338,400
2031-00	Pondville hospital, including not more than two hundred and seventy-six permanent positions	1,907,300
2031-50	For the expenses of a cancer research project	26,495
	Total	<u>\$17,818,295</u>

New England Interstate Water Pollution Control Commission.

2040-01	For expenses of the New England interstate water pollution control commission, as authorized by chapter four hundred and twenty-one of the acts of nineteen hundred and forty-seven, and for compensation and expenses of the commissioners, as provided by section four of said chapter	\$9,800
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Drug Addiction Rehabilitation Board.

2090-01	For expenses of the board, as authorized by section twelve of chapter seventeen of the General Laws, including not more than four permanent positions	\$188,247
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Total, Department of Public Health \$28,933,842

Department of Public Safety.

2101-01	For the salary of the commissioner	\$16,000
2101-02	For certain administrative expenses of the department, including not more than one hundred and three permanent positions	696,417
2103-01	For the fire prevention service, including not more than twenty-five permanent positions	261,450
2104-01	For the service of the division of inspection, except as otherwise provided, including not more than sixty-six permanent positions; provided, that the position of "examiner of elevator operators" shall not be subject to the provisions of chapter thirty-one of the General Laws.	602,000
2104-31	For the board of boiler rules, including not more than four permanent positions	1,800

Total \$1,577,667

State Boxing Commission.

2105-11	For the service of the commission, including not more than six permanent positions	\$33,090
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Board of Standards.

2106-01	For the service of the board, including not more than seven permanent positions	\$6,250
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Board of Elevator Regulations.

2107-01	For the service of the board, including not more than seven permanent positions	\$6,200
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Board of Fire Prevention Regulations.

2108-01	For the service of the board, including not more than eight permanent positions	\$6,500
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Division of Subversive Activities.

Item		
2109-01	For the service of the division, including not more than five permanent positions	\$37,473

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	\$800
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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	\$1,200
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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	\$2,175
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Total, Department of Public Safety	\$1,671,355
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Department of Public Works.

The salaries of all officers and employees of the department engaged in projects or activities authorized by bond issue or otherwise shall be charged for the nineteen hundred and sixty-five 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	\$519,350
2202-06	For the maintenance and repair of certain property in the town of Plymouth, including not more than two permanent positions	10,638
2202-07	For the operation and maintenance of the New Bedford state pier, including not more than one permanent position	24,380
Total		\$554,368

Outdoor Advertising Division.

2230-01	For the service of the division, including not more than eleven permanent positions	\$62,115
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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	\$74,500
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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	\$103,667
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Total, Department of Public Works	\$794,550
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Department of Public Utilities.

Item		
2301-01	For personal services of the commissioners, including not more than seven permanent positions	\$84,000
2301-02	For administration, including not more than seventy-two permanent positions	554,496
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	\$656,496

Commercial Motor Vehicle Division.

2304-01	For the service of the division, including not more than thirty-two permanent positions	\$244,579
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Securities Division.

2308-01	For the service of the division, including not more than nine permanent positions	\$61,752
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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	\$25,050
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Total, Department of Public Utilities	\$987,877
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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 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	5,000
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	1,600
2445-01	For a reserve to meet the cost of salary adjustments resulting from the allocation of professional employees to the salary schedule established in section forty-six B of chapter thirty of the General Laws, as authorized by section four of chapter seven hundred and seventy-five of the acts of nineteen hundred and sixty-three, as amended; provided, that the governor, upon the recommendation of the commissioner of administration, is hereby authorized to transfer from the sum appropriated in this item to other items of appropriation in the General Fund, which are available in whole or in part for personal services, such amounts as are necessary together with any amounts available in said items to meet the cost of said salary adjustments	2,836,000

Total, Miscellaneous	\$2,867,500
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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.*

Item		
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	\$20,000

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	\$276,000
Total, Judiciary		\$296,000

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	\$1,400,000
2604-03	For reimbursement to certain cities and towns, as provided by chapter two hundred of the acts of nineteen hundred and forty-eight, as amended	4,250,000
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	500,000
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	23,000
Total		\$6,173,000

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	\$7,400,000
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		\$7,405,000
Total, Boards and Commissions serving under Governor and Council		\$13,578,000

Department of Agriculture.

Division of Livestock Disease Control.

Item		
2609-01	For the reimbursement of certain towns for compensation paid to inspectors of animals	\$5,500
	Total, Department of Agriculture.	<u>\$5,500</u>

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-four, and for reimbursement of certain towns as authorized by section seventeen B of chapter fifty-eight of the General Laws	\$1,010,000
2612-02	For the reimbursement of cities and towns for abatements granted, as provided by section eight A of chapter fifty-eight and section five of chapter fifty-nine of the General Laws	288,000
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	133,750
	Total	<u>\$1,431,750</u>
	Total, Department of Corporations and Taxation	<u>\$1,431,750</u>

Department of Education.

2613-01	For reimbursement to cities and towns of a portion of the cost of a program for extended school services for certain children of certain employed mothers, as authorized by sections twenty-six A to twenty-six F, inclusive, of chapter seventy-one of the General Laws	\$5,000
2613-03	For assisting small towns in providing themselves with school superintendents, as provided by law	220,000
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	9,300,000
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	6,250,000
2613-06	For reimbursement of certain cities and towns for adult English-speaking classes	115,000
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	200,000

Item		
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	\$60,000
2613-20	For state aid to public libraries, as authorized by section nineteen A of chapter seventy-eight of the General Laws	1,250,000
Total		<u>\$17,400,000</u>

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	\$19,500,000
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School Lunch and Commodity Distribution Program.

2613-09	For the reimbursement of cities and towns for partial assistance in the furnishing of lunches to school children, as authorized by chapter five hundred and thirty-eight of the acts of nineteen hundred and fifty-one, and, if necessary, for supplementing federal funds allocated for the special milk program; provided, that notwithstanding any provisions of law to the contrary, reimbursements so authorized to be paid from state funds shall not exceed fifty per cent of the total reimbursement authorized by the national school lunch act; and, provided further, that a sum equivalent to the payments under this item shall be transferred to the General Fund from the receipts of the income tax	\$2,650,000
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Education of Deaf and Blind Pupils.

2613-10	For the reimbursement of certain cities and towns for day classes of the deaf and of the blind, as provided by sections twenty-eight and thirty-three of chapter sixty-nine of the General Laws	\$170,000
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Teachers' Retirement Board.

2613-11	For reimbursement of certain cities and towns for pensions to retired teachers	\$3,440,000
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	20,000,000
Total		<u>\$23,440,000</u>

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	\$9,000
2613-13	For the commonwealth's share of a delinquency prevention program in the city of Boston, as authorized by section sixty-nine B of chapter six of the General Laws	63,020
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	343,621
Total		<u>\$419,141</u>
Total, Department of Education		<u><u>\$63,579,141</u></u>

Department of Public Welfare.

Item		
2619-01	For the payment of suitable aid to certain dependent children	\$16,400,000
2619-02	For the burial by cities and towns of indigent persons who have no legal settlement, prior appropriation continued.	
2619-03	For expenses in connection with smallpox and other diseases dangerous to the public health	415,000
2619-04	For the support of sick indigent persons who have no legal settlement	350,000
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	960,000
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	9,000,000
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-four	770,000
2619-08	For reimbursement to cities and towns for old age assistance, as provided by law	15,600,000
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	18,000,000
2619-11	For reimbursement to cities and towns for general relief, as provided by section nineteen A of chapter one hundred and seventeen of the General Laws	940,000
Total, Department of Public Welfare		<u>\$62,435,000</u>

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	\$158,750
Total, Department of Public Health		<u>\$158,750</u>

DEBT SERVICE APPROPRIATIONS.

Interest and Redemption of Debt.

2810-00	For the payment of interest on the direct debt of the commonwealth, to be in addition to the amount appropriated in item 2981-00, prior appropriation continued	\$8,628,000
2820-00	For certain serial bonds maturing, to be in addition to the amount appropriated in item 2982-00, 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	29,550,000
Total, Interest and Redemption of Debt		<u>\$38,178,000</u>
TOTAL, GENERAL FUND		<u><u>\$448,019,714</u></u>

HIGHWAY FUND.**STATE PURPOSES APPROPRIATIONS.****Department of Public Works.***Highway Activities.*

The salaries of all officers and employees of the department engaged in projects or activities relating to highways shall be charged for the nineteen hundred and sixty-five fiscal year in full to appropriations providing for personal services authorized under the heading of "Highway Activities" in this act.

Administrative and Engineering Expenses.

Item		
2910-01	For the salaries of the commissioner and the associate commissioners, including not more than five permanent positions; provided, that the comptroller shall transfer to the Highway Fund the sum of eighteen thousand dollars from the General Fund	\$92,000
2910-02	For the operation and maintenance of the public works building, including not more than eighty-three permanent positions; provided, that the comptroller shall transfer to the Highway Fund the sum of sixty-nine thousand eight hundred and fifty dollars from the General Fund, the sum of four thousand and ninety-five dollars from the Recreational Boating Fund, and the sum of two thousand one hundred dollars from the State Recreation Areas Fund	565,200
2910-03	For telephone service in the public works building; provided, that the comptroller shall transfer to the Highway Fund the sum of four thousand nine hundred and eighty dollars from the General Fund, the sum of one thousand five hundred and sixty dollars from the State Recreation Areas Fund, and the sum of two thousand one hundred and sixty dollars from the Recreational Boating Fund	100,000
2910-04	For the purchase of all administrative and engineering equipment; provided, that expenditures under this item shall be based upon a schedule 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 schedule, unless exceptions are approved by the commissioner of administration on written application of the commissioner of public works, appropriation expires June thirtieth, nineteen hundred and sixty-six	264,400
2910-10	For certain administrative and engineering expenses of the commission, the office of the public works commissioner, and the divisions of administrative services, highway engineering, highway maintenance, highway construction and the district and other highway activity offices	1,522,800
2910-20	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
2910-90	For the payment of damages caused by defects in state highways for which the commonwealth is liable under the provisions of section eighteen of chapter eighty-one of the General Laws, with the approval of the attorney general	3,000
Total		\$2,560,343

Maintenance and Operation of State Highways and Bridges.

Appropriations under this heading may be expended for traffic safety and control on certain city or town ways:

2920-01	For the expenses of snow and ice control, including the removal of sand and other incidental expenses in connection therewith, and including the cost of sand and chemicals	\$4,798,600
2920-02	For expenses in connection with traffic line painting, including the cost of materials	489,600

Item		
2920-03	For the purchase of materials and supplies for the maintenance and operation of state highways and bridges, excluding those specifically provided for in items 2920-01 and 2920-02	\$2,125,000
2920-04	For the purchase of all equipment to be used directly for the maintenance and operation of state highways and bridges; provided, that expenditures under this item shall be based upon a schedule 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 schedule, unless exceptions are approved by the commissioner of administration on written application of the commissioner of public works, appropriation expires June thirtieth, nineteen hundred and sixty-six	1,330,000
2920-10	For the maintenance and operation of state highways and bridges	2,234,500
	Total	<u>\$10,977,500</u>

Personal Services.

2930-01	For all personal services of employees for all projects and activities relating to highways, except for services provided for in items 2910-01 and 2910-02 of this act, including not more than four thousand three hundred and eighty-two permanent positions	\$31,880,000
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Construction, Reconstruction and Betterments of State Highways and Bridges.

2900-40	The unexpended balance remaining in item 2900-40 of section three of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three is hereby transferred and made available for the purposes of the following item:	
2940-20		
2940-20	For the purchase and construction 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; provided, that this item shall not be subject to section thirty A of chapter seven of the General Laws.	

Total, Department of Public Works \$45,417,843

Registry of Motor Vehicles.

2970-01	For the service of the registry, including not more than one thousand and seventy permanent positions; provided, that the position of administrative assistant to the registrar of motor vehicles and legislative assistant, R.M.V., shall not be subject to the civil service laws and rules	\$7,280,500
2970-02	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-eight permanent positions	642,500
2971-01	For expenses of the governor's highway safety committee, as authorized by section three of chapter ninety A of the General Laws	10,790

Total, Registry of Motor Vehicles \$7,933,790

Department of Public Safety.

Division of State Police.

2972-01	For the service of the division, including not more than seven hundred permanent positions	\$6,060,340
2972-08	For the compensation of state police officers formerly in the service of the commonwealth, now retired	21,210
	The comptroller is hereby authorized to transfer to the Highway Fund the sum of nine hundred and thirteen thousand two hundred and ninety-three dollars from the General Fund on account of the expenditures under the division of state police.	

Total, Department of Public Safety \$6,081,550

Metropolitan District Commission.

The following items are to be paid with the approval of the Metropolitan District Commission:

Item		
2973-01	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	\$472,685
2973-06	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 one hundred and twenty-nine permanent positions; provided, that the comptroller shall transfer to the Highway Fund proportions of payments made under this item, as provided by section fifty-five of chapter ninety-two of the General Laws	11,307,000
2973-74	For the purchase of certain highway maintenance equipment	75,000
Total, Metropolitan District Commission		\$11,854,685

Miscellaneous.

2998-06	For a reserve to meet the cost of salary adjustments resulting from the allocation of professional employees to the salary schedule established in section forty-six B of chapter thirty of the General Laws, as authorized by section four of chapter seven hundred and seventy-five of the acts of nineteen hundred and sixty-three, as amended; provided, that the governor, upon the recommendation of the commissioner of administration, is hereby authorized to transfer from the sum appropriated in this item to other items of appropriation in the Highway Fund, which are available in whole or in part for personal services, such amounts as are necessary together with any amounts available in said item to meet the cost of said salary adjustments	\$890,000
Total, Miscellaneous		\$890,000

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-five to enter into agreements with officials of cities and towns for projects to be constructed in the nineteen hundred and sixty-six 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	

Item

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-five, the provisions of chapter six hundred and eighty-nine of the acts of nineteen hundred and forty-five and chapter seven hundred and six of the acts of nineteen hundred and forty-nine notwithstanding; and, provided, that the amount appropriated for the purpose in any fiscal year shall be available for expenditure in the succeeding fiscal year, prior appropriation continued **\$2,650,000**

Total, Department of Public Works **\$8,150,000**

DEBT SERVICE APPROPRIATIONS.

Interest and Redemption of Debt.

2981-00 For the payment of interest on the direct debt of the commonwealth, to be in addition to the amount appropriated in item 2810-00, prior appropriation continued **\$11,952,000**
2982-00 For certain serial bonds maturing, to be in addition to the amount appropriated in item 2820-00, prior appropriation continued **34,542,000**

Total, Interest and Redemption of Debt **\$46,494,000**

TOTAL, HIGHWAY FUND \$126,821,868

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 sixteen permanent positions and including expenses of the board, as authorized by chapter twenty-one of the General Laws **\$180,878**
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 **481,430**
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 **39,879**
3304-51 For expenses of game farms and for wild life research and management, including not more than fifty permanent positions **433,738**
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 **181,000**
3304-55 For the contribution of the department of natural resources towards a fisheries co-operative research project, in accordance with a contract with the federal government, to be expended by the University of Massachusetts **10,000**

Total **\$1,335,025**

Division of Law Enforcement.

Item		
3308-05	For the payment of damages caused by wild deer and wild moose, including not more than one permanent position, prior appropriation continued	\$9,228
3308-07	For the supervision of public fishing and hunting grounds	10,290
	Total	<u>\$19,518</u>
	Total, Department of Natural Resources	<u>\$1,354,543</u>
	TOTAL, INLAND FISHERIES AND GAME FUND	<u>\$1,354,543</u>

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	\$296,780
	Total, Registry of Motor Vehicles	<u>\$296,780</u>
	TOTAL, RECREATIONAL BOATING FUND	<u>\$296,780</u>

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, prior appropriation continued	\$100,000
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, prior appropriation continued.	
	Total, Department of Natural Resources	<u>\$100,000</u>
	TOTAL, PUBLIC ACCESS FUND	<u>\$100,000</u>

MARINE FISHERIES FUND.

STATE PURPOSES APPROPRIATIONS.

Department of Natural Resources.

Item

Division of Marine Fisheries.

3601-01	For the service of the office of the director, including not more than nineteen permanent positions, and for the administration of the activities provided for under item 3601-05	\$149,911
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	43,761
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
3601-06	For a program of estuarine research	121,248
3601-07	For a special investigation of the coastal lobster fishery program, including not more than one permanent position	7,964
Total		\$324,874
Total, Department of Natural Resources		\$324,874

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		\$344,874

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	\$197,875
Total, Department of Agriculture		\$197,875
TOTAL, AGRICULTURAL PURPOSES FUND		\$197,875

MOSQUITO CONTROL FUND.**STATE PURPOSES APPROPRIATIONS.****Department of Agriculture.***State Reclamation Board.*

Item		
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-four	\$163,672
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-four	107,441
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-four	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-four	93,372
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-four	104,368
	Total	\$586,613
	Total, Department of Agriculture	\$586,613
	TOTAL, MOSQUITO CONTROL FUND	\$586,613

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 ninety-nine permanent positions	\$997,800
4010-21	For the improvement of roads in forests, parks and reservations	50,000
	Total	\$1,047,800
	Total, Department of Natural Resources	\$1,047,800

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-five 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	\$41,265
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Item		
4050-02	For the maintenance of Salisbury beach reservation, including not more than three permanent positions	\$134,554
4050-05	For the maintenance of Horseneck beach, including not more than one permanent position	132,979
4050-06	For the maintenance of Scusset beach	40,750
4050-07	For the maintenance of Fort Phoenix beach	25,100
	Total	<u>\$374,648</u>
	Total, Department of Public Works	<u>\$374,648</u>

LOCAL AID APPROPRIATION.

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 nineteen hundred and sixty-three	\$75,000
	Total, Department of Education	<u>\$75,000</u>

DEBT SERVICE APPROPRIATIONS.

Interest and Redemption of Debt.

4081-00	For the payment of interest on certain bonded debt of the commonwealth, to be in addition to any amounts otherwise available for the purpose, prior appropriation continued	\$57,726
4082-00	For certain serial bonds maturing, to be in addition to any amounts otherwise available for the purpose, prior appropriation continued	429,201
	Total, Interest and Redemption of Debt	<u>\$486,927</u>
	TOTAL, STATE RECREATION AREAS FUND	<u>\$1,984,375</u>

METROPOLITAN DISTRICT COMMISSION FUNDS.

STATE PURPOSES APPROPRIATIONS.

The following appropriations are to be assessed upon the several districts in accordance with the methods fixed by law, unless otherwise provided, and to be expended under the direction of the Metropolitan District Commission:

Metropolitan Parks, General.

8601-27	For certain payments for the use of facilities of the museum of science	\$75,000
8601-29	For certain payments for the maintenance and use of the Trailside museum	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
	Total, Metropolitan Parks, General	<u>\$160,000</u>

Metropolitan Sewerage District.

8701-00	For the maintenance and operation of a system of sewage disposal for the metropolitan sewerage district, including payments to the state retirement system under the provisions of the General Laws, and including not more than three hundred and twenty-one permanent positions	\$2,748,900
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Item		
8701-28	For the purchase and installation of comminutors, Nut Island, prior appropriation continued	\$42,000
8701-38	For the replacement of certain effluent water, gas and sludge lines, Nut Island sewerage treatment plant	11,000
8701-39	For certain repairs to pumping equipment, Ward street station	25,000
Total, Metropolitan Sewerage District		<u>\$2,826,900</u>

Metropolitan Water System.

8902-00	For the maintenance and operation of the metropolitan water system, including payments to the state retirement system under the provisions of the General Laws, and including not more than six hundred and eleven permanent positions	\$4,542,550
8902-34	For the construction of additions and improvements to certain supply and distribution mains, prior appropriation continued	150,000
8902-81	For certain repairs and improvements to the steam turbine, Chestnut Hill pumping station	10,000
8902-82	For the purchase of a forest fire truck, Barre	10,000
8902-94	For certain repairs to structures, Sudbury aqueduct, Wellesley	30,000
8902-95	For the purchase of certain equipment, distribution section.	15,000
Total, Metropolitan Water System		<u>\$4,757,550</u>

Miscellaneous.

8950-01	For a reserve to meet the cost of salary adjustments resulting from the allocation of professional employees to the salary schedule established in section forty-six B of chapter thirty of the General Laws, as authorized by section four of chapter seven hundred and seventy-five of the acts of nineteen hundred and sixty-three, as amended; provided, that the governor, upon the recommendation of the commissioner of administration, is hereby authorized to transfer from the sum appropriated in this item to other items of appropriation under the direction of the Metropolitan District Commission, which are available in whole or in part for personal services, such amounts as are necessary together with any amounts available in said item to meet the cost of said salary adjustments; and, provided further, that payments made from amounts so transferred shall be assessed in accordance with methods fixed by law	\$45,000
Total, Miscellaneous		<u>\$45,000</u>

TOTAL, METROPOLITAN DISTRICT COMMISSION FUNDS \$7,789,450

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 available 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 in all institutions of higher education operated by the commonwealth, 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-five 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-five 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-five for the purposes of the surplus property agency fund, in addition to amounts available in said fund, an amount not exceeding fifty thousand dollars; provided, however, that no expenditure or commitment shall be incurred from the amount of the aforesaid fifty thousand dollar authorization in excess of amounts approved therefrom by the 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-five, 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, whether or not the expenditure is made from funds authorized by 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 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-five 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
8331-00	9107-33
9020-01	9107-34
9022-01	9107-35
9105-01	9107-36
9107-21	9107-39
9107-23	9125-01
9107-25	

SECTION 19. Notwithstanding any provision of law to the contrary, during the entire fiscal year nineteen hundred and sixty-five, for the payment of classified personal services, the fiscal year shall be from July first, nineteen hundred and sixty-four through June twenty-sixth, nineteen hundred and sixty-five. Classified personal services, for June twenty-seventh, twenty-eighth, twenty-ninth and thirtieth, nineteen hundred and sixty-five, 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, the division of state colleges and institutions under the control of the board of trustees of state colleges, the New Bedford Institute of Technology, the Lowell Technological Institute of Massachusetts, and the Bradford Durfee College of Technology; 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 apply to said expenditures which are inconsistent with any provision of the General Laws specifically regulating the expenditure of public funds at each of said institutions.

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-four. However, beginning June first, nineteen hundred and sixty-four, 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-four; 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-four. 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-four.

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-four; sections twenty-one and twenty-two shall take effect upon the passage of this act.

Approved April 30, 1964.

Chap. 338. AN ACT RELATIVE TO THE HOLDING OF THE STATE PRIMARIES IN THE CURRENT YEAR.

Be it enacted, etc., as follows:

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

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

POLITICAL CALENDAR

1964

STATE PRIMARIES AND ELECTION

JUNE 16, 23, 30 JULY 7	Registrars of Voters and Election Commissioners are required to hold meetings for certifying names on all nomination papers except for state-wide office and for congressman on the four Tuesdays preceding July 14.
JUNE 23, 30 JULY 7, 14	Registrars of Voters and Election Commissioners are required to hold meetings for certifying names on nomination papers for all state-wide offices and for congressman on the four Tuesdays preceding July 21.
JULY 7	5 P.M., Last day and hour for filing nomination papers for all offices except state-wide office and congressman with Registrars of Voters and Election Commissioners for certification of signatures.
JULY 14	5 P.M., Last day and hour for filing nomination papers for state-wide office and congressman with Registrars of Voters and Election Commissioners for certification of signatures.
JULY 14	5 P.M., Last day and hour for filing nomination papers for all offices except state-wide office and congressman with the Secretary of the Commonwealth.

JULY 14	5 P.M., Last day and hour for filing certificates of enrolment of all candidates except candidates for state-wide office and for congressman at the State Primaries.
JULY 17	5 P.M., Last day and hour for filing withdrawals of or objections to nomination papers for all offices except state-wide office and congressman with the Secretary of the Commonwealth.
JULY 20	Last day for holding conventions of non-political parties for the nomination of candidates.
JULY 21	5 P.M., Last day and hour for filing nomination papers for state-wide office and for congressman with the Secretary of the Commonwealth.
JULY 21	5 P.M., Last day and hour for filing certificates of enrolment of candidates for state-wide office and for congressman at the State Primaries.
JULY 21	5 P.M., Last day and hour for filling vacancies caused by withdrawals for all offices except state-wide office and congressman.
JULY 24	5 P.M., Last day and hour for filing withdrawals of or objections to nomination papers or certificates of nomination for state-wide offices and congressman with the Secretary of the Commonwealth.
JULY 28	5 P.M., Last day and hour for filling vacancies caused by withdrawals in state-wide offices and congressman.
AUGUST 7	Last day to register voters for the State Primaries.
AUGUST 28	Last day for filing public policy applications with Registrars of Voters and Election Commissioners for certification of signatures.
SEPTEMBER 4	Last day for filing with the Secretary of the Commonwealth applications for submission to voters at the State Election of questions of public policy.
SEPTEMBER 10	STATE PRIMARIES.
SEPTEMBER 16	5 P.M., Last day and hour for filing a written acceptance by candidates to be voted for whose names were not printed on the primary ballots.
SEPTEMBER 16	5 P.M., Last day and hour for filing withdrawals of or objections to nominations at the State Primaries.
SEPTEMBER 21	5 P.M., Last day and hour for filling vacancies caused by withdrawals at the State Primaries.
OCTOBER 2	Last day to register voters for the State Election.
NOVEMBER 3	STATE ELECTION.

Approved May 4, 1964.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, May 4, 1964.

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 338 of the Acts of 1964 entitled "An Act Relative to the Holding of the State Primaries in the Current Year." and the enactment of which received my approval on May 4, 1964, 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. I am advised by the Election Division of the Secretary of State's office that because of the advance of the primary date to September 10, 1964 by virtue of said law, and the advancement of other dates applicable to certain other election procedures which are based on such primary date, there will be insufficient time to print and circulate papers relating to such procedures in due season unless said law becomes effective immediately.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, May 4, 1964.

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 twenty minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter three hundred and thirty-eight of the acts of nineteen hundred and sixty-four.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 339. AN ACT RELATIVE TO THE FINANCIAL RESPONSIBILITY FOR PERSONS INFECTED BY SMALLPOX OR OTHER DISEASE DANGEROUS TO THE PUBLIC HEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make immediately operative certain amendments to the laws relative to the care and treatment of persons infected with smallpox and other diseases dangerous to the public health, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 111 of the General Laws is hereby amended by striking out section 116, as most recently amended by section 11 of

chapter 608 of the acts of 1961, and inserting in place thereof the following section: — *Section 116.* Reasonable expenses incurred by boards of health or by the commonwealth in making the provision required by law for persons infected with smallpox or other disease dangerous to the public health other than tuberculosis shall be paid by such person or his parents, if he or they are able to pay, otherwise by the town where he has a residence upon the approval of the bill by the board of health of such town or by the department of public health when such person is determined to be a chronically non-resident person, as defined in section eighty.

SECTION 2. Section 42 of chapter 121 of the General Laws is hereby amended by striking out, in lines 5 and 6 as appearing in chapter 406 of the acts of 1941, the words “, section one hundred and sixteen of chapter one hundred and eleven”.

SECTION 3. This act shall take effect as of January first, nineteen hundred and sixty-four.

Approved May 4, 1964.

Chap. 340. AN ACT AUTHORIZING THE CITY OF WORCESTER TO USE CERTAIN PARK LAND FOR STREET PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The city of Worcester is hereby authorized to use for street purposes certain land, being a portion of Green Hill park, held by said city for park purposes, bounded and described as follows:—

Beginning at a point on the northerly line of Belmont Street as relocated September 24, 1874 at the most westerly corner of the parcel herein described. Said point being three hundred four and sixty-six hundredths (304.66) feet easterly of an angle on the northerly side of Belmont Street as relocated September 24, 1874 and said angle point being ninety-three and ninety-two hundredths (93.92) feet easterly of the intersection of the easterly line of Olga Avenue with the northerly line of Belmont Street as relocated September 24, 1874; thence North 68° 00' 25" East by land of the City of Worcester, Green Hill Park, one hundred ninety-three and seventy-eight hundredths (193.78) feet to a point; thence North 73° 09' 10" East by other land of the City of Worcester, Green Hill Park, one hundred eighty-three and twenty-nine hundredths (183.29) feet to a point; thence easterly, northeasterly and northerly by a regular curve to the left, the radius of which is one hundred five (105) feet by other land of the City of Worcester, Green Hill Park, one hundred eleven and forty-three hundredths (111.43) feet to a point; thence North 12° 21' East by other land of the City of Worcester, Green Hill Park, ninety and twenty-eight hundredths (90.28) feet to a point; thence North 46° 46' 05" East by other land of the City of Worcester, Green Hill Park and crossing Skyline Drive, a park road, seventy and seventy-seven hundredths (70.77) feet to a point; thence South 12° 21' West by other land of the City of Worcester, Green Hill Park, sixty-three and ninety-nine hundredths (63.99) feet to a point; thence southerly, southeasterly and easterly by a regular curve to the left, the radius of which is thirty (30) feet by other land of the City of Worcester, Green Hill Park, fifty-four and ninety-four hundredths (54.94) feet to a point; thence easterly and northeasterly by a regular curve to the left, the radius of which is fifty-seven and seventeen hun-

dredths (57.17) feet by other land of the City of Worcester, Green Hill Park, forty-three and seventy-four hundredths (43.74) feet to a point; thence North 43° 35' East by other land of the City of Worcester, Green Hill Park, fifty-six and forty-four hundredths (56.44) feet to a point; thence North 49° 10' 50" East by other land of the City of Worcester, Green Hill Park, one hundred eighteen and seventy-nine hundredths (118.79) feet to a point; thence South 2° 02' East by other land of the City of Worcester, Belmont Hospital, and crossing an access road to Belmont Hospital forty (40) feet to a point; thence South 43° 35' West by other land of the City of Worcester, Green Hill Park, two hundred twenty-five and twenty-nine hundredths (225.29) feet to a point; thence South 46° 25' East by other land of the City of Worcester, Green Hill Park, eleven and sixty-five hundredths (11.65) feet to a point; thence southwesterly, southerly, southeasterly and easterly by a curve to the left, the radius of which is eight (8) feet by other land of the City of Worcester, Green Hill Park, eighteen and thirty-three hundredths (18.33) feet to a point; thence South 89° 23' 50" East by other land of the City of Worcester, Green Hill Park, one hundred forty-seven and sixty-two hundredths (147.62) feet to a point; thence South 2° 02' East by other land of the City of Worcester, Belmont Hospital, eight and forty-three hundredths (8.43) feet to a point; thence South 87° 09' 20" West by the northerly line of Belmont Street as relocated September 24, 1874 two hundred sixty-one and ninety-seven hundredths (261.97) feet to a point; thence South 73° 07' 55" West by the northerly line of Belmont Street as relocated September 24, 1874 four hundred forty-eight and sixty-eight hundredths (448.68) feet, to the point of beginning.

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

Approved May 4, 1964.

Chap. 341. AN ACT AUTHORIZING THE TOWN OF SANDWICH TO RECEIVE AND ADMINISTER THE PROPERTY OF THE MOUNT HOPE CEMETERY ASSOCIATION.

Be it enacted, etc., as follows:

SECTION 1. The Mount Hope Cemetery Association, hereinafter called the association, may, by deed duly executed, convey and transfer to the town of Sandwich, 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 pro-

bated. Interest and dividends accruing on funds deposited in trust with any savings bank under authority of section twenty-five of chapter one hundred and sixty-eight of the General Laws, or with any other banking institution, for the benefit of the 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 4, 1964.

Chap. 342. AN ACT RELATIVE TO THE APPOINTMENT OF SUPERINTENDENTS OF CERTAIN INSTITUTIONS UNDER THE CONTROL OF THE DEPARTMENT OF MENTAL HEALTH.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of section 28 of chapter 123 of the General Laws, as appearing in section 3 of chapter 598 of the acts of 1954, is hereby amended by adding after the word "hospital" in line 11, the words: — except that when such vacancy occurs at Belchertown state school, Walter E. Fernald state school, Paul A. Dever state school or Wrentham state school, the trustees shall appoint to such vacancy from a panel of not less than three names submitted by the commissioner, a physician who is a diplomate in psychiatry or neurology of the American Board of Psychiatry and Neurology, Incorporated, or a diplomate of the American Board of Internal Medicine, Incorporated, or of the American Board of Pediatrics, Incorporated, and who shall have had at least two years of administrative experience or have been certified by a recognized board of hospital administration.

SECTION 2. Said section 28 of said chapter 123 is hereby further amended by striking out the third sentence, inserted by chapter 564 of the acts of 1962, and inserting in place thereof the following sentence: — If there are no physicians available with the aforesaid qualifications, the commissioner may in the case of an appointment to a state hospital, other than Belchertown state school, Walter E. Fernald state school, Paul A. Dever state school or Wrentham state school, submit to the trustees the name of a physician whom he shall certify to said trustees as qualified and eligible for the next scheduled examination for certification as a diplomate in psychiatry by the American Board of Psychiatry and Neurology, Incorporated and in the case of an appointment to Belchertown state school, Walter E. Fernald state school, Paul A. Dever state school or Wrentham state school, the commissioner may submit to the trustees the name of a physician whom he shall certify to said trustees as qualified and eligible for the next scheduled examination for certification as a diplomate by the American Board of Psychiatry and

Neurology, Incorporated, or the American Board of Internal Medicine, Incorporated, or the American Board of Pediatrics, Incorporated; and the trustees may in either case appoint such physician as superintendent on a temporary basis for a period not to exceed one year.

Approved May 4, 1964.

Chap. 343. AN ACT RELATIVE TO THE ACCEPTANCE OF THE LAW AUTHORIZING PAY-ROLL DEDUCTIONS ON ACCOUNT OF UNION DUES OR DUES TO THE MASSACHUSETTS STATE EMPLOYEES ASSOCIATION IN THE CASE OF CERTAIN STATE, COUNTY OR MUNICIPAL EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 180 of the General Laws is hereby amended by striking out section 17A, as amended by chapter 678 of the acts of 1954, and inserting in place thereof the following section:—*Section 17A.* Deductions on pay-roll schedules may be made from the salary of any state, county or municipal employee of any amount which such employee may specify in writing to any state, county or municipal officer, or the head of the state, county or municipal department, board or commission, by whom or which he is employed, for the payment of union dues to an association of state, county or municipal employees or dues to the Massachusetts State Employees Association. Any such authorization may be withdrawn by the employee by giving at least sixty days' notice in writing of such withdrawal to the state, county or municipal officer, or the head of the state, county or municipal department, board or commission, by whom or which he is then employed and by filing a copy thereof with the treasurer of the association.

The state treasurer, the common paymaster as defined in section one hundred and thirty-three of chapter one hundred and seventy-five, or the treasurer of the county or municipality by which such employee is employed, shall deduct from the salary of such employee such amount of union dues or dues to the Massachusetts State Employees Association as may be certified to him on the pay-roll, and transmit the sum so deducted to the treasurer of said association; provided, that the state treasurer, the state comptroller or the county or municipal treasurer, as the case may be, is satisfied by such evidence as he may require that the treasurer of such association has given to said association a bond, in a form approved by the commissioner, for the faithful performance of his duties, in a sum and with such surety or sureties as are satisfactory to the state treasurer or comptroller or county or municipal treasurer.

This section shall be effective in any county, city or town which has accepted it in the manner provided by section two of chapter seven hundred and forty of the acts of nineteen hundred and fifty, or which accepts it in the following manner:— In a county by vote of the county commissioners; in a city having a Plan D or Plan E charter by majority vote of its city council; in any other city by vote of its city council, approved by the mayor; and in a town by vote of the board of selectmen.

SECTION 2. Section two of chapter seven hundred and forty of the acts of nineteen hundred and fifty is hereby repealed.

Approved May 4, 1964.

Chap. 344. AN ACT RELATIVE TO RESIDENCE REQUIREMENTS IN DIVORCE PROCEEDINGS WHEN THE CAUSE OCCURRED WITHIN THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 208 of the General Laws is hereby amended by striking out section 5, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 5.* If the libellant has lived in this commonwealth for five years last preceding the filing of the libel, or if both parties were inhabitants of this commonwealth at the time of their marriage and the libellant has lived in this commonwealth for three years last preceding such filing, if the cause occurred without the commonwealth, or if the libellant is a resident of the commonwealth at the time of the filing of the libel and the cause occurred within the commonwealth, a divorce may be decreed for any cause allowed by law, unless it appears that the libellant has removed into this commonwealth for the purpose of obtaining a divorce. *Approved May 4, 1964.*

Chap. 345. AN ACT RELATIVE TO APPLICATIONS FOR AID TO FAMILIES WITH DEPENDENT CHILDREN AND FOR OLD AGE ASSISTANCE.

Be it enacted, etc., as follows:

SECTION 1. Section 10 of chapter 118 of the General Laws, as appearing in section 1 of chapter 413 of the acts of 1936, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — No applicant for aid hereunder, who knowingly makes any false statement, or seeks to perpetrate any fraud or deception, in or relative to his application for such aid, shall be granted any aid hereunder upon such application.

SECTION 2. Section 6 of chapter 118A of the General Laws, as appearing in section 1 of chapter 436 of the acts of 1936, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence: — No applicant for assistance hereunder, who knowingly makes any false statement, or seeks to perpetrate any fraud or deception, in or relative to his application for such assistance, shall be granted any assistance hereunder upon such application.

Approved May 4, 1964.

Chap. 346. AN ACT RELATIVE TO RAILROAD WARNING SIGNS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 160 of the General Laws is hereby amended by striking out section 142, as most recently amended by section 1 of chapter 461 of the acts of 1951, and inserting in place thereof the following section: — *Section 142.* Every county, city and town shall, except as hereinafter provided, and the department of public works shall, unless in any case it deems it unnecessary or impracticable so to do, place and maintain warning signs on every public way subject to its jurisdiction where the way crosses the tracks of a railroad at grade. The signs shall be consistent with the design and location requirements of the official standards of the state department of public works.

SECTION 2. Notwithstanding the provisions of section one hundred and forty-two of chapter one hundred and sixty of the General Laws, as amended by section one of this act, every railroad warning sign maintained, on the effective date of this act, by a county, city, town or the department of public works may continue to be so maintained until such time as replacement, due to deterioration, is made necessary; provided, that at any time the department of public utilities may, after notice and hearing, by order require that said signs shall comply with the provisions of said section one hundred and forty-two of said chapter one hundred and sixty, as so amended. *Approved May 4, 1964.*

Chap. 347. AN ACT AUTHORIZING THE CITY OF WORCESTER TO USE A PORTION OF THE PUBLIC COMMON FOR THE PURPOSE OF WIDENING FRANKLIN STREET IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of widening Franklin street in the city of Worcester, from Main street to Salem square, said city is hereby authorized to use a portion of certain park land known as the public common, now under the jurisdiction of the Parks and Recreation Commission, consisting of the land lying between the northerly curb line of said Franklin street and an imaginary line turning parallel thereto on said public common not more than ten feet northerly from said northerly curb line.

SECTION 2. This act shall take effect upon its acceptance by vote of a majority of all the members of the city council of the city of Worcester.

Approved May 4, 1964.

Chap. 348. AN ACT PROVIDING FOR CONTINUED EMPLOYMENT OF CORRECTION OFFICERS ON A TEMPORARY BASIS.

Be it enacted, etc., as follows:

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

Notwithstanding the provisions of section fifteen of chapter thirty-one, provisional appointments referred to therein shall, in the case of permanent requisitions, be terminated on the completion of the training period for correction officers, but in no event shall continue for more than eight weeks from the date of establishment of the eligible list, and notwithstanding the provisions of said section fifteen relative to the filling of permanent positions on a permanent basis, in cases where it is impossible or impractical to make permanent appointments because of an insufficient number of applicants to constitute a training class, or because of insufficient funds available for training purposes, the commissioner may requisition to make an appointment to fill such vacancies on a temporary basis for a period not to exceed six months.

Approved May 4, 1964.

Chap. 349. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SEVENTY FOR JOHN J. SHARAC, INCUMBENT OF THE OFFICE OF CHAIRMAN OF THE BOARD OF ASSESSORS OF THE CITY OF NORTHAMPTON.

Be it enacted, etc., as follows:

SECTION 1. John J. Sharac, incumbent of the office of chairman of the board of assessors of the city of Northampton, shall hold said office during good behavior until he reaches age seventy, unless incapacitated by physical or mental disability from performing the duties thereof, but may be removed therefrom for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted to the voters of the city of Northampton at the biennial state election to be held in the current year in the form of the following question which shall be placed on the official ballot to be used at said election: — "Shall an act passed by the General Court in the year nineteen hundred and sixty-four, entitled 'An Act providing tenure of office until age seventy for John J. Sharac, incumbent of the office of chairman of the board of assessors of the city of Northampton', 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 May 4, 1964.

Chap. 350. AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO CONVEY CERTAIN PARK LAND TO THE HAMPDEN COUNTY ARENA AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. The city of Springfield is hereby authorized to sell and convey for a nominal consideration to the Hampden County Arena Authority a certain parcel of park land known as the Fitzgerald tract in the Blunt park area in said city.

SECTION 2. This act shall take effect upon its acceptance by the city of Springfield.

Approved May 4, 1964.

Chap. 351. AN ACT RELATIVE TO THE TERM OF OFFICE OF THE MEMBERS OF THE RECREATION COMMISSION OF THE TOWN OF NATICK.

Be it enacted, etc., as follows:

SECTION 1. Chapter five hundred and eighty-eight of the acts of nineteen hundred and sixty-two is hereby repealed.

SECTION 2. Section 1 of chapter 38 of the acts of 1960 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — There shall be established in the town of Natick a recreation commission to consist of five members who shall be elected at large by the registered voters of said town.

SECTION 3. At the first annual town meeting following the acceptance of this act the registered voters of the town of Natick shall elect two members to the recreation commission to serve for terms of three years, two for terms of two years, and one for a term of one year. At each

annual town election thereafter the voters shall elect in place of each member of the recreation commission whose term is about to expire a member who shall serve for a term of three years.

SECTION 4. This act shall take effect upon its acceptance by the board of selectmen of the town of Natick.

Approved May 4, 1964.

Chap. 352. AN ACT RELATIVE TO THE PAYMENT OF SAVINGS ACCOUNTS STANDING IN THE NAMES OF DECEASED DEPOSITORS IN NATIONAL BANKING ASSOCIATIONS AND SAVINGS AND LOAN ASSOCIATIONS.

Be it enacted, etc., as follows:

Chapter 167 of the General Laws is hereby amended by striking out section 48A, inserted by chapter 271 of the acts of 1961, and inserting in place thereof the following section: — *Section 48A.* Any national banking association or savings and loan association in the commonwealth having a savings account in the name of one or two persons in trust for another may make payments of the same to the trustee, or if there are two trustees, to either trustee, to both, or to the survivor. If no other notice of the existence and terms of a trust has been received in writing by the association, upon the death of the trustee or, if there are two trustees, upon the death of both trustees, the amount in said savings account, with the dividends thereon, may be paid to the other person named in said account or to his legal representative. The value of any savings accounts standing in the individual name of a deceased depositor in such association 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 after the expiration of sixty days from the date of death of such depositor, 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 other instrument, if any, evidencing such deposits. Withdrawals and payments made as provided in this section shall discharge the liability of the association to all persons with respect to such savings accounts.

Approved May 4, 1964.

Chap. 353. AN ACT INCREASING THE AMOUNT OF NON-CONTRIBUTORY PENSION PAYABLE TO CERTAIN POLICEMEN.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 83A of chapter 32 of the General Laws, as appearing in section 11 of chapter 728 of the acts of 1960, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — Any member of said department retired under the provisions of subdivision (b), (c) or (d) of this section shall receive an annual pension equal to sixty per cent of the highest annual rate of compensation received by him while holding the grade held by him at the time of retirement, if he has completed twenty years of service, and an additional amount equal to one per cent of said

annual compensation for each year of service after the first twenty; provided, that the total amount of such pension shall in no case exceed seventy-two per cent of said annual compensation.

SECTION 2. This act shall take effect as of March twenty-fifth, nineteen hundred and sixty-four.

Approved May 4, 1964.

Chap. 354. AN ACT EXEMPTING FROM TAXATION THE OFFICIAL RESIDENCES OF DISTRICT EXECUTIVES OF CERTAIN CHURCHES.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 59 of the General Laws is hereby amended by striking out clause Eleventh, as most recently amended by chapter 69 of the acts of 1964, and inserting in place thereof the following clause: —

Eleventh, Houses of religious worship owned by, or held in trust for the use of, any religious organization, and the pews and furniture, and, to an amount not exceeding fifteen thousand dollars for each parsonage, parsonages so owned or held, and including the official residences occupied by district superintendents of the Methodist Church and The Christian and Missionary Alliance, and by district executives of Unitarian-Universalist churches, and the official residence occupied by the president of the New England Synod of the Lutheran Church in America, Inc.; but such exemption shall not, except as herein provided, extend to any portion of any such house of religious worship appropriated for purposes other than religious worship or instruction.

SECTION 2. The provisions of clause Eleventh of section five of chapter fifty-nine of the General Laws, as amended by section one of this act, shall be applicable to taxes levied for the year nineteen hundred and sixty-four and subsequent years.

Approved May 4, 1964.

Chap. 355. AN ACT TO CLARIFY THE UNEMPLOYMENT COMPENSATION LAW.

Be it enacted, etc., as follows:

Subsection (b) of section 25 of chapter 151A of the General Laws is hereby amended by striking out lines 1 to 11, inclusive, as appearing in chapter 554 of the acts of 1959, and inserting in place thereof the following: — Any week with respect to which the director finds that his unemployment is due to a stoppage of work which exists because of a labor dispute at the factory, establishment or other premises at which he was last employed; provided, however, that nothing in this subsection shall be construed so as to deny benefits to an otherwise eligible individual (1) who becomes involuntarily unemployed during the period of the negotiation of a collective bargaining contract, in which case the individual shall receive benefits for the period of his unemployment but in no event beyond the date of the commencement of a strike or lockout; or (2) who is not recalled to work within one week following the termination of the labor dispute; and provided, further, that this subsection shall not apply if it is shown to the satisfaction of the director that —

Approved May 5, 1964.

Chap. 356. AN ACT AUTHORIZING THE TOWN OF WAREHAM TO APPROPRIATE A SUM OF MONEY FOR THE CELEBRATION OF THE FIFTIETH ANNIVERSARY OF THE OPENING OF THE CAPE COD CANAL.

Be it enacted, etc., as follows:

SECTION 1. The town of Wareham may appropriate a sum not to exceed twenty-five hundred dollars for the celebration in the current year of the fiftieth anniversary of the opening of the Cape Cod canal. The money so appropriated shall be expended under the direction of the selectmen.

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

Approved May 7, 1964.

Chap. 357. AN ACT RELATIVE TO SALARY INCREASES FOR CERTAIN EMPLOYEES OF THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to eliminate certain administrative difficulties relative to professional salary increases in institutions of higher education, 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 775 of the acts of 1963 is hereby amended by striking out section 4 and inserting in place thereof the following section: — *Section 4.* Each such professional position, determined by the director of personnel and standardization, to be a professional position, as defined in section forty-six B of chapter thirty of the General Laws, except such professional positions as are covered by the provisions of section seven of this act, 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 2. Said chapter 775 is hereby further amended by striking out section 7 and inserting in place thereof the following section: — *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, and each such member serving under the board of trustees of the division of state colleges and the board of regional community colleges, shall receive, effective February first, nineteen hundred and sixty-four, such salary adjustment as the governing board shall approve; provided, however, that the sum of all such salary adjustments in each institution or agency shall not be greater than that which would have resulted had said governing board made such salary adjustment by granting each member of the professional staff employed on said date an increase equal to ten per cent of the rate payable to each such member under the provisions of the applicable salary schedule in effect on June thirtieth, nineteen hundred and sixty-three.

SECTION 3. The first sentence of paragraph (1) section 45 of chapter 30 of the General Laws, as amended by section 1 of chapter 648 of the acts of 1957, is hereby further amended by inserting after the word "positions", in line 3, the words: — in the professional staffs serving under governing boards of institutions of higher education and.

SECTION 4. The second paragraph of section 16 of chapter 73 of the General Laws, as appearing in section 15 of chapter 642 of the acts of 1963, is hereby amended by inserting after the word "schedule", in line 6, the words: — , except that any such salary may be fixed at any amount not less than the minimum salary nor more than the maximum salary shown in the said schedule.

SECTION 5. The third paragraph of said section 16 of said chapter 73, as so appearing, is hereby amended by inserting after the word "means", in line 11, the words: — , except that any such salary may be fixed at any amount not less than the minimum salary nor more than the maximum salary shown in the said schedule.

SECTION 6. The second paragraph of section 42 O of chapter 74 of the General Laws, as appearing in section 2 of chapter 696 of the acts of 1963, is hereby amended by inserting after the word "schedule", in line 4, the words: — , except that any such salary may be fixed at any amount not less than the minimum salary nor more than the maximum salary shown in the said schedule.

SECTION 7. The third paragraph of said section 42 O of said chapter 74, as so appearing, is hereby amended by inserting after the word "means", in line 11, the words: — , except that any such salary may be fixed at any amount not less than the minimum salary nor more than the maximum salary shown in the said schedule.

SECTION 8. 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 inserting after the word "schedule", in line 4, the words: — , except that any such salary may be fixed at any amount not less than the minimum salary nor more than the maximum salary shown in the said schedule.

SECTION 9. The third paragraph of said section 14 of said chapter 75, as so appearing, is hereby amended by inserting after the word "means", in line 11, the words: — , except that any such salary may be fixed at any amount not less than the minimum salary nor more than the maximum salary shown in the said schedule.

SECTION 10. The ninth paragraph of section 12 of chapter 75A of the General Laws, added by section 9 of chapter 701 of the acts of 1963, is hereby amended by inserting after the word "means", in line 6, the words: — , except that any such salary may be fixed at any amount not less than the minimum salary nor more than the maximum salary shown in the said schedule.

SECTION 11. This act shall take effect as of February first, nineteen hundred and sixty-four.

Approved May 7, 1964.

Chap. 358. AN ACT EXCLUDING REAL ESTATE BROKERS AND SALESMEN FROM COVERAGE UNDER THE EMPLOYMENT SECURITY LAW.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith that services performed by certain real estate brokers or salesmen shall not be considered as em-

ployment under the employment security law, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section 6 of chapter 151A of the General Laws is hereby amended by adding after subsection (o) the following subsection: —

(p) Services performed by an individual as a real estate broker or salesman if he is licensed by the state as a real estate broker or salesman, and if he is remunerated solely by way of commission.

Approved May 7, 1964.

Chap. 359. AN ACT AUTHORIZING THE TOWN OF NANTUCKET TO CONSTRUCT A COMBINATION TOWN OFFICE BUILDING AND COURT HOUSE.

Be it enacted, etc., as follows:

SECTION 1. The town of Nantucket is hereby authorized to construct, originally equip and furnish a combination town office building and court house for the use of the town and county of Nantucket.

SECTION 2. For the purposes mentioned in section one of this act, the town of Nantucket may borrow from time to time such sums of money as may be necessary, not exceeding in the aggregate six hundred thousand dollars, and may issue bonds or notes therefor. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit provided by chapter forty-four of the General Laws and shall, except as provided herein, be subject to the provisions of chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 3. The board of selectmen of the town of Nantucket acting on behalf of the town and acting as the county commissioners of the county of Nantucket is hereby authorized to contract from time to time with the county for the use of said county of the court house portion of the building so constructed.

SECTION 4. The proceedings taken by the town of Nantucket under article fifty-six of the warrant for the annual town meeting held March ten, nineteen hundred and sixty-four, appropriating five hundred seventy-two thousand two hundred and thirty-one dollars and sixty-four cents for constructing, originally equipping and furnishing a combination town office building and court house, five hundred and nineteen thousand dollars to be raised by the issue of bonds or notes of the town and fifty-three thousand two hundred and thirty-one dollars and sixty-four cents to be transferred from other sources, are in all respects validated and confirmed, notwithstanding that the authorized borrowing exceeds the amount stated in the article, that the appropriation from other sources was not mentioned in the article and that this act was not in effect prior to such meeting and the notice thereof. Such proceedings shall be deemed to have been taken under this act.

SECTION 5. This act shall take effect upon its passage.

Approved May 7, 1964.

Chap. 360. AN ACT RELATIVE TO THE SALARIES OF CERTAIN JUSTICES OF THE SUPERIOR COURT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law, any justice of the superior court who was appointed to said office between the twenty-fourth day of October, nineteen hundred and sixty-three, and the ninth day of November, nineteen hundred and sixty-three, both dates inclusive, shall receive such salary as is provided by section twenty-seven of chapter two hundred and twelve of the General Laws, said salary to be effective as of the date of his appointment.

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

Approved May 7, 1964.

Chap. 361. AN ACT RELATIVE TO THE SALE OF PROPERTY OF THE CHARLTON HOME FARM ASSOCIATION.

Be it enacted, etc., as follows:

SECTION 1. The towns of Ashburnham, Auburn, Berlin, Boylston, Brookfield, Charlton, East Brookfield, Hardwick, Holden, Holland, Hubbardston, Leicester, Millbury, New Braintree, Oakham, Paxton, Princeton, Rutland, Sterling, Warren, West Brookfield, Westminster, West Boylston, Sutton, Spencer and Winchendon, which along with the metropolitan district commission, the successor of the town of Dana, maintained a joint infirmary as member towns of the Charlton Home Farm Association, are hereby authorized to empower the joint board of directors of said association to sell at public auction the real and personal property belonging to said towns as members of said association including the interest of the town of Dana now vested in the commonwealth.

SECTION 2. The action taken by said towns at the annual and special town meetings and said commission in the years nineteen hundred and sixty-one and nineteen hundred and sixty-two pursuant to the authority contained in section one shall be as valid and effective for all purposes as though said section had been in effect at the time of the posting of the warrants for said meetings.

SECTION 3. Any conveyance of such property sold at public auction by deed made and executed by the president of the joint board of directors of said association, being thereunto duly authorized, shall be as valid as if each of said conveyances had jointly been made by all of the said member towns and the commonwealth.

SECTION 4. If any successful bidder at such public auction refuses to accept a conveyance of any parcel sold to him, said board may sell and convey such parcel to any other person by private sale, provided, however, that the purchase price paid therefor is not less than the price originally bid at such auction.

SECTION 5. Upon dissolution of the association the net funds in its custody shall be paid to the member towns and metropolitan district commission in proportion to the interest which each owns in said association.

SECTION 6. This act shall take effect upon its passage.

Approved May 7, 1964.

Chap. 362. AN ACT GRANTING CERTAIN SICK LEAVE CREDITS TO WALTER ANTHONY COMERFORD, AN EMPLOYEE OF THE DIVISION OF YOUTH SERVICE IN THE DEPARTMENT OF EDUCATION.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, Walter Anthony Comerford, an employee of the division of youth service, in the department of education, shall, subject to the approval of the director of personnel and standardization, be allowed the sick leave credits he accumulated as an employee in said division and in the division of civil defense of the commonwealth prior to his transfer to the department of civil defense of the city of Boston on October third, nineteen hundred and fifty-six, from which department he returned on September eleventh, nineteen hundred and sixty to the employ of said division of youth service. *Approved May 7, 1964.*

Chap. 363. AN ACT AUTHORIZING THE SHRINERS' HOSPITAL FOR CRIPPLED CHILDREN TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

The Shriners' Hospital for Crippled Children, a corporation organized under chapter one hundred and eighty of the General Laws for charitable purposes, is hereby authorized to hold real and personal estate in the manner and for the purposes set forth in its charter to an amount not exceeding eighteen million dollars. *Approved May 7, 1964.*

Chap. 364. AN ACT CLARIFYING THE STATUS OF CERTAIN APPOINTEES IN THE SERVICE OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Section 42 of chapter 31 of the General Laws, as most recently amended by chapter 722 of the acts of 1960, is hereby further amended by adding the following sentence: — No person appointed to any position under this section shall be classified under the civil service laws and rules. *Approved May 7, 1964.*

Chap. 365. AN ACT RELATING TO THE POWERS OF THE COMMISSIONER OF NATURAL RESOURCES.

Be it enacted, etc., as follows:

Section 3 of chapter 132A of the General Laws is hereby amended by inserting after the second sentence the following sentence: — He may, with like approval, authorize the construction and maintenance, on any land under control of the department, of towers, poles, wires, pipes, and structures necessary for the purpose of transmitting electric power or intelligence by electricity, and may grant an easement over such land for such purposes. *Approved May 7, 1964.*

Chap. 366. AN ACT REQUIRING MONTHLY MEETINGS OF THE BOARD OF STATE EXAMINERS OF PLUMBERS.

Be it enacted, etc., as follows:

Chapter 13 of the General Laws is hereby amended by striking out section 37, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 37.* The examiners shall hold regular meetings at the state house on the Tuesday next following the first Monday of each month and such additional meetings at such times and places as they may determine. *Approved May 7, 1964.*

Chap. 367. AN ACT PROVIDING FOR THE PAYMENT OF FUNERAL EXPENSES OF BOXERS OR FORMER BOXERS FROM THE BOXERS' FUND.

Be it enacted, etc., as follows:

The first paragraph of section 40A of chapter 147 of the General Laws, as appearing in section 3 of chapter 623 of the acts of 1957, is hereby amended by inserting after the word "benefit", in line 15, the words: — , including funeral expenses, — so that the second sentence will read as follows: — Said sum shall be credited by said treasurer to a fund to be known as the boxers' fund, which shall be administered by the boxers' fund board for the use and benefit, including funeral expenses, of boxers or former boxers in need of assistance. *Approved May 7, 1964.*

Chap. 368. AN ACT PROVIDING THAT THE MAIN ROAD AT DIGHTON ROCK PARK IN THE TOWN OF BERKLEY SHALL BE DESIGNATED AS THE EDMUND BURKE DELABARRE AVENUE.

Be it enacted, etc., as follows:

The main road at Dighton Rock park in the town of Berkley shall be known and designated as the Edmund Burke Delabarre avenue, in memory of Edmund Burke Delabarre, a professor at Brown University, who through extensive study and research solved the mystery of the markings on Dighton Rock and suitable markers bearing said designation shall be erected along said avenue by the department of natural resources. *Approved May 7, 1964.*

Chap. 369. AN ACT PLACING A LIMITATION ON THE FEE FOR FILING AN APPEAL TO THE BOARD OF ELECTRICIANS' APPEALS.

Be it enacted, etc., as follows:

Section 32A of chapter 13 of the General Laws, inserted by section 1 of chapter 531 of the acts of 1961, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence: — Said board may make such rules or regulations, not inconsistent with law, as it may deem necessary in the performance of its duties and may establish forms of appeals and petitions, and reasonable fees, not to exceed ten dollars, for the filing thereof. *Approved May 7, 1964.*

Chap. 370. AN ACT REGULATING THE HOLDING OF SESSIONS OF THE PROBATE COURT FOR THE COUNTY OF WORCESTER.

Be it enacted, etc., as follows:

Section 62 of chapter 215 of the General Laws is hereby amended by striking out the last paragraph, as amended by chapter 274 of the acts of 1933, and inserting in place thereof the following paragraph: —

Worcester, at Worcester, every Monday, Tuesday, Wednesday, Thursday and Friday between the second Monday of September and the fourth Tuesday of July, both dates inclusive, and the third Tuesday of August.

Approved May 7, 1964.

Chap. 371. AN ACT ESTABLISHING THE CENTRAL PLYMOUTH COUNTY WATER DISTRICT AND AUTHORIZING THE CITY OF BROCKTON TO EXTEND ITS SOURCE OF WATER SUPPLY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to establish immediately the Central Plymouth County Water District and to authorize immediately the city of Brockton to extend its source of water supply, 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 established the Central Plymouth County Water District, hereinafter called the district, consisting of the city of Brockton and the towns of East Bridgewater, Halifax, Hanson, Kingston, Pembroke, Plympton and Whitman.

SECTION 2. There shall be in the district an advisory board consisting of a member of the board of selectmen or other person designated by the board of selectmen of each of the towns in the district, the mayor of the city of Brockton or his designee, and a member of the city council of said city to be appointed by the mayor. The advisory board shall serve without compensation and shall meet on the first Monday of the months of May and November or oftener as required. It shall elect annually a chairman and secretary from its membership and shall keep records of its deliberations and actions and its recommendations to the commission.

SECTION 3. The district shall be under the direction of a commission consisting of three commissioners, hereinafter called the commission, who shall be appointed by the advisory board. One of said commissioners shall be a resident of the city of Brockton. The initial appointment of said commissioners shall be as follows: one commissioner to be appointed for a term of one year, one for a term of two years, and one for a term of three years. Thereafter all appointments shall be for a term of three years except that an appointment to fill a vacancy shall be for the balance of the unexpired term. Said commissioners shall serve without compensation until such time as the city of Brockton cedes ownership in its water supply facilities to the district. A commissioner may be removed from office for cause and after a hearing by a vote of three-fourths of the membership of the advisory board. Any vacancy in the office of commissioner shall be filled by the advisory board within three months.

The commission shall meet no later than one month after all appointments have been made and said commission at its first meeting and annually thereafter, on or before the first Monday in May, shall elect one of its members to serve as chairman of the commission.

The commission shall, in co-operation with and with the advice of the state department of public health, the department of agriculture and the water resources commission, investigate available surface and sub-surface sources of water supply for the district and the allocation of said supplies within the district, and shall study the water supply needs and resources of Plymouth county and the adjacent portions of Norfolk county, with priority given to the study of Cleveland Pond in Abington, and to ground water in the city of Brockton and the towns of Hanson, Halifax, East Bridgewater and Whitman.

The commission shall also investigate all pertinent matters relating to the quantity of water required, the quantity of water to be obtained from available sources, its quality, the best method of protecting the purity of the water, the construction, operation and maintenance of the works for storing, conveying or purifying the water and the cost of the same, the damages to property and all other matters pertaining to the subject.

The commission may expend for engineering and other assistance and other expenses such sums as may be appropriated therefor.

The commission shall report fully with plans and estimates to the general court on or before the fourth Wednesday in January, nineteen hundred and sixty-six and shall append to its report drafts of legislation to carry its recommendations into effect.

SECTION 4. The city of Brockton, hereinafter called the city, for the purpose of increasing its water supply is hereby authorized to divert surplus flow as defined in section nine from Furnace Pond, situated in the town of Pembroke, and Monponsett Pond situated in the towns of Halifax and Hanson, into Silver Lake and thence to the city and the towns also supplied; provided that no diversion shall be made and no necessary lands shall be acquired under this act without first obtaining the advice and approval of the department of public health and that the location of all intake structures and treatment works hereunder shall be subject to the approval of said department. Before any property is taken or any construction is begun the city shall submit to the commission at least two copies of all construction plans, specifications, estimates, plans and descriptions of property to be taken, and of proposed easements, and the commission within sixty days after receipt of any such information, shall notify the city in writing of any recommendations it may have concerning the proposed work. The city shall study all such recommendations and whenever feasible the city shall adopt such recommendations. The city shall proceed forthwith with the design and construction of a suitable water filtration plant at Silver Lake having a capacity of not less than twenty million gallons per day, to purify all water supplied. Any rights granted under this section to the city or to the district to divert surplus flow from said Furnace Pond or said Monponsett Pond shall be revoked and cease to be of any effect if said water filtration plant is not constructed and actually in use on or before October first, nineteen hundred and sixty-eight. The commission may prohibit any diversions when the water level of Silver Lake is above elevation forty-six and one-half, United States Coast and Geodetic Sur-

vey base. All authority granted to the city by this act shall be vested in its board of water commissioners, hereinafter called the board.

SECTION 5. The city for the purpose aforesaid, may take by eminent domain, acquire or hold by purchase or otherwise all land, rights-of-way and easements necessary for diverting and purifying such water from the aforesaid ponds and conveying same to Silver Lake. No land shall be taken at Furnace Pond except for necessary spillway and diversion structures near the outlet of Furnace Pond, and no land shall be taken at Monponsett Pond except for necessary spillway and diversion structures. The city shall obtain the advice of the commission with regard to the taking of land.

SECTION 6. The city may erect on lands taken or held under the provisions of this act, diversion works and other structures and may make excavations, procure and operate machinery and provide such other means and appliances and do such other things as may be necessary for the effective use of the aforesaid auxiliary supplies, and for that purpose may lay down and maintain aqueducts, conduits, pipes and other works, in, under, on or over any lands, water courses, or public or private ways, and along any such ways in said towns of Pembroke, Hanson, Halifax, and Plympton, in such manner as not unnecessarily to obstruct the same; and for the purpose of constructing, laying, maintaining, operating and repairing such conduits, pipes and other works, and for all proper purposes of this act, the city may dig up in such manner as to cause the least hindrance to public travel, and shall restore and keep in repair such ways where they have been dug up, to the satisfaction of the proper authority in the respective town in which such ways are situated. The city shall not enter upon the location of any railroad corporation or construct or lay any aqueducts, pipes, conduits or other works within such location except at such time and in such manner as it may agree upon with such railroad corporation, or, in case of failure so to agree, as may be approved by the department of public utilities.

SECTION 7. If any public way shall hereafter be laid out in whole or in part over said aqueducts, pipes or conduits such laying out shall not prejudice the right of the city to care for, alter or repair the aqueducts, pipes or conduits therein or thereunder. All such public ways shall as far as possible conform to the grade of such aqueducts, pipes or conduits, and their surfaces shall be no less than four feet above the top of such aqueducts, pipes or conduits, unless a different construction is agreed upon between the city and the town in which such ways are situated.

SECTION 8. If any person shall without the consent of the board and of the commission use any water taken after entry into the diversion system or obtained under this act, or shall wantonly or maliciously divert the water or any part thereof or corrupt the same or destroy or injure any intake structure, pipe, conduit or other property held, owned or used by the city under the authority of and for the purpose of this act, he shall forfeit and pay to the city three times the amount of damages assessed therefor, to be recovered in an action of tort; and on conviction of any of the wanton or malicious acts aforesaid may be punished by a fine not exceeding three hundred dollars or by imprisonment in a jail or house of correction for a term not exceeding one year.

Notwithstanding the provisions of sections one hundred and sixty and one hundred and seventy-two of chapter one hundred and eleven of

the General Laws, nothing in this act shall be construed as preventing the normal use of the aforesaid Furnace Pond and Monponsett Pond for bathing, boating, fishing and other purposes, nor shall the provisions of this act prevent the withdrawal of sufficient water for flooding or irrigation of cranberry bogs, nor shall the provisions of this act prevent the return flow of such flood waters from cranberry bogs to the aforesaid ponds. There shall be no diversion of water from Furnace Pond or from Monponsett Pond into Silver Lake, if, in the opinion of the department of public health, the diversion of such waters would endanger the public health.

SECTION 9. The city shall construct facilities at or near the present outlets of the aforesaid Furnace and Monponsett ponds in such a manner as to allow a minimum daily flow of three hundred thousand gallons from Furnace Pond, a minimum daily flow of nine hundred thousand gallons from Monponsett Pond to pass downstream at all times when water is being diverted except in case of emergency when less water may be discharged downstream if ordered by the department of public health and approved by said commission and this flow shall be measured and recorded and such records maintained by said city. Notwithstanding the aforesaid minimum flow, sufficient water shall be allowed to pass downstream, at all times when water is being diverted to allow herring to travel upstream and downstream. During the months of October to May, inclusive, all flows in excess of the aforementioned minimum flows may be diverted into Silver Lake but no diversion shall be made from Furnace Pond when the water level of Furnace Pond is below elevation fifty-six, United States Coast and Geodetic Survey base. During the months of June through September, inclusive, no flow may be diverted, from said ponds except when, in the opinion of said commission, an emergency exists due to imminent flooding. At such times of emergency, for the purpose of preventing flooding and damage to property in the vicinity of said pond, the commission may, subject to the approval of the department of public health, authorize the diversion of excess waters at stated times during said months but, in no case, may the ponds be drawn down below the minimum elevations established in this section. Control works shall be constructed by the city to prevent diversion from Furnace Pond when the water level in Furnace Pond is below elevation fifty-six, United States Coast and Geodetic Survey base. Control works shall be constructed to prevent diversions from Monponsett Pond when the water level in Monponsett Pond is below elevation fifty-two and one-half United States Coast and Geodetic Survey base. Notwithstanding the provisions of section forty of chapter forty of the General Laws, water shall not be drawn from Furnace Pond below elevation fifty-six nor from Monponsett Pond below elevation fifty-two and one-half, United States Coast and Geodetic Survey base. It shall be the sole responsibility of the city to assume all costs of water filtration or purification required by the department of public health because of the public use of Furnace, Oldham and Monponsett ponds, as provided in section eight in order that they may be permanently usable by the public for the purposes described therein.

SECTION 10. The board shall, upon application by the selectmen of any town herein named and with the approval of the commission, supply such town with a public water supply. In case a town not herein named desires a supply of water as aforesaid, such town shall first obtain from

the department of public health and from the commission an opinion in writing to the effect that one or more of the aforesaid Furnace and Monponsett ponds, is a natural and proper source of supply for the town and upon presentation of such an opinion the said board shall furnish water to said town by delivering the same in a main water pipe, reservoir or tank to the town, under the head or pressure required and maintained by the city, unless it be delivered in some other manner by agreement between the parties interested. The board shall have the direction and control of all connections made between the city and town system, but the cost of such connections shall be paid by the town for which they are made.

SECTION 11. The price to be paid by any town for water delivered to it, or by any person, corporation or water company taking said water under authority of the selectmen of such town, if not determined by mutual agreement, shall be determined by three commissioners to be appointed by the supreme judicial court, upon application of either party and notice to the other; and the award of said commissioners when accepted by the court shall be binding upon both parties for a period to be designated by the court.

SECTION 12. Nothing in this act shall interfere with the right granted to the town of Pembroke by chapter two hundred and eighty of the acts of nineteen hundred and thirty, nor prevent the town of Plympton, Hanson or Halifax from taking an independent supply of water from said ponds, provided, that satisfactory arrangements cannot be made with said city therefor; and provided, further, that whenever said water is taken by any town as an independent source of supply it shall be taken under the advice and with the approval of the commission and the department of public health, and subject to the restrictions which said department may impose; and provided, further, that each town taking an independent supply of water shall pay its proportionate part of the damages which the city may be called upon to pay for any improvements to said auxiliary supplies required due to the taking of an independent supply by said towns.

SECTION 13. Nothing in this act shall interfere with rights granted to the towns of Abington, Rockland and Whitman by chapter two hundred and six of the acts of eighteen hundred and eighty-five, relating to the taking of a water supply from Great Sandy Bottom Pond, or by chapter six hundred and eighteen of the acts of nineteen hundred and forty-five authorizing the aforesaid towns to take water by means of wells or filter galleries on their property near Furnace Pond.

Approved May 11, 1964.

Chap. 372. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF HAMPDEN COUNTY TO BORROW MONEY TO ALTER, REPAIR AND RENOVATE A CERTAIN BUILDING IN THE CITY OF SPRINGFIELD PURCHASED BY THEM FOR THE FACILITIES OF THE DISTRICT AND SUPERIOR COURTS AT SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Hampden county are hereby authorized to expend a sum not exceeding one hundred and ninety-four thousand dollars, for the repair, alteration, renovation,

originally equipping and furnishing of a building acquired by the county of Hampden and described as Parcel 2 in section two of chapter five hundred and thirty-nine of the acts of nineteen hundred and sixty-two and located on Elm street in the city of Springfield, including plans and specifications and architect's fees and expenses therewith.

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, ninety-seven thousand dollars, and may issue bonds or notes of the county therefor which shall bear on their face the words, Hampden County Court House Loan, Act of 1964. 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 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 3. Funds authorized by this act shall not become available until matching funds of ninety-seven thousand dollars are made available by the federal government under its Accelerated Public Works Program.

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

Approved May 11, 1964.

Chap. 373. AN ACT DESIGNATING THE DAM BEING CONSTRUCTED BY THE METROPOLITAN DISTRICT COMMISSION ACROSS THE MYSTIC RIVER IN THE CITIES OF EVERETT AND SOMERVILLE AND THE FRESH WATER BASIN CREATED THEREBY AS THE AMELIA EARHART MYSTIC RIVER DAM AND BASIN.

Be it enacted, etc., as follows:

SECTION 1. The dam being constructed under the provisions of chapter six hundred and forty-seven of the acts of nineteen hundred and fifty-seven by the metropolitan district commission and the fresh water basin to be created thereby, shall, upon completion, be designated and known as the Amelia Earhart Mystic River Dam and Basin in honor of Amelia Earhart, a pioneer aviatrix, who was lost on an epic flight across the Pacific ocean. Said commission shall erect thereat suitable markers bearing said designation.

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

Approved May 11, 1964.

Chap. 374. AN ACT DESIGNATING THE METROPOLITAN DISTRICT COMMISSION SKATING RINK BEING CONSTRUCTED ON THE VETERANS OF FOREIGN WARS PARKWAY IN THE WEST ROXBURY DISTRICT OF THE CITY OF BOSTON AS THE WALTER D. BRYAN SKATING RINK.

Be it enacted, etc., as follows:

SECTION 1. The skating rink being constructed by the metropolitan district commission on the Veterans of Foreign Wars parkway in the West Roxbury district of the city of Boston shall, upon completion, be known and designated as the Walter D. Bryan skating rink, in memory of Walter D. Bryan, who served as a member of the city council of the city of Boston and the house of representatives. A suitable marker bearing said designation shall be erected and maintained at said skating rink by said commission.

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

Approved May 11, 1964.

Chap. 375. AN ACT CLARIFYING CERTAIN PROVISIONS IN THE CORPORATION EXCISE LAW.

Be it enacted, etc., as follows:

SECTION 1. Paragraph 8 of section 30 of chapter 63 of the General Laws, as appearing in section 2 of chapter 756 of the acts of 1962, is hereby amended by striking out, in lines 9 to 12, inclusive, the words "the remainder of its net income attributable to business carried on within the commonwealth, as determined under the provisions of section thirty-eight, bears to the total remainder of its net income allocable under said section" and inserting in place thereof the words: — shall be found by multiplying said amount by such corporation's income apportionment percentage, as determined under the provisions of section thirty-eight.

SECTION 2. Paragraph 9 of section 30 of said chapter 63, as so appearing, is hereby amended by striking out, in lines 12 to 15, inclusive, the words "the remainder of its net income attributable to business carried on within the commonwealth, as determined under the provisions of section thirty-eight or forty-one, bears to the total remainder of its net income allocable under said sections" and inserting in place thereof the words: — shall be found by multiplying said amount by such corporation's income apportionment percentage, as determined under the provisions of section thirty-eight or forty-one.

SECTION 3. Paragraph 10 of section 30 of said chapter 63, as so appearing, is hereby amended by striking out, in lines 8 to 12, inclusive, the words "the remainder of its net income attributable to business carried on within the commonwealth, as determined under the provisions of section thirty-eight or forty-one, bears to the total remainder of its net income allocable under said sections" and inserting in place thereof the words: — shall be found by multiplying said amount by such corporation's income apportionment percentage, as determined under the provisions of section thirty-eight or forty-one.

SECTION 4. Paragraph 11 of section 30 of said chapter 63, as so appearing, is hereby amended by striking out, in lines 8 to 12, inclusive,

the words "the remainder of its net income attributable to business carried on within the commonwealth, as determined under the provisions of section thirty-eight or forty-one bears to the total remainder of its net income allocable under said sections" and inserting in place thereof the words: — shall be found by multiplying said amount by such corporation's income apportionment percentage, as determined under the provisions of section thirty-eight or forty-one.

SECTION 5. This act shall apply with respect to assessments made or deemed to have been made on and after January first, nineteen hundred and sixty-four.

Approved May 11, 1964.

Chap. 376. AN ACT PERMITTING THE OPERATION OF CERTAIN NEW AUTOMOBILES BEING DELIVERED TO DEALERS FOR A LIMITED DISTANCE WITHOUT REGISTRATION.

Be it enacted, etc., as follows:

The first sentence of section 9 of chapter 90 of the General Laws is hereby amended by inserting after the word "occupied", in line 23, as appearing in chapter 85 of the acts of 1956, the words: — and except that a new automobile being delivered to a dealer by means of a tractor and trailer may be unloaded on a public way and driven by the person so delivering or his agents or servants without such registration to a dealer's premises over a public way for a distance not exceeding three hundred feet, provided that the person so delivering, with respect to such new automobile, shall have filed with the registrar a motor vehicle liability policy or bond in compliance with the provisions of this chapter.

Approved May 11, 1964.

Chap. 377. AN ACT PROVIDING FOR THE ISSUANCE OF LICENSES TO CONSTRUCT AND MAINTAIN ELECTRIC TRANSMISSION LINES OVER AND ACROSS THE SAUGUS RIVER BETWEEN THE TOWN OF SAUGUS AND THE CITY OF LYNN EXTENDING BEYOND THE HARBOR LINE.

Be it enacted, etc., as follows:

The department of public works is hereby authorized to grant licenses under the provisions of chapter ninety-one of the General Laws to New England Power Company, an electric company organized and existing under the laws of the commonwealth, to construct and maintain electric transmission lines over and across the Saugus river between the town of Saugus and the city of Lynn extending beyond the harbor line established by chapter three hundred and thirteen of the acts of eighteen hundred and sixty-seven, subject to such conditions as said department may deem advisable.

Approved May 11, 1964.

Chap. 378. AN ACT FURTHER REGULATING TESTS FOR COMMUNICABLE TUBERCULOSIS IN SCHOOL PERSONNEL.

Be it enacted, etc., as follows:

Chapter 71 of the General Laws is hereby amended by striking out section 55B, as most recently amended by chapter 15 of the acts of 1958,

and inserting in place thereof the following section: — *Section 55B.* No person known to be suffering from tuberculosis in a communicable form, or having evidence or symptoms thereof, shall be employed or continued in employment at any school in the commonwealth, including any college or university, in any capacity which might bring him into direct contact with any student at such school. Immediately prior to his entering into any such employment, and at least every three years during the course of his employment thereafter, each school superintendent, principal, director, teacher, food handler, janitor, school bus driver, nurse, doctor or other person whose duties bring him into such direct contact, shall file with the superintendent or other person having charge of such school, on forms furnished by the department of public health and approved by the department of education, a report, made by a registered physician, relative to his freedom from tuberculosis in a communicable form, and such report shall be kept as a part of the records of such school authorities. Such report shall be based on an X-ray of such person's chest taken not more than ninety days prior thereto or on the results of an intradermal tuberculin test taken not more than ninety days prior thereto, and on the results of such other laboratory tests and clinical examinations as may be essential to a diagnosis of tuberculosis in a communicable form. If the results of the intradermal tuberculin test were positive, then this report shall be accompanied by a report of an X-ray of such person's chest taken not more than ninety days prior thereto. On request X-ray films shall be submitted for review to the department of public health or to the county or municipal tuberculosis sanatorium of the district or municipality in which such school is located, and where the X-ray so submitted is for any reason not satisfactory, an X-ray of the employee's chest shall be made by said department or such sanatorium. When such X-ray shows a pulmonary lesion which cannot be properly evaluated on a single film, further X-ray examinations shall be made, at such intervals as it may require, and without charge, by said department or such sanatorium. Cases in which the question of communicability of tuberculosis arises may on appeal be referred to a board of three competent physicians, appointed by the commissioner of public health, and their decision shall be final. Such reports and X-rays or intradermal tuberculin tests shall be required at least every three years from all school employees; provided, that such re-examination shall not be required within three years of any previous examination for any school employee who may transfer within the commonwealth.

School personnel certified by approving authorities in other states which have similar laws or regulations which require freedom from tuberculosis in communicable form in their school personnel may submit such certificate to the director of the division of tuberculosis control in the department of public health for his approval. Such approval shall be withheld if the certificate is incomplete or the date of examination is more than ninety days prior to the presentation date.

On petition in writing, the provisions of this section may be waived by the director of the division of tuberculosis control when in his opinion over-exposure to radiation would imperil a person's health.

Any teacher, other than a teacher in the public schools, or any other employee excluded or removed from employment on account of tuberculosis in a communicable form shall be carried on sick leave with pay for

such period as he may be entitled to under the regulations of the school committee or other school officers; and any teacher in a public school, or other employee therein whose duties bring him into direct contact with any student thereat, shall, if excluded or removed from employment on account of tuberculosis in a communicable form be carried on sick leave with pay for the entire period of such exclusion or removal, but in no case for more than two years, and for such further additional period as he may be entitled to under the regulations of the school committee or other school officers. No teacher or employee so excluded or removed shall return to employment in a school until properly certified by the department of public health, or such county or municipal sanatorium, on the basis of X-ray and laboratory examinations, as free from tuberculosis in a communicable form. Facilities for free X-ray service shall be provided by state, county, and municipal sanatoria for all persons who come within the scope of this section.

Approved May 11, 1964.

Chap. 379. AN ACT AUTHORIZING AND DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO SELL A CERTAIN PARCEL OF LAND IN THE CITY OF BOSTON TO WILLIAM R. FINLAY AND AGNES J. FINLAY.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized and directed to sell and convey to William R. Finlay and Agnes J. Finlay, husband and wife, as tenants by the entirety, a certain parcel of land located in the Savin Hill section of the Dorchester district of the city of Boston and adjacent to land now owned by them, bounded and described as follows: — Beginning at a point on the westerly side of Morrissey boulevard on the boundary line between land of said William R. Finlay and Agnes J. Finlay and land of the metropolitan district commission, thence westerly along said boundary line seventy-six and four one-hundredths (76.04) feet; thence southerly forty (40) feet; then turning at right angles and running easterly sixty-five (65) feet more or less; and thence running in a northeasterly direction along said Morrissey Boulevard to the point of beginning, and containing twenty-eight hundred square feet, more or less. *Approved May 11, 1964.*

Chap. 380. AN ACT AUTHORIZING THE CITY OF WALTHAM TO DISPOSE OF A PORTION OF CERTAIN PARK LAND.

Be it enacted, etc., as follows:

SECTION 1. The city of Waltham, through its board of park commissioners, may sell and convey, or lease a certain parcel of park land or any part thereof, or grant an easement therein to Polaroid Corporation, a corporation duly organized under the laws of the state of Delaware, having an usual place of business in said city for the sole purpose of constructing a road or roads thereon and installing utilities appurtenant to buildings of said corporation, upon such terms and conditions as the mayor and city council shall prescribe, said land being located within Prospect Hill park, so called, a public park in said city, and bounded and described as follows:

Northwesterly by land of Polaroid Corporation by seven separate courses, totalling one thousand two hundred and fifty (1250) feet;

Southwesterly by land of Polaroid Corporation by four separate courses, totalling nine hundred twenty-five and 18/100 (925.18) feet, and

Northeasterly by land of the City of Waltham, Prospect Hill Park, by three separate courses reading respectively four hundred thirty-two and 63/100 (432.63) feet, three hundred fifty-three and 14/100 (353.14) feet, and eight hundred ninety-six and 82/100 (896.82) feet, containing 8.85 acres, and shown on the plan entitled, "Plan of Land in Waltham, Mass. Part of Prospect Hill Park Belonging to City of Waltham, Mass.", dated August, 1963, by Rowland H. Barnes & Co., C.E.

SECTION 2. This act shall take effect upon its acceptance by the city of Waltham.

Approved May 11, 1964.

Chap. 381. AN ACT TRANSFERRING CERTAIN FUNDS TO THE SPECIAL COMMISSION ESTABLISHED TO INVESTIGATE A PROGRAM OF PARTICIPATION OF THE COMMONWEALTH AT THE 1964-1965 WORLD'S FAIR.

Be it enacted, etc., as follows:

The unexpended balance remaining in item 0405-03 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 to the special commission established to investigate a program of participation of the commonwealth at the 1964-1965 World's Fair, for clerical and other assistance and expenses including travel within and without the commonwealth, which shall be in addition to the ten thousand dollars referred to in item 0405-02 of section two of chapter five hundred and forty-three of the acts of nineteen hundred and sixty-one.

Approved May 11, 1964.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, May 18, 1964.

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 that the immediate preservation of the public convenience requires that the law being Chapter 381 of the Acts of 1964 entitled "An Act Transferring Certain Funds to the Special Commission Established to Investigate a Program of Participation of the Commonwealth at the 1964-1965 World's Fair." and the enactment of which received my approval on May 11, 1964, 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:

That in order to enable said Commission to perform its function as imposed by statute, without delay, this act should become effective immediately.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, May 18, 1964.

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

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 382. AN ACT PROVIDING LIFE TENURE FOR ROGER A. FECTEAU, INCUMBENT OF THE OFFICE OF BUILDING INSPECTOR OF THE CITY OF PEABODY.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Roger A. Fecteau, incumbent of the office of building inspector of the city of Peabody, shall, upon the effective date of this act, be unlimited, but he may be removed therefrom for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted to the voters of the city of Peabody at the biennial state election in the current year in the form of the following question, which shall be placed upon the official ballot to be used in said city at said election: — "Shall an act passed by the General Court in the year nineteen hundred and sixty-four, entitled 'An Act providing life tenure for Roger A. Fecteau, incumbent of the office of building inspector of the city of Peabody', 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 May 11, 1964.

Chap. 383. AN ACT PERMITTING THE MASSACHUSETTS PORT AUTHORITY TO TAKE BY EMINENT DOMAIN LAND IN A CERTAIN AREA FOR THE CONSTRUCTION AND MAINTENANCE OF A SERVICE ROAD AT THE GENERAL EDWARD LAWRENCE LOGAN INTERNATIONAL AIRPORT.

Be it enacted, etc., as follows:

SECTION 1. Chapter four hundred and ten of the acts of nineteen hundred and sixty-three is hereby repealed.

SECTION 2. 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, or meeting other air safety requirements of the federal government, and except for the purpose of the construction, use and maintenance of a service road, on land to be acquired by it located in the East Boston district of the city of Boston and bounded and described as follows: — Beginning at a point on the Northwesterly sideline of

Venice Street, one hundred and 00/100 (100.00) feet Northeasterly from the Northerly sideline of Maverick Street; thence extending North-easterly by the Westerly sideline of Venice Street, eighty-five and 91/100 (85.91) feet; thence Northwesterly by the land of the Massachusetts Port Authority, eighty and 00/100 (80.00) feet; thence Southwesterly by land of Giglio and land of Di Nush, one hundred and 57/100 (100.57) feet; thence Northeasterly by land of Celona, eighty-one and 33/100 (81.33) feet to the point of beginning; containing seven thousand four hundred fifty-nine (7,459) square feet of land with a right of egress and ingress on said Venice Street, — acquire by the exercise of the power of eminent domain for airport purposes any land above mean high water in said district 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 11, 1964.

Chap. 384. AN ACT RELATIVE TO THE ISSUANCE OF PERMITS FOR THE PERFORMANCE OF CERTAIN WORK ON SUNDAY.

Be it enacted, etc., as follows:

SECTION 1. Section 7 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: — The police commissioner of the city of Boston, or any member of the police department having a rank not lower than that of captain and designated by said commissioner, or the chief of police or the board or other officer in charge of the police department of any other city or of any town, or the chairman of the board of selectmen of any town where no police department has been established, upon reasonable terms and conditions may issue a permit for the performance on Sunday of necessary work or labor which could not be performed on any other day without serious suffering, loss, damage or public inconvenience, or which could not be performed on any other day without delay to military defense work.

SECTION 2. Section 15 of said chapter 136, as so appearing, is hereby amended by inserting after the word "persons", in line 1, the words: — or boards.

Approved May 11, 1964.

Chap. 385. AN ACT VALIDATING CERTAIN PROCEEDINGS TAKEN AT CERTAIN TOWN MEETINGS OF THE TOWN OF BLACKSTONE.

Be it enacted, etc., as follows:

SECTION 1. The proceedings taken by the town of Blackstone at the special town meeting held on February first, nineteen hundred and sixty-four and the proceedings taken by said town relating to the establishment of the Blackstone Valley Vocational Regional School District at the annual town meetings held in the years nineteen hundred and sixty-one and nineteen hundred and sixty-two and at the special

town meeting held on May fifteenth, nineteen hundred and sixty-three are in all respects validated and confirmed, notwithstanding the failure of the town to comply with the provisions of subsection D of section II of the town by-laws requiring publication of the warrant for said meetings in that newspaper having the largest local circulation in the town.

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

Approved May 13, 1964.

Chap. 386. AN ACT PROHIBITING FOR A PERIOD OF TWO YEARS CONVERSIONS BY CO-OPERATIVE BANKS INTO FEDERAL SAVINGS AND LOAN ASSOCIATIONS.

Whereas, The withdrawal of co-operative banks from the Share Insurance Fund through conversions of co-operative banks to federally chartered institutions would seriously endanger the state co-operative bank system; and

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to prevent immediately any such withdrawal, 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:

The privilege of conversion, permitted by section forty-nine of chapter one hundred and seventy of the General Laws, shall not be exercised by any co-operative bank during the period of two years immediately following the effective date of this act, except one which prior to January first, nineteen hundred and sixty-four filed with the board of bank incorporation an application for approval of its conversion into a federal savings and loan association.

Approved May 13, 1964.

Chap. 387. AN ACT AUTHORIZING THE TRAFFIC AND PARKING COMMISSION OF THE CITY OF BOSTON TO DEFINE THE DOWNTOWN AREA OF SAID CITY FOR THE PURPOSE OF REGULATING TRAFFIC AND PARKING IN SAID CITY.

Be it enacted, etc., as follows:

Chapter 263 of the acts of 1929 is hereby amended by striking out section 2, as most recently amended by section 1 of chapter 318 of the acts of 1964, and inserting in place thereof the following section: —
Section 2. For the purpose of conserving the public convenience in the use of the streets, ways, highways, roads and parkways under the control of the city, the commission shall have exclusive authority to adopt, amend, alter and repeal rules, which shall be reasonable and not repugnant to law, regulating the time, place and manner of parades, processions, and other organized formations of persons or vehicles, other than funeral processions and picket lines, in or upon all or any such streets, ways, highways, roads and parkways, and prescribing that no person shall take part in any parade, procession or other organized formation of persons or vehicles, other than a funeral procession or a picket line, in or upon any such street, way, highway, road or parkway unless the commissioner of traffic and parking has granted a permit for

such parade, procession or formation; provided, however, that no rule prescribing a permit shall be valid unless it also requires the issuance of the permit in all cases except where the time, place and manner are not in conformity with rules adopted hereunder and except where the permit would conflict as to time or place with a permit previously issued; and provided, further, that, notwithstanding anything to the contrary in chapter two hundred and twenty-two of the acts of nineteen hundred and forty-nine, no fee shall be charged for any such permit.

The commission shall also have exclusive authority, except as otherwise herein provided, to adopt, amend, alter and repeal rules and regulations, not inconsistent with general law as modified by this act, relative to vehicular street traffic in the city, and to the movement, stopping or standing of vehicles on, and their exclusion from, all or any streets, ways, highways, roads and parkways, under the control of the city, including rules and regulations designating any way or part thereof under said control as a through way under and subject to the provisions of section nine of chapter eighty-nine of the General Laws.

The commission shall further have exclusive authority, except as otherwise herein provided, to adopt, amend, alter and repeal rules and regulations, not inconsistent with general law as modified by this act, prohibiting or regulating the leaving of vehicles unattended within the limits of private ways furnishing means of access for fire apparatus to any building.

The commission may adopt, amend and repeal rules and regulations, not repugnant to law, prescribing a penalty, not exceeding fifty dollars, for any violation of a rule or regulation adopted under this section or promulgated under section two B which is not disposed of under section twenty C of chapter ninety of the General Laws; provided that no penalty shall be imposed upon any disabled veteran whose vehicle bears the distinctive number plates authorized by section two of chapter ninety of the General Laws, or upon any handicapped person whose vehicle displays in the rear window the distinctive sticker authorized by said section two, for parking such vehicle on any way for a longer period of time than permitted by a rule or regulation adopted under this section or promulgated under section two B.

By any rule or regulation adopted under this section, the commission may authorize, with such limitations, if any, as the commission may think proper, the police commissioner of the city, or such sergeants or officers of higher rank in the police department of the city as he may from time to time designate, to remove to some convenient place, through the agency of a person or persons in the employ of the police department of the city, or by an independent contractor selected on the basis of competitive bids invited by advertisement in the City Record, as said police commissioner shall from time to time determine, any vehicle, except a vehicle owned by the commonwealth or a political subdivision thereof or by the United States or an instrumentality thereof or registered by a member of a foreign diplomatic corps or by a foreign consular officer who is not a citizen of the United States and bearing a distinctive number plate or otherwise conspicuously marked as so owned or registered, and except also a vehicle owned by a disabled veteran and bearing a distinctive number plate authorized by section two of chapter ninety of the General Laws parked or standing on any part of any such street, way, highway, road or parkway in the downtown area of the city,

or parked or standing in the area of the city bounded northerly by the northerly line of Cambridge street and said line extended to the Charles river, northwesterly by the Charles river, westerly by the easterly line of Boston University bridge and said line extended southerly to the right of way of the Boston and Albany Railroad, southerly by the northerly line of the right of way of the Boston and Albany Railroad to the westerly line of Massachusetts avenue, westerly again by the westerly line of Massachusetts avenue to the southerly line of the right of way of the New York, New Haven and Hartford Railroad, southeasterly and southerly by the southerly line of said right of way of the New York, New Haven and Hartford Railroad to the downtown area of the city, and easterly, southerly and easterly again by said downtown area of the city to the northerly line of Cambridge street, in violation of any rule or regulation adopted under this section which prohibits the parking or standing of all vehicles on such part at such time and recites that whoever violates it shall be liable to charge for the removal and storage of the vehicle as well as subject to punishment by fine, and may impose liability for the reasonable cost of such removal, and of the storage charges, if any, resulting therefrom, upon the owner of such vehicle; provided, however, that the liability so imposed for removal shall not exceed eight dollars, that the liability so imposed for storage shall not exceed the schedule of maximum rates contained in the then latest lease of an off-street parking facility under chapter four hundred and seventy-four of the acts of nineteen hundred and forty-six, as amended, and that neither such removal nor such storage shall be deemed to be services rendered or work performed by the city or any department thereof within the meaning of chapter two hundred and twenty-two of the acts of nineteen hundred and forty-nine; and provided, further, that the city of Boston shall be liable to the owner of such vehicle for any damage caused to it arising out of negligence in the course of such removal and storage. No rule or regulation reciting that whoever violates it shall be liable to charge for the removal and storage of the vehicle as well as subject to punishment by fine shall be valid unless, in a writing filed with the secretary of the commission at the time of the adoption of such rule or regulation, every member of the commission voting for the adoption thereof certifies that after taking into account the public safety and convenience, the reasonably free circulation of vehicular traffic and the need for providing in the streets, ways, highways, roads and parkways in the downtown area of the city the maximum number of parking spaces at all times, he is of opinion that such rule or regulation is required by urgent public necessity. The words "downtown area of the city" as used in this paragraph shall be deemed to mean such part of the city of Boston as shall from time to time be defined as the downtown area by the traffic and parking commission.

Any rule or regulation, adopted under this section, prohibiting for any period of time between a specified hour of one day and a specified hour of the next day the parking or standing of vehicles on the whole or any part or parts of one or more streets, ways, highways, roads or parkways may provide that it shall apply to the alternate sides thereof on specified days. No warning sign need be maintained in connection with any rule or regulation so providing; nor shall any such rule or regulation be subject to section two of chapter eighty-five of the General Laws.

Any rule or regulation, adopted under this section, prohibiting the parking or standing of vehicles on the whole or any part or parts of one or more streets, ways, highways, roads or parkways, under the control of the city, may provide that it shall not apply at such times as shall be prescribed in such rule or regulation to any motor vehicle registered under chapter ninety of the General Laws and owned or used by a person residing on an estate abutting in whole or in part the portion of the street, way, highway, road or parkway where such vehicle is parked, who, in the year in which such vehicle is parked or in the preceding December for such year, shall have given, by a writing executed in such form and detail as such rule or regulation shall prescribe and filed with the officer in command of the police division in which such vehicle is parked, notice of intention to park at such estate and shall display in a conspicuous place on such vehicle, while parked, such visible evidence of the giving of such notice as such rule or regulation shall prescribe; but neither the giving of such notice nor the issuance of visible evidence of the giving thereof shall be construed to assign any specific space to any person or vehicle.

For the purposes of this act and of section twenty C of chapter ninety of the General Laws, such off-street parking areas and facilities operated by the real property board of the city as said board shall from time to time designate shall be deemed to be ways under the control of the city during such periods of time as said board shall from time to time determine.

Approved May 13, 1964.

Chap. 388. AN ACT ESTABLISHING THE HIGHER EDUCATION FACILITIES COMMISSION FOR THE PURPOSE OF ASSISTING THE COMMONWEALTH IN ITS PARTICIPATION IN THE GRANT PROGRAMS UNDER THE HIGHER EDUCATION FACILITIES ACT OF NINETEEN HUNDRED AND SIXTY-THREE.

Be it enacted, etc., as follows:

SECTION 1. There shall be in the department of education, but in no manner subject to its control, the Higher Education Facilities Commission, hereinafter called the commission, to consist of the commissioner of education or his designee, the president of the University of Massachusetts or his designee who shall be a dean thereof, the director of admissions or a person holding a similar administrative position therein, the president of the Lowell Technological Institute or his designee who shall be a dean thereof, the director of admissions or a person holding a similar position therein, the president of the South-eastern Massachusetts Technological Institute or his designee, the chairman of the board of trustees of the state colleges and the chairman of the board of regional community colleges, all of the foregoing to serve as members *ex officio*, and thirteen persons to be appointed by the governor, one of whom shall represent a private technological college or institute in the commonwealth, one shall represent a two year private technical college or institute in the commonwealth, one shall represent a private women's college in the commonwealth, one shall represent a private college or university in the commonwealth operated by a religious society or order but not primarily a theological seminary or institution, one shall represent a private junior college in the commonwealth, two

shall represent private colleges or universities in the commonwealth not included in any of the foregoing specified categories, three shall represent the general public, and three shall be chosen with due regard for their experience, activity or interest in higher education, whether by reason of affiliation with an institution of higher education or with any body connected with any such institution or with any organization interested in higher education. A person shall be deemed to represent a college, university or other institution of higher learning, if he serves as the president, a dean, the director of admissions of, or holds a similar administrative position in, such college, university or other institution of higher education. The governor, from time to time, shall designate one of the members as chairman. Each member appointed by the governor shall serve for a term of five years. Vacancies shall be filled for the unexpired term in the same manner as the original appointment. The members shall serve without compensation but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties.

SECTION 2. The commission shall:

(a) Collect, correlate and analyze data relating to the extent and character of facilities within the commonwealth used for higher educational purposes or susceptible for such use;

(b) Assemble or otherwise obtain and keep current statistics detailing the number and character of both full and part-time students enrolled in each of the several types of higher educational institutions within the commonwealth, and project trends in such enrollments;

(c) Prepare, keep current, and administer a state plan for higher education facilities to be submitted to the federal department of health, education and welfare, or any agency successor thereto, in connection with the participation of the commonwealth in programs authorized by the Higher Education Facilities Act of 1963;

(d) Receive, evaluate and approve applications for such federal aid as may be available pursuant to the laws of the United States for the improvement or expansion of higher educational facilities, and develop such criteria and priorities, consistent with applicable law, as may be required in connection with its functions respecting such applications;

(e) Issue, revise and amend rules and regulations for the implementation of the said federal act and for the administration of any of its responsibilities and functions pursuant thereto;

(f) Make such investigations and hold such hearings as may be necessary or appropriate in the conduct of its work;

(g) Apply for, receive, administer, expend and account for such federal moneys as may be available, from time to time, within the areas of its work; and

(h) Do such other things as may be necessary and incidental to the administration of the foregoing powers.

The provisions of chapter thirty A of the General Laws shall not apply to the commission or to the exercise of any of its functions.

SECTION 3. 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 from the federal government. Such technical staff and other employees shall not be subject to the provisions of section

nine A of chapter thirty nor to chapter thirty-one of the General Laws. The commission shall be provided with suitable quarters in the State House or elsewhere in the City of Boston.

SECTION 4. It shall not be a violation of section six or of clause (a) of section twenty-three of chapter two hundred and sixty-eight A of the General Laws if any member of the commission acts in matters affecting an institution which he represents or in which he holds any office or with which he has any connection, direct or indirect.

SECTION 5. Any reference in this act to a private college, university, junior college or other private institution of higher education shall be deemed to refer only to non-profit institutions.

Approved May 13, 1964.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, June 1, 1964.

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 388 of the Acts of 1964 entitled "An Act Establishing the Higher Education Facilities Commission for the Purpose of Assisting the Commonwealth in Its Participation in the Grant Programs Under the Higher Education Facilities Act of Nineteen Hundred and Sixty-Three." and the enactment of which received my approval on May 13, 1964, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act would defeat its purpose as this commission should be established without delay in order to avail itself of Federal grants.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, June 1, 1964.

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 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 three hundred and eighty-eight of the acts of nineteen hundred and sixty-four.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 389. AN ACT PROVIDING THAT NO TRUSTEE OF A PUBLIC INSTITUTION OF HIGHER EDUCATION OPERATED BY THE COMMONWEALTH SHALL BE ELIGIBLE TO HOLD A POSITION WITH SAID INSTITUTION FOR A CERTAIN PERIOD OF TIME AFTER TERMINATING HIS SERVICES AS SUCH TRUSTEE.

Be it enacted, etc., as follows:

Chapter 268A of the General Laws is hereby amended by inserting after section 23 the following section: —

Section 23A. No trustee of any public institution of higher education operated by the commonwealth shall be eligible to be appointed to or hold any other office or position with said institution for a period of three years next after the termination of his services as such trustee.

Approved May 13, 1964.

Chap. 390. AN ACT PERMITTING THE DIVISION OF FISHERIES AND GAME TO ISSUE PERMITS FOR THE TRAPPING OF CERTAIN BIRDS.

Be it enacted, etc., as follows:

Chapter 131 of the General Laws is hereby amended by inserting after section 87 the following section: —

Section 87A. Notwithstanding any other provision of law, the director may, upon application of a farmer, as defined in section one A of chapter one hundred and twenty-eight, grant a permit to trap live, and thereafter destroy, birds that are destroying agricultural crops or endangering the health of livestock, poultry or fur bearing animals. Each applicant shall state the type of trap to be used, the location of each such trap and the period within which he intends to use such trap, and such other information as the director may deem necessary. Each application shall be accompanied by a fee of five dollars. The farmer shall mark each trap with his name and address and the number of the permit issued to him by the division, and he or his agent shall check each such trap twice daily. The director shall issue rules and regulations relative to the type of traps and kinds of birds which may be trapped, and such other rules and regulations as he may deem necessary for the protection of song and game birds. The director and members of the division of law enforcement may, for the purpose of inspecting such traps, enter upon or pass through or over private lands and property. Whoever violates any provision of this section or any rule or regulation made thereunder shall be punished by a fine of not less than ten dollars nor more than fifty dollars.

Approved May 15, 1964.

Chap. 391. AN ACT AUTHORIZING THE COMMISSIONER OF INSURANCE TO ESTABLISH CLASSIFICATIONS OF RISKS BASED ON ACCIDENT INVOLVEMENT.

Be it enacted, etc., as follows:

The first paragraph of section 113B of chapter 175 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "risks", in line 3, the words: —, including classifications of risks based on accident involvement.

Approved May 15, 1964.

Chap. 392. AN ACT AUTHORIZING THE TOWN OF BILLERICA TO CONSTRUCT AND OPERATE A SYSTEM OR SYSTEMS OF SEWERAGE AND SEWAGE DISPOSAL.

Be it enacted, etc., as follows:

SECTION 1. The town of Billerica, 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 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, and hold any lands, water rights, rights of way or easements, public or private, in said town, necessary for accomplishing any purpose mentioned in this act, and may construct such sewers under or over any bridge, railroad, railway, boulevard or other public way, or within the location of any railroad, and may enter upon and dig up any private land, public way or railroad location, for the purpose of laying such sewers and of maintaining and repairing the same, and may do any other thing proper or necessary for the purposes of this act; provided, that they shall not take in fee any land of a railroad corporation, and that they shall not enter upon or construct any sewer within the location of any railroad corporation except at such time and in such manner as they may agree

upon with such corporation, or, in case of failure to agree, as may be approved by the department of public utilities.

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

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

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

SECTION 8. For the purpose of paying the necessary expenses and liabilities incurred under this act, the town may, from time to time, within five years after the passage of this act, borrow such sums as may be necessary, not exceeding, in the aggregate, five million dollars, and may issue bonds or notes therefor which shall bear on their face the words Billerica Sewerage Loan, Act of 1964. 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 Billerica, if there be any, and if not, then in some newspaper published in the county of Middlesex, and shall not take effect until such publications have been made.

SECTION 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 Billerica within four years after its passage, but not otherwise. No expenditure shall be made and no liability incurred hereunder until such acceptance.

Approved May 15, 1964.

Chap. 393. AN ACT AUTHORIZING THE TOWN OF LONGMEADOW TO CONTRIBUTE TWENTY-SEVEN HUNDRED DOLLARS TOWARDS A SIDEWALK ON MAGAWISKA ROAD IN THE CITY OF SPRINGFIELD.

Be it enacted, etc., as follows:

The town of Longmeadow, acting by its board of selectmen, is hereby authorized to contribute from its appropriation for new sidewalks the sum of twenty-seven hundred dollars to the park commissioners of the city of Springfield to be used by them, with other funds available, for the construction of a sidewalk on the park road known as Magawiska Road, lying wholly in Forest Park in said city of Springfield, beginning at the Longmeadow line and running northerly to Washington Boulevard.

Approved May 15, 1964.

Chap. 394. AN ACT CHANGING THE DATE OF THE ANNUAL TOWN ELECTION OF THE TOWN OF ARLINGTON.

Be it enacted, etc., as follows:

Section 1 of chapter 503 of the acts of 1952 is hereby amended by striking out, in line 8, the word "Monday" and inserting in place thereof the word: — Saturday.

Approved May 15, 1964.

Chap. 395. AN ACT VALIDATING THE ACTION OF THE TOWN OF ARLINGTON IN VOTING TO SELL AND CONVEY CERTAIN PARK LAND TO THE ARLINGTON HOUSING AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. The town of Arlington is hereby authorized to sell and convey to the Arlington Housing Authority for the erection of housing for the aged a certain parcel of park land, bounded and described as follows: — Beginning at a point at the intersection of the southeasterly side line of Cemetery Road and the southwesterly side line of land of the Town of Arlington, Mt. Pleasant Cemetery, thence southwesterly along said southeasterly side line of Cemetery Road, south 44° 46' west a distance of 315.27 feet more or less to an angle point, thence south 82° 30' east along land now or formerly of Byrne, Carroll, Carroll, and Shea a distance of 267.80 feet more or less to an angle point, thence south 14° 35' east along property now or formerly of Shea a distance of 155 feet more or less to a point on the northerly side of Medford Street, thence easterly along said northerly side of Medford Street, a distance of 100 feet more or less to a point, thence north 29° 38' west along land now or formerly of Boyle a distance of 167 feet more or less to an angle point, thence north 54° 27' east along land now or formerly of Boyle a distance of 53 feet more or less to a point, thence north 38° 09' west along land of the Town of Arlington, Mt. Pleasant Cemetery a distance of 247.80 feet more or less to the point of beginning and containing 62,560 square feet more or less, as shown on a plan on file in the office of the Town Engineer, Arlington, Massachusetts, and entitled Plan #2 of Land in Arlington, Massachusetts, taken for Park Purposes under Chapter 267 Acts year 1896, Scale 100' = 1'', April 9, 1897, H.S. Adams, C.E.

SECTION 2. Any action taken by the town of Arlington at its annual town meeting in the current year pursuant to the authority contained in section one is hereby confirmed and validated to the same extent as though this act had been in effect at the time of the posting of the warrant for said annual town meeting.

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

Approved May 18, 1964.

Chap. 396. AN ACT TO VALIDATE THE SALE OF CERTAIN METROPOLITAN DISTRICT WATER MAIN BONDS.

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 590 of the acts of 1959 is hereby amended by striking out, in line 20, the word "ninety" and inserting in place thereof the word: — ninety-four, — so that the fourth sentence will read as follows: — Such bonds shall be payable not earlier than July first, nineteen hundred and sixty, nor later than June thirtieth, nineteen hundred and ninety-four.

SECTION 2. The acts and proceedings of the state treasurer in inviting proposals for certain bonds pursuant to section fifty-three of chapter twenty-nine of the General Laws and in issuing and selling such bonds under authority of section three of chapter five hundred and ninety of the acts of nineteen hundred and fifty-nine shall be as effective in all

respects as though this act had been in full force and effect since the fourteenth day of September, nineteen hundred and fifty-nine.

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

Approved May 18, 1964.

Chap. 397. AN ACT AUTHORIZING THE TOWN OF SHREWSBURY TO APPROPRIATE AND PAY A SUM OF MONEY TO F & G CONSTRUCTION COMPANY, INC.

Be it enacted, etc., as follows:

SECTION 1. The town of Shrewsbury is hereby authorized to appropriate and pay to F & G Construction Company, Inc. the sum of one thousand four hundred and ninety-three dollars as payment for the hiring of certain equipment of said company, the claim for which is legally unenforceable against said town by reason of the failure to conform with a by-law relative to the awarding of contracts.

SECTION 2. No bill shall be approved by the town accountant of said town for payment or paid by the treasurer thereof under authority of this act unless and until certificates have been signed and filed with said town accountant, stating under the penalties of perjury that the equipment was hired by an official or an employee of said town and that such equipment was actually used for the purposes of said town.

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

Approved May 18, 1964.

Chap. 398. 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-six, 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 or chapter five hundred and twenty-two of the acts of nineteen hundred and sixty-three, 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 ex-

ceptions are approved by the budget director on written application of the head of the spending agency.

SECTION 2.

Legislature.

Item		
8165-01	For certain repairs and improvements to the house chamber, including the restoration of the Herter murals, to be expended with the approval of the sergeant-at-arms	\$25,000

Judiciary.

8165-02	For equipment, Massachusetts defenders committee	\$1,200
8165-03	For equipment, office of the commissioner of probation	9,410
8165-04	For equipment, board of bar examiners	400

Executive.

8165-05	For equipment, civil defense agency	\$2,000
8264-03	Item 8264-03 of section two of chapter five hundred and twenty-two of the acts of nineteen hundred and sixty-three is hereby amended by striking out the wording and inserting in place thereof the following: — For the purchase and installation of certain equipment to be allocated to the state civil defense program, for the renovation and equipping of buildings or portions thereof for use as civil defense area or sector headquarters, for the installation of shielding or other protective materials, devices or equipment, and for the construction and equipping of a headquarters' and control center for civil defense area "three" on the grounds of the Lyman school, Westborough; 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; and, provided further, that the unexpended balance remaining in said item 0406-07 shall be available for the purposes of this item, as amended.	
8165-06	For the purchase and installation of certain equipment to be allocated to the state civil defense program, for the renovation and equipping of buildings or portions thereof for use as civil defense area or sector headquarters, for the installation of shieldings or other protective materials, devices or equipment, and for the construction and equipping of a headquarters' and control center for civil defense area "three" on the grounds of the Lyman school, Westborough; 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 8264-03 of section two of chapter five hundred and twenty-two of the acts of nineteen hundred and sixty-three	100,000

Military Division.

8165-07	For equipment, office of the adjutant general	\$750
8165-08	For equipment, training camps	900
8165-09	For equipment, war records office	600
8165-10	For equipment, state quartermaster	700
8165-11	For repairs and improvements, armories	200,000
8165-12	For equipment, armories	1,500
8165-13	For repairs and improvements, Camp Curtis Guild	4,000
8165-14	For repairs and improvements, storage and maintenance facilities	2,500
8165-15	For repairs and improvements, national guard aviation facilities	2,000

Boards and Commissions serving under Governor and Council.*Executive Office for Administration and Finance.*

Item		
8165-16	For equipment, office of the commissioner of administration	\$2,500

Fiscal Affairs Division.

8165-17	For equipment	\$2,500
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Central Services Division.

8165-18	For equipment, administration	\$500
8165-19	For certain improvements in the hall of flags, state house, to be in addition to the amount appropriated in item 8264-22 of section two of chapter five hundred and twenty-two of the acts of nineteen hundred and sixty-three	7,500
8165-20	For the restoration of the portraits of former governors	5,000
8165-21	For certain repairs and improvements to Gardner auditorium, state house	7,500
8165-22	For certain plumbing renovations in the state house, to be in addition to the amount appropriated in item 8264-16 of section two of chapter five hundred and twenty-two of the acts of nineteen hundred and sixty-three	150,000
8165-23	For certain improvements to the electrical distribution system, state house	34,000
8165-24	For equipment, state house and Ford building	2,576

Comptroller's Division.

8165-25	For equipment	\$7,250
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Purchasing Agent's Division.

8165-26	For equipment	\$2,000
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The Group Insurance Commission.

8365-84	For equipment	\$1,300
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Rate Setting Board for Convalescent or Nursing Homes and Rest Homes.

8165-27	For equipment	\$2,500
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Massachusetts Commission Against Discrimination.

8165-28	For equipment	\$2,060
8165-29	For equipment, Springfield office	725

State Racing Commission.

8165-30	For equipment	\$300
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Council for the Aging.

8165-31	For equipment	\$1,000
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Alcoholic Beverages Control Commission.

8165-32	For equipment	\$450
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Soldiers' Home in Massachusetts.

8165-33	For repairs and improvements	\$7,000
8165-34	For equipment	15,775
8165-35	For certain improvements to ceilings	30,000
8165-36	For floor covering, Quigley hospital	15,000

Soldiers' Home in Holyoke.

Item		
8165-37	For repairs and improvements	\$2,250
8165-38	For improvements to the water supply system	40,000
8165-39	For equipment	9,550
8165-40	For certain laundry equipment	12,000

Commissioner of Veterans' Services.

8165-41	For equipment	\$1,150
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Massachusetts Aeronautics Commission.

8165-42	For equipment	\$350
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Secretary of the Commonwealth.

8165-43	For equipment	\$5,000
8165-44	For equipment, bureau of corporate organization	900
8165-45	For equipment, primary and other elections	1,500

Treasurer and Receiver-General.

8165-46	For repairs and improvements, to be in addition to the amount appropriated in item 8264-45 of section two of chapter five hundred and twenty-two of the acts of nineteen hundred and sixty-three	\$15,000
8165-47	For equipment	3,880
8165-48	For equipment, office of the state board of retirement	4,785

Department of the Attorney General.

8165-49	For equipment	\$5,000
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Department of Agriculture.

8165-50	For equipment	\$1,800
8165-51	For equipment, division of dairying and animal husbandry	7,200
8165-52	For equipment, milk control commission	3,200
8165-53	For equipment, division of livestock disease control	4,300

Department of Natural Resources.

8165-54	For equipment, administration	\$3,000
8165-55	For equipment, office of the director, division of forests and parks	4,400
8165-56	For equipment, state fire warden	17,900
8165-57	For forest fire equipment	70,000
8165-58	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	17,000
8165-59	For equipment, development of state forests	12,000
8165-60	For equipment, suppression of insect pests and shade tree diseases	15,000
8165-61	For equipment, accelerated program of forest management on state forest lands	600
8165-62	For equipment, division of law enforcement; provided, that the comptroller shall transfer to the General Fund the sum of seven thousand and twenty dollars from the Inland Fisheries and Game Fund	27,000
8165-63	For educational equipment to provide for courses in the safe handling of firearms, division of law enforcement	1,000
8165-64	For equipment, division of water resources	650

Department of Banking and Insurance.

8165-65	For equipment, division of insurance	\$4,000
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Department of Corporations and Taxation.

Item		
8165-66	For equipment	\$5,000
8165-67	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	7,500
8165-68	For equipment, division of accounts	1,500
8165-69	For equipment, county personnel board	350
8165-70	For equipment, appellate tax board	400

Department of Education.

8165-71	For equipment, office of the commissioner	\$1,600
8165-72	For repairs and improvements, state building on Newbury street	6,500
8165-73	For equipment, state building on Newbury street	400
8165-74	For equipment, administration, school lunch and commodity distribution program	905
8165-75	For equipment, division of vocational education	1,000
8165-76	For equipment, division of immigration and americanization	1,000
8165-77	For the purchase of scientific, technological, and other educational reference material, division of public libraries	16,000
8165-78	For equipment, division of the blind, administration	5,500
8165-79	For equipment, local shops	2,500
8165-80	For equipment, operation of Cambridge industries for the blind	3,400
8165-81	For equipment, teachers' retirement board	4,000
8165-82	For equipment, Massachusetts maritime academy	1,500
8165-83	For the purchase of scientific, technological, and other educational reference material for the library at the Massachusetts maritime academy	15,000
8165-84	For the purchase of scientific, technological, and other educational reference material, division of state colleges, with the approval of the board of trustees	200,000
8165-85	For repairs and improvements, state college at Bridgewater	13,550
8165-86	For equipment, state college at Bridgewater and boarding hall	22,000
8165-87	For the construction of fire escapes, Tillinghast and Woodward dormitories, state college at Bridgewater	20,000
8165-88	For repairs and improvements, state college at Fitchburg	26,000
8165-89	For equipment, state college at Fitchburg and boarding hall	16,500
8165-90	For repairs and improvements, state college at Framingham and boarding hall	13,400
8165-91	For equipment, state college at Framingham and boarding hall	10,000
8165-92	For repairs and improvements, state college at Lowell	5,000
8165-93	For equipment, state college at Lowell	5,000
8165-94	For repairs and improvements, state college at North Adams	1,000
8165-95	For equipment, state college at North Adams and boarding hall	16,325
8165-96	For repairs and improvements, state college at Salem	20,000
8364-03	Item 8364-03 of section two of chapter five hundred and twenty-two of the acts of nineteen hundred and sixty-three is hereby amended by striking out the wording and inserting in place thereof the following: — For the construction of a receiving room and archives area in certain available space in the library building, including the cost of furnishings and equipment.	
8165-97	For certain repairs to the exterior walls of the academic building, state college at Salem	10,000
8165-98	For equipment, state college at Salem	13,000
8165-99	For repairs and improvements, state college at Westfield	4,500
8265-01	For equipment, state college at Westfield and boarding hall	15,500
8265-02	For repairs and improvements, state college at Worcester	21,700
8265-03	For equipment, state college at Worcester	14,500
8265-04	For repairs and improvements, state college at Boston	5,500
8265-05	For exterior painting, state college at Boston	14,000
8265-06	For equipment, state college at Boston	15,000
8265-07	For repairs and improvements, Massachusetts college of art	6,500
8265-08	For equipment, Massachusetts college of art	7,000
8265-09	For equipment, Bradford Durfee college of technology	1,000
8265-10	For equipment, New Bedford institute of technology	1,000

Lowell Technological Institute of Massachusetts.

Item		
8265-11	For repairs and improvements	\$66,000
8265-12	For maintenance and office equipment	14,600
8265-13	For classroom and laboratory equipment	100,000
8265-14	For the purchase of scientific, technological, and other educational reference material for the library	50,000
8265-15	For dormitory furniture	25,000

Southeastern Massachusetts Technological Institute.

8265-16	For equipment	\$5,000
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University of Massachusetts.

8265-17	For repairs and improvements	\$278,000
8265-18	For repairs and improvements to dormitories, including the cost of furnishings and equipment	250,000
8265-19	For administrative and maintenance equipment	75,000
8265-20	For classroom and laboratory equipment	225,000
8265-21	For the purchase of scientific, technological and other educational reference material for the university library	200,000

Massachusetts Board of Regional Community Colleges.

8265-22	For equipment, office of the board	\$1,200
8265-23	For the purchase of scientific, technological and other educational reference material to be allocated to the community colleges with the approval of the board	75,000
8265-24	For equipment, Massachusetts bay community college	8,460
8265-25	For equipment, northern Essex community college	7,500
8265-26	For equipment, Cape Cod community college	7,500
8265-27	For equipment, Berkshire community college	7,500
8265-28	For equipment, Quinsigamond community college	10,930
8265-29	For equipment, Greenfield community college	3,500

Division of Youth Service.

8265-30	For equipment, division of youth service, administration	\$1,500
8265-31	For repairs and improvements, industrial school for boys	29,100
8265-32	For equipment, industrial school for boys	10,000
8265-33	For repairs and improvements, industrial school for girls	18,340
8265-34	For equipment, industrial school for girls	9,850
8265-35	For repairs and improvements, Lyman school for boys	9,000
8265-36	For certain repairs to the cafeteria roof and windows, Lyman school for boys	25,000
8265-37	For equipment, Lyman school for boys	6,145
8265-38	For repairs and improvements, reception and detention facilities for boys	9,600
8265-39	For equipment, reception and detention facilities for boys	5,950
8265-40	For equipment, institute of juvenile guidance	3,025
8265-41	For repairs and improvements, reception and detention facilities for girls	2,000
8265-42	For equipment, reception and detention facilities for girls	3,115
8265-43	For repairs and improvements, detention center in Hampden county	5,000
8265-44	For equipment, detention center in Hampden county	3,150
8265-45	For equipment, residential treatment center, Oakdale	1,925
8265-46	For repairs and improvements, detention center, Worcester county	5,000
8265-47	For equipment, detention center, Worcester county	1,450
8265-48	For repairs and improvements, youth forestry camp	2,000
8265-49	For equipment, youth forestry camp	5,300

School Building Assistance Commission.

8265-50	For equipment	\$2,005
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Department of Civil Service and Registration.

Item		
8265-51	For equipment, division of civil service, administration . . .	\$8,000
8265-52	For equipment, division of registration, administration . . .	3,000
8365-85	For equipment, board of registration of professional engineers and land surveyors . . .	400
8265-53	For equipment, board of public accountancy . . .	2,530
8265-54	For equipment, board of registration of barbers . . .	300
8265-55	For equipment, board of registration of hairdressers . . .	523

Department of Commerce.

8265-56	For equipment	\$1,000
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Department of Labor and Industries.

8265-57	For equipment, administration, including employment of older workers . . .	\$550
8265-58	For equipment, division of occupational hygiene . . .	3,290
8265-59	For equipment, division of statistics . . .	1,000
8265-60	For equipment, division on necessities of life . . .	425
8265-61	For equipment, division of motor fuel sales . . .	4,000
8265-62	For equipment, board of conciliation and arbitration . . .	635
8265-63	For equipment, commission on minimum wage . . .	660
8265-64	For equipment, division of standards . . .	2,400
8265-65	For the purchase of a heavy duty truck and hoist, including equipment for the testing of heavy capacity scales, division of standards . . .	30,000
8265-66	For equipment, labor relations commission . . .	1,100
8265-67	For equipment, health, welfare and retirement trust funds board . . .	3,525
8265-68	For equipment, division of industrial accidents, administration and rehabilitation board . . .	7,665

Department of Mental Health.

8265-69	For repairs and improvements, administration . . .	\$11,500
8265-70	For equipment, administration . . .	14,803
8265-71	For repairs and improvements, Massachusetts mental health center . . .	14,125
8265-72	For equipment, Massachusetts mental health center . . .	14,500
8265-73	For repairs and improvements, Boston state hospital . . .	34,800
8265-74	For repairs to roofs, Boston state hospital . . .	27,000
8265-75	For equipment, Boston state hospital . . .	34,275
8265-76	For repairs and improvements, Danvers state hospital . . .	21,400
8265-77	For certain repairs and improvements to corridors, Danvers state hospital . . .	30,000
8265-78	For equipment, Danvers state hospital . . .	38,505
8265-79	For repairs and improvements, Foxborough state hospital . . .	25,150
8265-80	For certain repairs and improvements to corridors, Foxborough state hospital . . .	32,000
8265-81	For equipment, Foxborough state hospital . . .	37,067
8265-82	For repairs and improvements, Gardner state hospital . . .	31,600
8265-83	For certain repairs to the storehouse roof, Gardner state hospital . . .	12,000
8265-84	For equipment, Gardner state hospital . . .	36,150
8265-85	For repairs and improvements, Grafton state hospital . . .	31,975
8265-86	For equipment, Grafton state hospital . . .	51,045
8265-87	For the purchase and installation of a deaerating tank at the powerhouse, Grafton state hospital . . .	20,000
8265-88	For the purchase and installation of a boiler and improvements to the Oaks boiler house, Grafton state hospital . . .	37,000
8265-89	For repairs and improvements, Medfield state hospital . . .	42,000
8265-90	For certain roof repairs, Medfield state hospital . . .	75,000
8265-91	For the replacement of steamlines to employees' cottages, Medfield state hospital . . .	75,000
8265-92	For equipment, Medfield state hospital . . .	29,575
8265-93	For repairs and improvements, Metropolitan state hospital . . .	38,000
8265-94	For the replacement of certain ceilings, Metropolitan state hospital . . .	40,000

Item		
8265-95	For equipment, Metropolitan state hospital	\$39,800
8265-96	For laundry equipment, Metropolitan state hospital	17,500
8265-97	For repairs and improvements, Northampton state hospital	31,300
8265-98	For equipment, Northampton state hospital	67,194
8265-99	For repairs and improvements, Taunton state hospital	29,400
8365-01	For equipment, Taunton state hospital	27,100
8365-02	For repairs and improvements, Westborough state hospital	27,500
8365-03	For the replacement of certain ceilings, Westborough state hospital	20,000
8365-04	For improvements to the water supply system, Westborough state hospital, to be in addition to the amount appropriated in item 8464-27 of section two of chapter five hundred and twenty-two of the acts of nineteen hundred and sixty-three	75,000
8365-05	For equipment, Westborough state hospital	35,300
8365-06	For laundry equipment, Westborough state hospital	45,000
8365-07	For repairs and improvements, Worcester state hospital	29,500
8365-08	For the replacement of a retaining wall, Worcester state hospital	24,000
8365-09	For certain improvements to the surface water drainage system, Worcester state hospital	40,000
8365-10	For equipment, Worcester state hospital	27,950
8365-11	For equipment for the guidance center, Worcester state hospital	20,000
8365-12	For repairs and improvements, Monson state hospital	32,600
8365-13	For equipment, Monson state hospital	66,242
8365-14	For repairs and improvements, Belchertown state school	41,700
8365-15	For certain roof repairs, laundry and school buildings, Belchertown state school	32,000
8365-16	For repairs to cow barns, including equipment, Belchertown state school	34,000
8365-17	For equipment, Belchertown state school	45,425
8365-18	For repairs and improvements, Walter E. Fernald state school	34,451
8365-19	For painting interior, north building, Walter E. Fernald state school	11,000
8365-20	For equipment, Walter E. Fernald state school	88,761
8365-21	For repairs and improvements, Wrentham state school	41,150
8365-22	For equipment, Wrentham state school	54,615
8365-23	For repairs and improvements, Paul A. Dever state school	31,450
8365-24	For equipment, Paul A. Dever state school	34,960
8365-25	For repairs and improvements, Cushing hospital	28,530
8365-26	For equipment, Cushing hospital	27,370

Department of Correction.

8365-27	For equipment, department of correction, administration	\$1,610
8365-28	For repairs and improvements, M.C.I., Bridgewater	19,800
8365-29	For repairs and improvements to the water tank, M.C.I., Bridge- water	26,000
8365-30	For repairs to towers, "C" and "D", M.C.I., Bridgewater	18,000
8365-31	For renewing heating coils, M.C.I., Bridgewater	17,000
8365-32	For equipment, M.C.I., Bridgewater	29,915
8365-33	For certain repairs to roads, M.C.I., Walpole	9,500
8365-34	For the repair of roofs, M.C.I., Walpole	50,000
8365-35	For equipment, M.C.I., Walpole	5,300
8365-36	For equipment, M.C.I., Walpole, industries	9,750
8365-37	For equipment, M.C.I., Concord	11,350
8365-38	For repairs and improvements, M.C.I., Framingham	3,800
8365-39	For equipment, M.C.I., Framingham	10,000
8365-40	For repairs and improvements, M.C.I., Norfolk	16,800
8365-41	For certain repairs to the power plant, M.C.I., Norfolk	32,000
8365-42	For certain repairs to the clothing shop including the cost of equipment, M.C.I., Norfolk	30,000
8365-43	For equipment, M.C.I., Norfolk	29,000
8365-44	For hospital equipment, M.C.I., Norfolk	10,000
8365-45	For equipment, M.C.I., Norfolk, industries	7,860
8365-46	For improvements to the water supply system, Plymouth prison camp	750
8365-47	For equipment, M.C.I., prison camps	1,205
8365-48	For equipment, parole board	4,315

Department of Public Welfare.

Item		
8365-49	For repairs and improvements	\$1,500
8365-50	For equipment	13,325

Department of Public Health.

8365-51	For equipment, administration	\$10,000
8365-52	For equipment, bureau of environmental sanitation	18,000
8365-53	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
8365-54	For equipment, bureau of preventive disease control	6,000
8365-55	For equipment, bureau of health services	2,000
8365-56	For equipment, bureau of tuberculosis and institutions	800
8365-57	For repairs and improvements, institute of laboratories	6,500
8365-58	For equipment, institute of laboratories	6,800
8365-59	For equipment, bureau of consumer products protection	7,000
8365-60	For repairs and improvements, Tewksbury hospital	9,000
8365-61	For roof repairs, domestic building, Tewksbury hospital	16,000
8365-62	For equipment, Tewksbury hospital	25,000
8365-63	For equipment, Lakeville hospital	2,200
8365-64	For repairs and improvements, Rutland hospital	9,800
8365-65	For repairs and improvements, western Massachusetts hospital	15,000
8365-66	For equipment, western Massachusetts hospital	25,000
8365-67	For repairs and improvements, Lemuel Shattuck hospital	7,000
8365-68	For equipment, Lemuel Shattuck hospital	35,000
8365-69	For equipment, research program, Lemuel Shattuck hospital	8,000
8365-70	For repairs and improvements, Massachusetts hospital school	16,000
8365-71	For equipment, Massachusetts hospital school	1,950
8365-72	For repairs and improvements, Pondville hospital	10,000
8365-73	For equipment, Pondville hospital	30,000
8365-74	For equipment, cancer research program, Pondville hospital	2,000
8365-75	For equipment, drug addiction rehabilitation board	1,000

Department of Public Safety.

8365-76	For repairs and improvements, headquarters' building	\$27,500
8365-77	For equipment, administration	20,220

Department of Public Works.

8365-78	For equipment, division of waterways	\$3,100
8365-79	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 8164-16 of section two of chapter five hundred and twenty-two of the acts of nineteen hundred and sixty-three	100,000
8365-80	For equipment, outdoor advertising division	400
8365-81	For equipment, government center commission	1,500

Department of Public Utilities.

8365-82	For equipment, administration	\$2,000
8365-83	For equipment, commercial motor vehicle division	2,300

SECTION 3. Passenger motor vehicles to be purchased from sums appropriated in section two of this act shall be authorized by the purchasing agent in accordance with schedules filed by the budget 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; and, provided further, that notwithstanding the limitations of the provisions of this act, sums appropriated for expenditure at each of the institutions of higher education — the state colleges, Bradford Durfee college of technology, New Bedford institute of technology, Lowell technological institute of Massachusetts and the university of Massachusetts — shall be available for expenditure by the trustees of said institutions of higher education in accordance with the respective provisions of the General Laws specifically regulating the expenditure of public funds at each of said institutions.

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", 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 and section six of chapter five hundred and twenty-two of the acts of nineteen hundred and sixty-three, 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 and section two of said chapter five

hundred and twenty-two already in the main incurred during the fiscal years nineteen hundred and sixty-three and nineteen hundred and sixty-four, the sum of seven million five hundred thousand 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 two million nine hundred thousand dollars and said chapter seven hundred and sixteen by seven hundred thousand dollars and said chapter five hundred and twenty-two by three million 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-seven. Such notes shall be payable from the proceeds of the excise on cigarettes as provided in section six of chapter seven hundred and seventy-four of the acts of nineteen hundred and sixty. Notwithstanding any provisions of this act, such notes shall be general obligations of the commonwealth.

Approved May 18, 1964.

Chap. 399. AN ACT PROVIDING THAT CERTAIN STATE COMMITTEE MEMBERS SHALL BE DELEGATES TO STATE CONVENTIONS OF POLITICAL PARTIES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to provide that state committee members shall be delegates to state conventions in the current year, the dates of the state conventions of both political parties have been established and such conventions will be held during the latter part of June in the current year, and unless an emergency preamble is adopted, this act will not take effect until after said political conventions are held, 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 54 of chapter 53 of the General Laws, as most recently amended by chapter 83 of the acts of 1960, is hereby further amended by striking out the third, fourth and fifth sentences and inserting in place thereof the following three sentences:— Such convention shall consist of delegates chosen by the ward and town committees and the state committee members from each senatorial district. The number of delegates

shall be one from each ward and town, one additional for every one thousand votes or major fraction thereof cast at the preceding biennial state election, in such ward or town, for the respective party's candidate for governor, and said state committee members. Each delegate chosen by the ward and town committees shall be chosen from the enrolled members of the party resident in the ward or town from which he is chosen.

Approved May 18, 1964.

Chap. 400. AN ACT TRANSFERRING THE POWER TO APPOINT RAILROAD, STREET RAILWAY, RAILWAY EXPRESS AND STEAMBOAT POLICE OFFICERS FROM THE DEPARTMENT OF PUBLIC UTILITIES TO THE DEPARTMENT OF PUBLIC SAFETY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 22 of the General Laws is hereby amended by inserting after section 9K the following three sections:—

Section 9L. The commissioner, upon the petition of a railroad corporation, or of a railway company, or of The Boston Terminal Corporation, or of Railway Express Agency, Inc., or of a common carrier of passengers by water for hire having a usual place of receiving or discharging passengers within the commonwealth, may from time to time appoint as police officers as many of the persons designated in said petition and being citizens of the United States as it may deem proper, for the purposes and with the powers hereinafter set forth. Any person, appointed as a police officer upon the petition of a railroad corporation, may act as a police officer upon the premises and vehicles of any corporation transporting passengers or property by motor vehicle under the joint control and management of said corporation and said railroad corporation, which, for the purposes of this and the two following sections, shall be considered as being the premises, cars and vehicles of said railroad corporation.

Section 9M. A record of all such appointments shall be kept by the department, and shall be open to public inspection, and such appointment shall constitute the person or persons named therein railroad, railway, railway express or steamboat police, respectively, in any city or town where the petitioner corporation or company referred to in section nine L operates its cars, vehicles, boats or vessels, or the carrier so referred to is accustomed to receive or discharge passengers or freight, or steamboat police upon the premises and at the wharves and landing places and upon the boats and vessels of such carrier by water, while within the boundaries of the commonwealth, and shall be conclusive evidence of the regularity of their appointment.

Section 9N. Such police officers shall be sworn before a justice of the peace or notary public who shall make a return thereof to the department upon a form provided by it. Upon receipt of said return the department shall issue a license to each person designated to act as police officer. Such license shall, in any court of the commonwealth, be competent evidence of the validity of the appointment of the person named therein and of his authority to act as such police officer. Such police officers shall hold their offices until their appointment is revoked by the commissioner, or until the petitioner corporation or company, upon ceasing to require the services of any such officers, shall file a notice to

that effect with the department, and thereupon the power of such officer shall cease.

SECTION 2. Sections eighty-nine, ninety and ninety-one of chapter one hundred and fifty-nine of the General Laws are hereby repealed.

SECTION 3. Said chapter 159 is hereby further amended by striking out section 92 and inserting in place thereof the following section: — *Section 92.* Special police officers appointed by the department of public safety under section nine L of chapter twenty-two shall, when on duty except as detectives, wear in plain sight a metallic badge, inscribed with the words, "Railroad Police", "Street Railway Police", "Railway Express Police" or "Steamboat Police", as the case may be, and the name or initials of the corporation or company for which they are appointed; and the presence of any such officer on the cars, vehicles, steamboats or premises of the corporation or company upon whose petition he was appointed, wearing such badge, shall be prima facie evidence that he is lawfully upon duty. *Approved May 18, 1964.*

Chap. 401. AN ACT PROVIDING AN ALTERNATE METHOD OF DETERMINING CHARGES FOR STREET LIGHTING IN CITIES AND TOWNS HAVING MUNICIPAL LIGHT DEPARTMENTS.

Be it enacted, etc., as follows:

Section 58 of chapter 164 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding the following sentence: — In lieu of the method of determining charges for electricity used by the municipality for street lighting, as set forth in the preceding sentence, electricity so used may be charged for at a cost in accordance with a street lighting schedule filed with and approved by the department. *Approved May 18, 1964.*

Chap. 402. AN ACT RELATIVE TO THE FILING OF MONTHLY RETURNS AND THE PAYMENT OF TAXES WITHHELD BY CERTAIN EMPLOYERS FROM WAGES.

Be it enacted, etc., as follows:

The first paragraph of section 5 of chapter 62B of the General Laws, as amended by section 2 of chapter 714 of the acts of 1963, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — 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 depository designated by him, the taxes so withheld; except that for the month of December, such return shall be filed and the taxes so withheld shall be paid over on or before the last day of the succeeding calendar month.

Approved May 18, 1964.

Chap. 403. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO CONSTRUCT ADDITIONAL WATER SUPPLY MAINS IN THE CITIES OF EVERETT, REVERE AND SOMERVILLE.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission is hereby authorized and directed, for the purpose of increasing the water supply pressures in the towns of Wakefield, Saugus, Winthrop, Swampscott, Marblehead, and Lynnfield and in the cities of Melrose, Malden and Revere and in the Charlestown district of the city of Boston, to construct additional water supply mains in the cities of Everett, Revere and Somerville. In connection with such work, said commission may construct such other appurtenant works as may be necessary for such purpose.

SECTION 2. In carrying out the provisions of section one, said commission may expend any unencumbered balance of funds previously authorized for the improvement of distribution facilities of the metropolitan water district in addition to the sum of one million five hundred thousand dollars authorized in section four.

SECTION 3. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary for the purpose of meeting payments as authorized by this act, and may issue and renew from time to time notes of the commonwealth therefor, bearing interest payable at such times and at such rates as shall be fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, but the final maturities of such notes, whether original or renewal, shall be not later than three years from the date of the original issue. Notwithstanding any provision of this act, such notes shall be part of the debt of the metropolitan water district.

SECTION 4. To meet the expenditure necessary in carrying out the provisions of this act or to refinance notes issued as provided in section three of this act, the state treasurer shall, upon request of the governor and council, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor and council from time to time, but not exceeding in the aggregate, the sum of one million five hundred thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face Metropolitan Water District Additional Loan, Act of 1964, 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-six. All interest payments and payments on account of principal on such obligations shall be part of the debt and expenses of the metropolitan water district.

SECTION 5. This act shall take effect upon its passage.

Approved May 19, 1964.

Chap. 404. AN ACT PROVIDING THAT THE COUNTY COMMISSIONERS OF HAMPDEN COUNTY AND OF FRANKLIN COUNTY MAY EXPEND MONEY ANNUALLY FOR THE CARE OF CERTAIN CHILDREN.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Hampden county may annually expend, subject to appropriation, a sum not exceeding five thousand dollars for the ordinary and reasonable compensation for care actually rendered or furnished to children whose parents or guardians may be in whole or in part unable to care for them.

SECTION 2. The county commissioners of Franklin county may annually expend, subject to appropriation, a sum not exceeding five thousand dollars for the ordinary and reasonable compensation for care actually rendered or furnished to children whose parents or guardians may be in whole or in part unable to care for them.

Approved May 19, 1964.

Chap. 405. AN ACT REQUIRING THAT COPIES OF CERTAIN MOTOR VEHICLE ACCIDENT REPORTS BE FORWARDED TO THE POLICE DEPARTMENT HAVING JURISDICTION OF THE PLACE WHERE THE ACCIDENT OCCURRED.

Be it enacted, etc., as follows:

Chapter 90 of the General Laws is hereby amended by striking out section 26, as most recently amended by chapter 225 of the acts of 1956, and inserting in place thereof the following section: — *Section 26.* Every person operating a motor vehicle which is in any manner involved in an accident in which any person is killed or injured or in which property is damaged to an apparent extent in excess of two hundred dollars shall within five days after such accident report in writing to the registrar on a form approved by him and send a copy thereof to the police department having jurisdiction over the place on the highway where such accident occurred. Such report shall not be required during the period of incapacity of any person who is physically incapable of making a report. If the operator is not the owner of the vehicle and is physically incapable of making such written report, the owner shall within five days after the accident make such report based on such knowledge as he may have and such information as he can obtain regarding the accident.

The registrar may require any such operator or owner to file a supplementary written report whenever in the opinion of the registrar the original report is insufficient.

The registrar may revoke or suspend the license of any person violating any provision of this section.

Approved May 19, 1964.

Chap. 406. AN ACT AUTHORIZING THE CITY OF MELROSE TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Melrose 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 thousand six hundred seventeen dollars and seventy-five 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.

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 May 19, 1964.

Chap. 407. AN ACT PROVIDING THAT THE MAYOR IN CERTAIN CITIES SHALL NOTIFY THE SCHOOL COMMITTEE OF EACH CHANGE IN PLANS FOR THE CONSTRUCTION OR ALTERATION OF A SCHOOL BUILDING.

Be it enacted, etc., as follows:

Chapter 43 of the General Laws is hereby amended by striking out section 34, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 34.* No site for a school building shall be acquired by the city unless the approval of the site by the school committee is first obtained. No plans for the construction of or alterations in a school building shall be accepted, and no work shall be begun on the construction or alteration of a school building, unless with the approval of the school committee and the mayor under Plan A, B, C or F or with the approval of the school committee and the city manager under Plan D or E. The mayor or, in a city under Plan D or E, the city manager shall notify the school committee in writing prior to or at the time of each change in plans after work is begun. This section shall not require such approval for the making of ordinary repairs.

Approved May 19, 1964.

Chap. 408. AN ACT PROVIDING THAT CERTAIN OPINIONS RELATIVE TO CONFLICT OF INTEREST SHALL BE MATTERS OF PUBLIC RECORD.

Be it enacted, etc., as follows:

Chapter 268A of the General Laws is hereby amended by striking out section 22, as inserted by section 1 of chapter 779 of the acts of 1962, and inserting in place thereof the following section: — *Section 22.* Any municipal employee shall be entitled to the opinion of the corporation counsel, city solicitor or town counsel upon any question arising under this chapter relating to the duties, responsibilities and interests of such employee. All requests for such opinions by a subordinate municipal employee shall be made in confidence directly to the chief officer of the municipal agency in which he is employed, who shall in turn request in confidence such opinion of the corporation counsel, city solicitor or town counsel on behalf of such subordinate municipal employee, and all constitutional officers and chief officers or heads of municipal agencies may make direct confidential requests for such opinions on their own account. The town counsel or city solicitor shall file such opinion in writing with the city or town clerk and such opinion shall be a matter of public record; however, no opinion will be rendered by the town counsel or city solicitor except upon the submission of detailed existing facts which raise a question of actual or prospective violation of any provision of this chapter.

Approved May 19, 1964.

Chap. 409. AN ACT RELATIVE TO LIENS ON REAL ESTATE OF CERTAIN RECIPIENTS OF VETERANS BENEFITS.

Be it enacted, etc., as follows:

The second paragraph of section 5A of chapter 115 of the General Laws, as appearing in chapter 487 of the acts of 1958, is hereby amended by striking out the fifth sentence.

Approved May 19, 1964.

Chap. 410. AN ACT AUTHORIZING THE COUNTY OF DUKES COUNTY TO ESTABLISH AND MAINTAIN A RADIO COMMUNICATION CENTER FOR POLICE, FIRE AND OTHER EMERGENCY PURPOSES.

Be it enacted, etc., as follows:

Subject to appropriation, the county commissioners of the county of Dukes County are hereby authorized to establish and maintain a radio communication center for police, fire and other emergency purposes involving the protection of persons and property and for the promotion and preservation of the public safety. Said center shall be under the direction of the sheriff of said county, who shall employ as operators of said center only such persons as are licensed pursuant to the rules and regulations of the federal communications commission.

Approved May 19, 1964.

Chap. 411. AN ACT EXCEPTING SCHOOL BUSES AND FIRE APPARATUS FROM THE LAW REQUIRING AIR BRAKES ON CERTAIN VEHICLES.

Be it enacted, etc., as follows:

The first paragraph of section 7 of chapter 90 of the General Laws is hereby amended by striking out the third sentence, inserted by section 1 of chapter 618 of the acts of 1959, and inserting in place thereof the following sentence: — Every motor vehicle, except a school bus or fire apparatus, and every tractor which is designed and used for drawing another vehicle, having an unladen weight of more than ten thousand pounds shall be equipped with air brakes, including a pedal or floor treadle valve for the operation thereof. *Approved May 19, 1964.*

Chap. 412. AN ACT DESIGNATING THE NEW ELECTRONICS-PLASTICS ENGINEERING BUILDING AT THE LOWELL TECHNOLOGICAL INSTITUTE OF MASSACHUSETTS AS THE HERBERT J. BALL ENGINEERING CENTER.

Be it enacted, etc., as follows:

The new electronics-plastics engineering building at the Lowell Technological Institute of Massachusetts shall be designated and known as the Herbert J. Ball Engineering Center, in recognition of the outstanding service, wisdom, foresight and leadership of Herbert J. Ball, professor emeritus and former chairman of the division of engineering at said institute. The board of trustees of said institute shall erect a suitable tablet bearing said designation in an appropriate location at said building, and shall cause the name of said building to be inscribed on the outside thereof in such manner and form as said board shall determine. *Approved May 20, 1964.*

Chap. 413. AN ACT REQUIRING CERTAIN NOTICE TO NON-RESIDENTS WHO ARE DEFENDANTS IN LEGAL ACTIONS COMMENCED IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 227 of the General Laws is hereby amended by striking out section 5A, inserted by section 2 of chapter 612 of the acts of 1949, and inserting in place thereof the following section: — *Section 5A.* Except as provided in section five, every non-resident doing business in the commonwealth shall file a certificate with the clerk of each city or town where he does business, setting forth his full name, address and place of business and the trade name under which he does business, and also a statement whereby he appoints the clerk of each such city or town, or his successor in office, his true and lawful agent upon whom all lawful processes may be served in any action arising out of such business in this commonwealth. If such person fails to appoint an agent and does business in this commonwealth, service of process may be made upon the clerk of any city or town where such business is conducted. When legal process against any such person is served upon such clerk, a copy of such process shall forthwith be sent by registered mail with a return

receipt requested by the plaintiff to the defendant at his last known address. The plaintiff's affidavit of compliance herewith, and the defendant's return receipt, if received by the plaintiff, or other proof of actual notice shall be filed in the case on or before the return day of the process or within such further time as the court may allow. The court in which the action is pending may order such continuances as may be necessary to afford the defendant reasonable opportunity to defend the action.

Approved May 20, 1964.

Chap. 414. AN ACT AUTHORIZING THE DEPARTMENT OF MENTAL HEALTH TO ACCEPT THE CONVEYANCE OF CERTAIN REAL ESTATE IN THE TOWN OF GREENFIELD FROM THE UNITED STATES OF AMERICA FOR THE ESTABLISHMENT OF A CENTER FOR THE CARE AND TREATMENT OF MENTALLY ILL OR RETARDED PERSONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith authorize the department of mental health to accept the conveyance of certain land of the United States of America in the town of Greenfield for the establishment of a center for the care and treatment of the mentally ill or retarded persons, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Be it enacted, etc., as follows:

SECTION 1. The department of mental health is hereby authorized to accept, on behalf of the commonwealth, a conveyance from the United States of America of all its right, title and interest in and to certain real estate together with the building thereon situated in the town of Greenfield, and known and numbered as #20 Sanderson street, said conveyance and the use of such real estate to be subject to the provisions and conditions of the Federal Property and Administrative Services Act of 1949, as amended.

SECTION 2. Said department may use such real estate for the purposes provided in section thirteen A of chapter one hundred and twenty-three of the General Laws, or may establish thereon a center for the care and treatment of mentally ill or retarded persons either alone or jointly with any state or other agency concerned with the care and treatment of the mentally ill or retarded pursuant to the provisions of section one. Said department may for similar purposes lease such real estate or any part thereof, subject to the approval of the executive office for administration and finance. Said department is hereby further authorized to accept, hold, manage or use any devise, bequest or gift made to it for the aforementioned purposes.

Approved May 20, 1964.

Chap. 415. AN ACT PROVIDING FOR THE REGULATION OF THE DISTRIBUTION OF CERTAIN ANTITOXINS, SERUMS, VACCINES AND ANALOGOUS PRODUCTS BY THE DEPARTMENT OF PUBLIC HEALTH.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by striking out section 5A, inserted by chapter 612 of the acts of 1941, and inserting in

place thereof the following section: — *Section 5A.* Whenever the commissioner determines that the inoculation of the general public by, or the administration to the general public of, any antitoxin, serum, vaccine or other analogous product is essential in the interest of the public health and that an emergency exists by reason of a shortage of such product, the department may purchase, produce and distribute such product under such conditions and restrictions as it may prescribe; and while such emergency exists, as determined by the commissioner, the department may establish by written order or orders, rules and priorities for the distribution and use of any such product within the commonwealth. Whoever violates any provision of any such order shall be punished by a fine of not less than fifty dollars nor more than two hundred dollars or by imprisonment for not more than six months, or both.

The department, with the approval of the executive office for administration and finance, may, for the purpose of aiding in national defense in case of war or in any national emergency declared by the president, prepare and distribute without as well as within the commonwealth, and sell or give away, in its discretion, antitoxins, serums, vaccines, viruses and analogous products applicable to the prevention or cure of diseases of man, for the use of the armed forces of the United States or in civilian defense work. This paragraph shall not curtail any powers or duties of the department under section five.

Approved May 21, 1964.

Chap. 416. AN ACT REPEALING THE LAW DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO PAINT AND MAINTAIN SOLID LINES IN FRONT OF SCHOOLS ON STATE HIGHWAYS.

Be it enacted, etc., as follows:

Chapter four hundred and forty-eight of the acts of nineteen hundred and fifty-three is hereby repealed.

Approved May 21, 1964.

Chap. 417. AN ACT LIMITING THE NUMBER OF APPLICATIONS THAT MAY BE MADE FOR CERTAIN LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES.

Be it enacted, etc., as follows:

Section 16B of chapter 138 of the General Laws, as most recently amended by section 6 of chapter 542 of the acts of 1943, is hereby further amended by striking out the last paragraph and inserting in place thereof the following paragraph: —

The licensing authorities shall not receive more than two applications for a license under section twelve or fifteen to be exercised on the same premises during the same license year.

Approved May 21, 1964.

Chap. 418. AN ACT AUTHORIZING THE CITY OF MALDEN TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Malden is hereby authorized to pay the sum of three hundred eighty-six dollars and seventy-four cents to the Petroleum Heat and Power Company for fuel and range oil sold and

delivered to said city during November and December, nineteen hundred and sixty-two, and the sum of five hundred eighteen dollars and eight cents to the Gibbs Oil Company for oil sold and delivered to said city during the year nineteen hundred and sixty-one and March and July, nineteen hundred and sixty-two, said bills being legally unenforceable against said city by reason of their having been incurred in excess of available appropriations.

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 fuel and range oil for which said bills have been submitted were ordered by an official or an employee of said city, and that such fuel and range oil were delivered to and actually received by said city.

SECTION 3. Any person who knowingly files a certificate required by section two, which is false and who thereby receives payment for fuel or range oil which were not received by 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 Malden.

Approved May 21, 1964.

Chap. 419. AN ACT PROVIDING FOR THE ESTABLISHMENT OF CERTAIN TUBERCULOSIS TREATMENT CENTERS BY THE DEPARTMENT OF PUBLIC HEALTH.

Be it enacted, etc., as follows:

SECTION 1. Section 94A of chapter 111 of the General Laws, as appearing in section 1 of chapter 615 of the acts of 1956, is hereby amended by striking out, in lines 15 and 16, 22, 28 and 29, the words "state sanatorium" and inserting in place thereof, in each instance, the word: — tuberculosis.

SECTION 2. Section 94B of said chapter 111, as so appearing, is hereby amended by striking out, in lines 11 and 19, the words "state sanatorium" and inserting in place thereof, in each instance, the word: — tuberculosis.

SECTION 3. Section 94C of said chapter 111, as so appearing, is hereby amended by striking out, in lines 2, 38 and 39, and 41, the words "state sanatorium" and inserting in place thereof, in each instance, the word: — tuberculosis.

SECTION 4. Said chapter 111 is hereby further amended by striking out section 94D, as so appearing, and inserting in place thereof the following section: — *Section 94D.* The department shall establish a tuberculosis treatment center in one of the state hospitals, or may contract with a county, municipal or general hospital for the custody, care, treatment and rehabilitation of patients hospitalized under sections ninety-four A to ninety-four C, inclusive. Such center or hospital shall be equipped with adequate safeguards to prevent the escape of such patients. Such center or hospital shall be under the supervision of its superintendent, subject to the provisions of this chapter, or of any rules or regulations made by the commissioner.

The commissioner may construct facilities similar to said treatment center at any state hospital, and all such facilities, including facilities provided by contract for the same purpose, shall constitute the treatment center, as used in sections ninety-four A to ninety-four C, inclusive. On any hospitalization under said sections, the commissioner may assign the patients to whichever facility he deems best suited to care for them. The commissioner may transfer such patients from one such facility to another if he deems it advisable.

SECTION 5. Section 94E of said chapter 111, as amended by section 10 of chapter 608 of the acts of 1961, is hereby further amended by striking out, in line 3, the words "state sanatorium" and inserting in place thereof the word: — tuberculosis.

SECTION 6. Section 94F of said chapter 111, as appearing in section 1 of chapter 615 of the acts of 1956, is hereby amended by striking out, in line 7, the word "sanatorium" and inserting in place thereof the word: — hospital, — and by inserting after the word "sanatorium", in line 8, the words: — or hospital.

Approved May 21, 1964.

Chap. 420. AN ACT AUTHORIZING THE CITY OF NEWBURYPORT TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Newburyport 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 the departments of public welfare and veterans' benefits of said city for supplies furnished by Tony Baker's Market totalling two hundred and ten dollars, 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 the failure to file the same for payment within the year in which they were incurred.

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 a certificate has been signed and filed with said city auditor, stating under the penalties of perjury that the supplies for which said bills have been submitted were ordered by an official or employee of said city and that said supplies were actually delivered as requested.

SECTION 3. Any person who knowingly files a certificate required by section two, which is false and who thereby received payment for goods or materials which were not received by or rendered to a person duly authorized to receive the same, shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars.

SECTION 4. This act shall take effect upon its acceptance by the city of Newburyport.

Approved May 21, 1964.

Chap. 421. AN ACT AUTHORIZING THE CITY OF HAVERHILL TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, A CERTAIN UNPAID BILL.

Be it enacted, etc., as follows:

SECTION 1. The city of Haverhill is hereby authorized to appropriate money for the payment of, and after such appropriation the treasurer of said city is hereby authorized to pay, an unpaid bill of The Haverhill Gazette Company for legal notices published by said company for said city during the year nineteen hundred and sixty, in the sum of one hundred and eighty-five dollars and ninety-seven cents, which sum is legally unenforceable against said city by reason of its having been incurred in excess of available appropriations.

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 legal notices for which bills have been submitted were ordered by an official or an employee of said city, and that such legal notices were published.

SECTION 3. Any person who knowingly files a certificate required by section two, which is false, and who thereby received payment for legal notices which were not published, 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 May 21, 1964.

Chap. 422. AN ACT DESIGNATING THE ADMISSION-TREATMENT BUILDING AT THE METROPOLITAN STATE HOSPITAL AS THE KATHRYN FORAN FURCOLO BUILDING.

Be it enacted, etc., as follows:

The admission-treatment building at the Metropolitan state hospital shall be designated and known as the Kathryn Foran Furcolo Building. The department of mental health shall erect a suitable plaque bearing said designation in an appropriate location at said building.

Approved May 21, 1964.

Chap. 423. AN ACT PROVIDING THAT WHEN A LEGAL HOLIDAY FALLS ON A SATURDAY STATE EMPLOYEES MAY HAVE THE PRECEDING DAY OFF WITHOUT LOSS OF PAY.

Be it enacted, etc., as follows:

Chapter 30 of the General Laws is hereby amended by striking out section 24A, as most recently amended by chapter 639 of the acts of 1963, and inserting in place thereof the following section: — *Section 24A.* If any person employed by the commonwealth is required to work on any legal holiday, as listed in the first sentence of clause Eighteenth of section seven of chapter four, he shall be given an additional day off or, if such additional day off cannot be given by reason of a personnel shortage or other cause, he shall be entitled to an additional day's pay; provided, that any person whose regular day off, other than a Saturday, falls on any such legal holiday shall be given an additional day off or, if such

additional day off cannot be given by reason of a personnel shortage or other cause, an additional day's pay; and provided, further, that if the regular day off of any such person is Saturday and any such legal holiday falls on a Saturday, such person shall, where possible, be given the preceding Friday off without loss of pay, or if said day off cannot be given by reason of a personnel shortage or other cause, he shall be given an additional day off, as hereinbefore provided for other persons whose regular day off falls on a legal holiday, or, in lieu thereof, an additional day's pay.

This section shall not apply to elected officers, appointees of the governor, heads of departments and divisions, superintendents of institutions in the departments of mental health, public health, public welfare, Soldiers' Home in Massachusetts, Soldiers' Home in Holyoke and agencies under the jurisdiction of the youth service board, to presidents of educational institutions or to principal officers in the correctional institutions.

Approved May 25, 1964.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, May 25, 1964.

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 423 of the Acts of 1964 entitled "An Act Providing That When A Legal Holiday Falls on a Saturday State Employees May Have the Preceding Day Off Without Loss of Pay." and the enactment of which received my approval on May 25, 1964, 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 Memorial Day holiday is forthcoming and work schedules must be put in order immediately.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, May 25, 1964.

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

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 424. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND SIXTY-FOUR, 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 of the acts of nineteen hundred and sixty-three.

SECTION 2.

GENERAL FUND.

STATE PURPOSES APPROPRIATIONS.

Legislature.

Senate.

Item		
0101-02	For the salary of the clerk of the senate	\$375
0101-03	For the salary of the assistant clerk of the senate	300
0101-04	For clerical assistance to the clerk of the senate, including not more than three permanent positions	450
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	10,000
0101-30	For expenses of senators, including travel, prior appropriation continued	16,250

House of Representatives.

0102-02	For the salary of the clerk of the house of representatives	\$375
0102-03	For the salary of the assistant clerk of the house of representatives	300
0102-04	For clerical assistance to the clerk of the house of representatives, including not more than four permanent positions	850
0102-06	For personal services of the counsel to the house of representatives and assistants, including not more than seven permanent positions	7,100
0102-09 {	The unexpended balance remaining in item 0102-09 of section two of chapter eight hundred and thirty-seven of the acts of nineteen hundred and sixty-three is hereby transferred and made available for the purposes of item 0102-07 of section two of chapter five hundred of said acts.	
0102-07 {		
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	1,000
0102-30	For expenses of representatives, including travel, prior appropriation continued	190,000

Sergeant-at-Arms.

0103-02	For clerical and other assistance employed by the sergeant-at-arms, including not more than seven permanent positions	\$7,271
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	1,503

Item		
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	\$43,530
0103-06	For the salaries of clerks employed in the legislative document room, including not more than three permanent positions	1,835
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	15,000

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	\$80,000
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	28,000
0110-05	For telephone service, prior appropriation continued	32,815
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	9,000
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	4,278
0110-34	For the expenses of the special committee established under the provisions of an order adopted in the house of representatives on January twenty-ninth, nineteen hundred and sixty-four, and in the senate on February sixth, nineteen hundred and sixty-four, to make an investigation and study of the circumstances surrounding the fire at the Thompson Chemical Company, in the city of Attleboro, on January twelfth, nineteen hundred and sixty-four	8,000

Judiciary.

Superior Court.

0305-11	For compensation of justices of district courts while sitting in the superior court, prior appropriation continued	\$15,000
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Administrative Committee of Probate and Insolvency Courts.

0320-01	For the compensation of judges of probate when acting for other judges of probate	\$3,500
0320-04	For expenses of the administrative committee of probate courts	2,800

Pensions for Certain Retired Justices.

0345-01	For pensions of retired judges, as authorized by law, or their widows, as provided by section sixty-five C of chapter thirty-two of the General Laws for the year nineteen hundred and sixty-four and the previous year	\$11,000
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District Attorneys.

0365-01	For traveling expenses necessarily incurred by the district attorneys except in the Suffolk district, including expenses incurred in previous years	\$2,917
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Executive.

Extraordinary Expenses.

0405-01	For the cost, not to exceed fifteen thousand dollars, of entertainment of distinguished visitors to the commonwealth, provided that no expenditure shall be allowed for a party exceeding fifty visitors; for the payment of extraordinary expenses not otherwise provided for; and for	
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Item

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 **\$35,000**

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 **\$12,000**

Military Division.*State Quartermaster.*

- 0423-02 For the operation of armories of the first class, including not more than one hundred and two permanent positions **\$5,000**

Armory Commission.

- 0428-01 For compensation of one member and for expenses of the commission **\$13,000**

Boards and Commissions serving under Governor and Council.*Executive Office for Administration and Finance.*

- 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 **\$10,000**

Fiscal Affairs Division.

- 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 **\$4,000**

Central Services Division.

- 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 **\$18,000**

Purchasing Agent's Division.

- 0444-01 Item 0444-01 of section two of chapter five hundred of the acts of nineteen hundred and sixty-three, as amended by chapter eight hundred and thirty-seven, is hereby further amended by striking out, in lines three and four, the words "thirty-four thousand seven hundred and seventeen" and inserting in place thereof the words: — thirty-five thousand one hundred and sixty-seven **\$1,500**
- 0444-02 For the purchase of paper used in the execution of the contracts for state printing, other than legislative **10,000**

Commissioners on Uniform State Laws.

- 0457-01 For the expenses of the commissioners **\$800**

George Fingold Library.

- 0459-01 For the service of the library, including not more than thirty-one permanent positions **\$5,350**

Soldiers' Home in Massachusetts.

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| Item | } | 8263-29 | From the unexpended balance remaining in item 8263-29 of section two of chapter six hundred and forty-nine of the acts of nineteen hundred and sixty-two, the sum of twenty thousand dollars is hereby transferred and made available for the purposes of item 8263-28 of said section two, and said item 8263-28 is hereby amended by adding at the end thereof the following: — and/or gas. |
| 8263-28 | | | |

Massachusetts Aeronautics Commission.

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| 0490-02 | For the service of the commission, including not more than nine permanent positions | \$3,925 |
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Massachusetts Rehabilitation Commission.

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| 0497-01 | For the service of the commission, including not more than one permanent position, prior appropriation continued | \$6,000 |
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Secretary of the Commonwealth.

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| 0501-02 | For the office of the secretary, including not more than eighty-six permanent positions | \$2,632 |
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Treasurer and Receiver-General.

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| 9522-01 | The state treasurer is hereby authorized to pay certain fiscal fees not to exceed two hundred dollars annually from revenue received from the trust fund 9522-01. |
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State Board of Retirement.

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| 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 | \$320,015 |
| 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 | 400 |
| 0604-06 | For the compensation of certain prison officers and instructors formerly in the service of the commonwealth, now retired | 909 |
| 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 | 23 |
| 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 | |

Item		
	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	\$60,000
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	4,600
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	15,000

Department of Agriculture.

0901-11	For expenses of the board of agriculture	\$400
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Department of Natural Resources.

Division of Water Resources.

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	\$4,607
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Department of Corporations and Taxation.

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	\$55,000
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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	\$8,000
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Department of Education.

1301-02	For the office of the commissioner, including not more than eighty-one permanent positions	\$2,000
1301-06	For printing school registers and other school blanks for cities and towns	1,450
1301-10	For the service of the state building on Newbury street, Boston, including not more than five permanent positions.	1,000
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	50,000
8063-53	Item 8063-53 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 an investigation and study of alternative methods for the transmission of educational television to all parts of the commonwealth, including the procurement of television broadcasting equipment, to be in addition to any federal funds available for the purposes.	

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	\$2,600
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Item

- 1305-05 Item 1305-05 of section two of chapter five hundred of the acts of nineteen hundred and sixty-three 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-four.

Division of University Extension.

- 1313-01 For the university extension courses, including not more than fifty-seven 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 \$2,000

Division of Immigration and Americanization.

- 1315-01 For the service of the division, including not more than seventeen permanent positions \$1,336

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:

- 1329-01 For administration, as authorized by section one of chapter seventy-three of the General Laws, including not more than twelve permanent positions \$2,000
- 1329-02 Item 1329-02 of section two of chapter eight hundred and thirty-seven of the acts of nineteen hundred and sixty-three is hereby amended by striking out, in lines fourteen and fifteen, the words "nine hundred thousand" and inserting in place thereof the words: — one million fifty thousand.
- 1330-01 Item 1330-01 of section two of chapter five hundred of the acts of nineteen hundred and sixty-three is hereby amended by striking out, in line two, the word "forty-eight" and inserting in place thereof the word: — sixty-one 1,670
- 1331-01 Item 1331-01 of section two of chapter eight hundred and thirty-seven of the acts of nineteen hundred and sixty-three is hereby amended by striking out, in line two, the word "twenty-nine" and inserting in place thereof the word: — thirty-four 9,750
- 1331-21 State college at Fitchburg, boarding hall, including not more than nineteen permanent positions 500
- 1332-01 Item 1332-01 of section two of chapter five hundred of the acts of nineteen hundred and sixty-three is hereby amended by striking out, in line two, the word "twelve" and inserting in place thereof the word: — seventeen 7,000
- 1333-01 Item 1333-01 of section two of chapter eight hundred and thirty-seven of the acts of nineteen hundred and sixty-three is hereby amended by striking out, in line one, the word "eighty-four" and inserting in place thereof the word: — ninety-one 2,344
- 1333-21 State college at Lowell, boarding hall, including not more than four permanent positions 100
- 1334-01 Item 1334-01 of section two of chapter five hundred of the acts of nineteen hundred and sixty-three is hereby amended by striking out, in line one, the word "fifty-eight" and inserting in place thereof the word: — fifty-nine.
- 1335-01 Item 1335-01 of section two of chapter five hundred of the acts of nineteen hundred and sixty-three, as amended by chapter eight hundred and thirty-seven, is hereby further amended by striking out the word "forty-one" and inserting in place thereof the word: — fifty-nine 5,400

- Item
- 1336-01 Item 1336-01 of section two of chapter eight hundred and thirty-seven of the acts of nineteen hundred and sixty-three is hereby amended by striking out, in line one, the word "eighty" and inserting in place thereof the word: — ninety **\$9,800**
- 1337-01 Item 1337-01 of section two of chapter five hundred of the acts of nineteen hundred and sixty-three is hereby amended by striking out, in line two, the word "nineteen" and inserting in place thereof the word: — twenty-five **1,910**
- 1338-01 Item 1338-01 of section two of chapter five hundred of the acts of nineteen hundred and sixty-three is hereby amended by striking out, in lines one and two, the word "fifty-six" and inserting in place thereof the word: — eighty-one.

For the maintenance of and for certain improvements at the following institute with the approval of the board of trustees:

- 1342-01 Item 1342-01 of section two of chapter five hundred of the acts of nineteen hundred and sixty-three is hereby amended by striking out, in lines one and two, the word "sixty-eight" and inserting in place thereof the word: — sixty-nine **\$1,443**

Lowell Technological Institute of Massachusetts.

- 1345-01 Item 1345-01 of section two of chapter five hundred of the acts of nineteen hundred and sixty-three, as amended by chapter eight hundred and thirty-seven of the acts of nineteen hundred and sixty-three, is hereby further amended by striking out, in line two, the word "twenty-one" and inserting in place thereof the word: — twenty-six.

University of Massachusetts.

- 1350-01 Item 1350-01 of section two of chapter eight hundred and thirty-seven of the acts of nineteen hundred and sixty-three is hereby amended by striking out, in line two, the words "fourteen hundred and fifty-nine" and inserting in place thereof the words: — fifteen hundred and forty.
- 8157-31 Item 8157-31 of section two of chapter seven hundred and eleven of the acts of nineteen hundred and fifty-six is hereby amended by adding at the end thereof the following: — ; provided, that notwithstanding any provision of law to the contrary, the bureau of building construction is hereby authorized to pay the sum of eight hundred and fifty-six dollars and fourteen cents to the Granger Contracting Company, Inc., for certain services performed at the University of Massachusetts on Mass. State Project U-803 contract number 1.

Massachusetts Board of Regional Community Colleges.

- 1361-00 Massachusetts Bay community college, including not more than fifty-three permanent positions **\$1,979**
- 1362-00 Item 1362-00 of section two of chapter eight hundred and thirty-seven of the acts of nineteen hundred and sixty-three is hereby amended by striking out, in line one, the word "twenty-six" and inserting in place thereof the word: — thirty-four.
- 1363-00 Item 1363-00 of section two of chapter eight hundred and thirty-seven of the acts of nineteen hundred and sixty-three is hereby amended by striking out, in line one, the word "twenty-four" and inserting in place thereof the word: — twenty-nine **950**
- 1364-00 Item 1364-00 of section two of chapter eight hundred and thirty-seven of the acts of nineteen hundred and sixty-three is hereby amended by striking out, in line one, the word "twenty-three" and inserting in place thereof the word: — thirty-three **2,525**
- 1365-00 Item 1365-00 of section two of chapter eight hundred and thirty-seven of the acts of nineteen hundred and sixty-three is hereby amended by striking out, in line two, the word "twenty-six" and inserting in place thereof the word: — thirty-six.

Item		
1366-00	Item 1366-00 of section two of chapter eight hundred and thirty-seven of the acts of nineteen hundred and sixty-three is hereby amended by striking out, in line one, the word "fifteen" and inserting in place thereof the word: — twenty-one	\$6,928
1367-00	Item 1367-00 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 the wording and inserting in place thereof the following: — Holyoke community college, including not more than thirty-three permanent positions, appropriation expires June thirtieth, nineteen hundred and sixty-four.	
1368-00	Item 1368-00 of section two of chapter five hundred of the acts of nineteen hundred and sixty-three is hereby amended by striking out the wording and inserting in place thereof the following: — Mount Wachusett community college, including not more than eleven permanent positions.	

Division of Youth Service.

1380-01	For the youth service board and for the administration of the division of youth service, including not more than ninety permanent positions	\$82,800
1387-01	For the operation of a detention center in Hampden county, including not more than eighteen permanent positions	1,400
1388-01	For the operation of a residential treatment unit for small boys in Oakdale, including not more than twenty-five permanent positions	2,753
1389-01	For the operation of a detention center in Worcester county, including not more than nineteen permanent positions	1,150
1390-01	For the maintenance of Stephen L. French Youth Forestry Camp	2,406

Department of Civil Service and Registration.

Division of Civil Service.

1402-01	Item 1402-01 of section two of chapter eight hundred and thirty-seven of the acts of nineteen hundred and sixty-three is hereby amended by adding at the end thereof the following: — ; provided, that notwithstanding the limitations of section two A of chapter thirteen of the General Laws establishing the maximum annual compensation for members of the commission, compensation for thirty additional days may be allowed and paid from this item	\$6,900
1402-02	For the service of the division, including not more than two hundred and forty-seven 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 .	41,000

Division of Registration.

For the service of the following agencies in the division:

1413-01	Board of registration of architects, including not more than five permanent positions	\$400
1415-01	Board of public accountancy, including not more than nine permanent positions	9,700
1421-01	Board of registration of hairdressers, including not more than seventeen permanent positions	2,125

Department of Labor and Industries.

Division of Industrial Accidents.

1651-02	For the service of the board and for clerical and other assistance for the industrial accident rehabilitation board, including not more than one hundred and seventy-four permanent positions	\$2,258
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Industrial Accident Rehabilitation Board.

Item		
1652-01	For the service of the board, including not more than six permanent positions	\$300

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:

1710-21	For enclosing office space, research building, Massachusetts mental health center, to be in addition to the amount appropriated in item 8363-41 of section two of chapter six hundred and forty-nine of the acts of nineteen hundred and sixty-two	\$12,000
1715-00	Item 1715-00 of section two of chapter eight hundred and thirty-seven of the acts of nineteen hundred and sixty-three is hereby amended by adding at the end thereof the following: — ; provided, that notwithstanding any provision of law to the contrary, the amount of thirty dollars and five cents shall be allowed and paid from this item for the salary of a certain employee, earned but not paid, for the period from May nineteen, nineteen hundred and sixty-three, to July six, nineteen hundred and sixty-three, inclusive.	

Department of Correction.

For the maintenance of and for certain improvements at the following institutions under the control of the department of correction:

8464-67	Item 8464-67 of section two of chapter five hundred and twenty-two of the acts of nineteen hundred and sixty-three is hereby amended by striking out the wording and inserting in place thereof the following: — For the purchase and installation of two-way radio equipment.	
1818-01	Correctional institution at Norfolk, including not more than two hundred and fifty-five permanent positions	\$14,000

Department of Public Welfare.

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	\$5,500
1906-04	For the care and maintenance of children under the jurisdiction of the division of child guardianship, prior appropriation continued	400,000

Department of Public Health.*Bureau of Administration.*

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	\$140,000
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Bureau of Health Services.

2004-01	For the service of the bureau, including not more than sixty-one permanent positions	\$8,700
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Institute of Laboratories.

2007-01	For the service of the institute, including not more than one hundred and forty-four permanent positions	\$15,000
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Department of Public Safety.

Item		
2101-02	For certain administrative expenses of the department, including not more than one hundred and three permanent positions	\$4,500

Department of Public Utilities.

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	\$25,896
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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	\$4,676
2445-05	For a reserve for the payment in the judiciary department of salaries fixed by law, where the amounts heretofore appropriated in salary items are insufficient for the purpose; provided, that the comptroller shall transfer to said items such amounts as may be necessary from this item	2,000

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:

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	\$9,000
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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	\$160,000
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Department of Corporations and Taxation.

Reimbursement for Loss of Taxes.

2612-01	For reimbursing cities and towns for loss of taxes on land used for state institutions and certain other state activities, as certified by the commissioner of corporations and taxation for the calendar year nineteen hundred and sixty-three, and for reimbursement of certain towns as authorized by section seventeen B of chapter fifty-eight of the General Laws	\$1,319
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Department of Education.

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	\$32,619
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Item		
2613-06	For reimbursement of certain cities and towns for adult English-speaking classes	\$3,500
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	34,900

School Building Assistance Commission.

2613-08	For reimbursement of certain cities and towns for part of the cost of construction of school projects, as authorized by chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, as amended; provided, that a sum equivalent to the payments under this item shall be transferred to the General Fund from the receipts of the income tax	\$1,000,000
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School Lunch and Commodity Distribution Program.

2613-09	Item 2613-09 of section two of chapter five hundred of the acts of nineteen hundred and sixty-three 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-four	\$250,000
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HIGHWAY FUND.

STATE PURPOSES APPROPRIATIONS.

Department of Public Works.

Highway Activities.

The salaries of all officers and employees of the department engaged in projects or activities relating to highways shall be charged for the nineteen hundred and sixty-four 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	\$200,000
2900-80	For the operation and maintenance of the public works building, including not more than eighty-three permanent positions	8,200

Department of Public Safety.

Division of State Police.

2926-23	For certain improvements to the headquarters building, to be in addition to the amount appropriated in item 8356-15 of section two of chapter seven hundred and thirty-eight of the acts of nineteen hundred and fifty-five/	\$5,819
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Metropolitan District Commission.

The following items are to be paid with the approval of the Metropolitan District Commission:

2931-06	Item 2931-06 of section two of chapter five hundred of the acts of nineteen hundred and sixty-three, as amended by chapter eight hundred and thirty-seven of the acts of nineteen hundred and sixty-three, is hereby further amended by adding at the end thereof the following: — ; and, provided, further, that notwithstanding any other provision of law to the contrary, the amount of one hundred and eighty-five dollars and thirty cents shall be allowed and paid from this item for the salary of certain employees, earned but not paid, for the period from April twenty-nine, nineteen hundred and sixty-three, to May fifteen, nineteen hundred and sixty-three, inclusive.	\$130,000
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RECREATIONAL BOATING FUND.

STATE PURPOSES APPROPRIATION.

Registry of Motor Vehicles.

Division of Motorboats.

Item		
3401-01	Item 3401-01 of section two of chapter eight hundred and thirty-seven of the acts of nineteen hundred and sixty-three is hereby amended by adding at the end thereof the following:—; provided, that the comptroller shall transfer to the Highway Fund the sum of eleven thousand eight hundred and seventy-three dollars from the Recreational Boating Fund	\$23,100

STATE RECREATION AREAS FUND.

STATE PURPOSES APPROPRIATIONS.

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.

4050-02	For the maintenance of Salisbury beach reservation, including not more than three permanent positions	\$7,000
4050-06	For the maintenance of Scusset beach	14,000
4050-67	For the payment of a certain claim as determined by a judgment of the Bristol superior court, docket number 14239, to be in addition to the amount available in item 8260-64 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine	160

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.

8602-30	For the construction of a swimming pool and a wading pool, including the cost of equipment, at Dilboy field in the city of Somerville, to be in addition to the amount made available for the purpose by chapter seven hundred and seventy-two of the acts of nineteen hundred and sixty-two	\$15,000
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Metropolitan Sewerage District.

9111-01	The sum of two hundred and fifty thousand dollars, received by the metropolitan district commission as federal assistance for the construction of the project authorized by chapter three hundred and ninety-nine of the acts of nineteen hundred and fifty-four, is hereby made available for the purposes of said project, to be in addition to the sum authorized in section four of said chapter three hundred and ninety-nine; provided, that on and after the effective date of this act, the state treasurer shall not issue any additional bonds under the provisions of said chapter three hundred and ninety-nine.	
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Metropolitan Water System.

8902-00	For the maintenance and operation of the metropolitan water system, including payments to the state retirement system under the provisions of the General Laws, and including not more than six hundred and ten permanent positions	\$40,000
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DEFICIENCIES.

For deficiencies in certain appropriations of previous years, in certain funds, as follows:

Item		
2449-00	General Fund	\$21,784
2949-00	Highway Fund	67,503
3949-00	Mosquito Control Fund	2,621
8949-00	Metropolitan Water District Fund	659

SECTION 2A. For the purpose of making available for expenditure in the fiscal year nineteen hundred and sixty-five, certain balances of appropriations which otherwise would revert on June thirtieth, nineteen hundred and sixty-four, the unexpended balances of the items shown below are hereby reappropriated for the fiscal year nineteen hundred and sixty-five:

1701-21	8259-86	8363-71
2002-53	8259-88	8363-78
2202-09	8259-95	8363-90
2202-10	8259-96	8363-97
2220-21	8259-97	8463-03
2926-07	8260-15	8463-12
2926-25	8260-28	8463-18
2926-29	8260-29	8463-22
2926-32	8260-34	8463-32
2931-04	8260-44	8463-67
2931-78	8260-45	8463-74
2931-79	8260-48	8463-80
3601-10	8260-50	8601-23
8157-08	8260-51	8602-39
8157-37	8260-64	8602-92
8157-77	8260-66	8602-94
8256-01	8260-68	8602-95
8258-24	8260-69	8701-28
8258-25	8260-74	8701-29
8258-76	8260-78	8701-33
8258-81	8260-79	8701-34
8259-02	8260-80	8702-25
8259-05	8260-81	8703-25
8259-18	8263-20	8902-22
8259-24	8263-28	8902-34
8259-25	8263-31	8902-36
8259-40	8356-37	8902-38
8259-42	8356-40	8902-39
8259-46	8359-02	8902-62
8259-48	8363-16	8902-68
8259-66	8363-41	8902-89
8259-73	8363-44	9026-01
8259-75	8363-56	9106-01
8259-77	8363-59	9106-02
8259-78	8363-60	9111-01
8259-79	8363-68	9112-01
8259-83	8363-69	9112-02
		9123-01
		9227-01

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 eight hundred and thirty-seven of the acts of nineteen hundred and sixty-three; 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. For the purpose of allocating charges for engineering and administrative services rendered during the fiscal years nineteen hundred and sixty-four and nineteen hundred and sixty-five as a part of direct cost of the Charles river dam project for which they were incurred, the comptroller is hereby directed to transfer to the metropolitan sewerage district fund 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 personnel services and expenses of the metropolitan sewerage division upon the project provided for in said items:

9024-01 (Chapter 646, Acts of 1957)

9028-01 (Chapter 550, Acts of 1962)

SECTION 5. The comptroller is hereby authorized to write off on the control accounting records of the commonwealth certain advances made in accordance with sections twenty-three to twenty-five, inclusive, of chapter twenty-nine of the General Laws for the fiscal years nineteen hundred and fifty-two to nineteen hundred and sixty, inclusive, amounting to four hundred and thirty-nine dollars and eighty-three cents in the General Fund and eight thousand five hundred and sixty-two dollars and forty-three cents in the Highway Fund; provided, that the attorney general certifies to the comptroller that such advances have been deemed not to be collectible or otherwise returnable.

SECTION 6. This act shall take effect upon its passage.

Approved May 25, 1964.

Chap. 425. AN ACT PROVIDING THAT CERTAIN PROVISIONS OF LAW REQUIRING THE CONSENT OF CERTAIN PERSONS IN ADOPTION CASES MAY BE WAIVED BY A JUDGE OF A PROBATE COURT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make available for adoption forthwith children in the care of authorized children's agencies when the probate court deems it to be in the best interest of such children, 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 210 of the General Laws is hereby amended by striking out section 3A, inserted by section 1 of chapter 593 of the acts of 1953, and inserting in place thereof the following section: — *Section 3A.* The department of public welfare, or any charitable corporation organized under the general or special laws of the commonwealth for the purpose

of engaging in the care of children and being principally so engaged, may commence a proceeding, independent of a petition for adoption, in the probate court of Suffolk county in the case of the department, or of the county in which its office is maintained in the case of such incorporated charitable agency, to establish whether or not the consent of any person named in sections two and three shall be required to any subsequent petition for adoption of a child in the care or custody of such department or incorporated charitable agency, notice of such proceeding to be given to such person in such form as shall be prescribed by the court. Such consent shall not be required if the court finds that the best interests of the child will be served by placement for adoption, and the court shall not in making its determination be limited by the conditions set forth in sections two and three or by any other provision of law, but shall give due regard to the ability, capacity and fitness of the child's parents or guardian and to the plans proposed by the department or other agency initiating such petition. If the court finds that such consent is not required, notice to such person under the following section shall not be required on any petition for adoption of such child subsequently sponsored by the department or said incorporated charitable agency, nor shall the consent of such person to such petition be required.

Approved May 25, 1964.

Chap. 426. AN ACT INCREASING THE AMOUNT OF NON-CONTRIBUTORY PENSION PAYABLE TO CERTAIN FIREMEN AND POLICEMEN.

Be it enacted, etc., as follows:

SECTION 1. Section 85E of chapter 32 of the General Laws, as most recently amended by section 14 of chapter 728 of the acts of 1960, is hereby further amended by striking out the third paragraph and inserting in place thereof the following paragraph:—

Any member of either of said departments retired under the provisions of subdivision (a) of this section shall receive an annual pension equal to two thirds of the highest annual rate of compensation received by him while holding the grade held by him at the time of his retirement. Any member of either of said departments retired under the provisions of subdivision (b), (c) or (d) of this section shall receive an annual pension equal to sixty per cent of the highest annual rate of compensation received by him while holding the grade held by him at the time of his retirement if he has completed twenty years of service, and an additional amount equal to one per cent for each year of service after the first twenty; provided, that the total amount of such pension shall in no case exceed seventy-two per cent of said compensation.

SECTION 2. This act shall take effect as of March twenty-fifth, nineteen hundred and sixty-four.

Approved May 25, 1964.

Chap. 427. AN ACT RELATIVE TO CERTAIN LICENSES FOR PLACING AND MAINTAINING FILL AND STRUCTURES OVER CERTAIN TIDE-WATERS OF MYSTIC RIVER AND ISLAND END RIVER.

Be it enacted, etc., as follows:

SECTION 1. Chapter 785 of the acts of 1963 is hereby amended by striking out, in lines 66 and 67, the words "shall be irrevocable upon

compliance with the following conditions" and inserting in place thereof the words: — are hereby made irrevocable subject, however, to compliance with such of the following conditions as have not already been complied with.

SECTION 2. Said chapter 785 is hereby further amended by striking out clause 8 and inserting in place thereof the following clause: —

8. If within ten years after the effective date of this act the commonwealth or any of its political subdivisions shall take any land which has the benefit of a license hereby made irrevocable, 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 May 25, 1964.

Chap. 428. AN ACT MAKING NURSING SERVICES IN CERTAIN INSTITUTIONS SUBJECT TO THE RULES AND REGULATIONS OF THE BOARD OF REGISTRATION IN NURSING.

Be it enacted, etc., as follows:

The third paragraph of section 80B of chapter 112 of the General Laws is hereby amended by striking out clause (5), as amended by section 1 of chapter 811 of the acts of 1963, and inserting in place thereof the following clause: —

(5) the performance, subject to rules and regulations of the board of registration in nursing, of any nursing service for any patient in any institution licensed by the commonwealth, other than a convalescent or nursing home or rest home, or maintained by the federal government, the commonwealth or any subdivision thereof, given by any person employed in such institution;

Approved May 25, 1964.

Chap. 429. AN ACT VALIDATING CERTAIN ACTION TAKEN BY THE TOWN OF SCITUATE RELATIVE TO THE CONSTRUCTION AND OPERATION OF A SEWAGE DISPOSAL SYSTEM IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The acceptance of chapter six hundred and thirty-six of the acts of nineteen hundred and fifty-seven, as amended by chapter sixty-nine of the acts of nineteen hundred and sixty-three by the voters of the town of Scituate at the annual meeting held in the year nineteen hundred and sixty-three, is hereby confirmed and validated in all respects notwithstanding the fact that said chapter sixty-nine did not have the force of a law at the time of the posting of the warrant for said meeting, and said chapter six hundred and thirty-six, as so amended, shall be deemed to have been in full force and effect in all respect from March eighteenth, nineteen hundred and sixty-three.

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

Approved May 26, 1964.

Chap. 430. AN ACT CHANGING THE NAME OF THE STATE COUNCIL FOR THE AGING TO COMMISSION ON AGING AND EACH MUNICIPAL COUNCIL FOR THE AGING TO COUNCIL ON AGING.

Be it enacted, etc., as follows:

SECTION 1. Chapter 6 of the General Laws is hereby amended by striking out section 17, as most recently amended by section 1 of chapter 773 of the acts of 1963, and inserting in place thereof the following section: — *Section 17.* The armory commission, the art commission, the executive office for administration and finance, the commissioner of veterans' services, the commissioners on uniform state laws, the public bequest commission, the state ballot law commission, the board of trustees of the Soldiers' Home in Massachusetts, the board of trustees of the Soldiers' Home in Holyoke, the milk regulation board, the alcoholic beverages control commission, the state housing board, the trustees of the state library, the state racing commission, the Greylock reservation commission, the metropolitan area planning council, the Port of Boston commission, the Massachusetts commission against discrimination, the state airport management board, weather amendment board, commission on aging, the boxers' fund board, Massachusetts commission on atomic energy, finance advisory board, medical, dental and nursing scholarship board, retirement law commission, the Massachusetts aeronautics commission, the obscene literature control commission, the mobile homes commission, the consumers' council, the Massachusetts rehabilitation commission and the commission on employment of the handicapped shall serve under the governor and council, and shall be subject to such supervision as the governor and council deem necessary and proper.

SECTION 1A. Said chapter 6 is hereby further amended by striking out the caption preceding section 73 and inserting in place thereof the following caption: — COMMISSION ON AGING.

SECTION 2. Section 73 of said chapter 6, as amended by chapter 591 of the acts of 1955, is hereby further amended by striking out, in line 2, the words "council for the aging" and inserting in place thereof the words: — commission on aging, — and by striking out, in lines 3, 11, 15, 21, 23 and 27, respectively, the word "council" and inserting in place thereof, in each instance, the word: — commission.

SECTION 3. Chapter 40 of the General Laws is hereby amended by striking out section 8B, as amended by section 1 of chapter 406 of the acts of 1957, and inserting in place thereof the following section: — *Section 8B.* A city by ordinance or a town by by-law may establish a council on aging for the purpose of co-ordinating or carrying out programs designed to meet the problems of the aging in co-ordination with programs of the commission on aging established under section seventy-three of chapter six. The council may appoint such clerks and other employees as it may require.

SECTION 4. The name of every council for the aging established under section eight B of chapter forty of the General Laws, as in effect prior to the effective date of this act, is hereby changed to "council on aging".

Approved May 26, 1964.

Chap. 431. AN ACT AUTHORIZING PAY-ROLL DEDUCTIONS ON ACCOUNT OF DUES PAYABLE TO RELIEF ASSOCIATIONS OF MUNICIPAL DEPARTMENTS.

Be it enacted, etc., as follows:

Section 17A of chapter 180 of the General Laws, as most recently amended by section 1 of chapter 343 of the acts of 1964, is hereby further amended by striking out the first two paragraphs and inserting in place thereof the following two paragraphs:—

Deductions on pay-roll schedules may be made from the salary of any state, county or municipal employee of any amount which such employee may specify in writing to any state, county or municipal officer, or the head of the state, county or municipal department, board or commission, by whom or which he is employed, for the payment of union dues to an association of state, county or municipal employees, dues to the Massachusetts State Employees Association, or dues payable to any relief association of any municipal department. Any such authorization may be withdrawn by the employee by giving at least sixty days' notice in writing of such withdrawal to the state, county or municipal officer, or the head of the state, county or municipal department, board or commission, by whom or which he is then employed and by filing a copy thereof with the treasurer of the association.

The state treasurer, the common paymaster as defined in section one hundred and thirty-three of chapter one hundred and seventy-five, or the treasurer of the county or municipality by which such employee is employed, shall deduct from the salary of such employee such amount of union dues, dues to the Massachusetts State Employees Association, or dues payable to any relief association of any municipal department as may be certified to him on the pay-roll, and transmit the sum so deducted to the treasurer of said association; provided, that the state treasurer or the county or municipal treasurer, as the case may be, is satisfied by such evidence as he may require that the treasurer of such association has given to said association a bond, in a form approved by the commissioner of corporations and taxation, for the faithful performance of his duties, in a sum and with such surety or sureties as are satisfactory to the state treasurer or county or municipal treasurer.

Approved May 26, 1964.

Chap. 432. AN ACT REQUIRING AN INVESTIGATION BY LOCAL AUTHORITIES OF PROPOSED CHANGE OF LOCATION OF CERTAIN CORPORATIONS.

Be it enacted, etc., as follows:

Chapter 180 of the General Laws is hereby amended by striking out section 5, as most recently amended by section 2 of chapter 559 of the acts of 1947, and inserting in place thereof the following section:—
Section 5. Before making and issuing a certificate of incorporation to or approving a change of location of the principal office of a corporation formed for any of the purposes described in section two or approving the change of name of any corporation formed as aforesaid which is subject to section twenty-six, the state secretary may forward a statement to the aldermen of any city, except Boston, or to the selectmen of

any town, where such corporation occupies or uses or is to occupy or use any premises for the transaction of any of its corporate activities, and, if such premises are or are to be in Boston, to the police commissioner, giving a list of the applicants for incorporation or the officers of the corporation seeking to change its name or location, the purposes of such proposed incorporation or change of name as stated by them, the location of the premises occupied or used or proposed to be occupied or used, which shall include the street and number, if any, and all other facts which may be stated in the application for incorporation or the petition for approval of change of name or location. The mayor and aldermen, selectmen or police commissioner, upon the receipt of such statement, shall immediately make investigation for the purpose of ascertaining whether any of the proposed incorporators, or officers of the petitioning corporation, or any other persons known to be, or apparently, identified with the said proposed or petitioning corporation as members, employees or otherwise, and actually participating or to participate in the management of its affairs, or in the direction of its business, have been engaged in the illegal selling of alcoholic beverages, as defined in section one of chapter one hundred and thirty-eight, or in keeping places or tenements used for illegal gaming, or any other business or vocation prohibited by law, or are persons of ill repute, or whether any location to be occupied is unsuitable, and shall forthwith report to the state secretary all the facts ascertained. If, in his opinion, it appears from said report or otherwise that a probable purpose or probable result of the formation of the proposed corporation or of the proposed change of name or location is or will be to cover or shield any illegal business or practices, or any business not within the scope of the expressed corporate purposes, he shall refuse to issue a certificate of incorporation or approve the change of name or location, as the case may be.

Approved May 26, 1964.

Chap. 433. AN ACT RELATIVE TO THE PROCEDURE BY WHICH CERTAIN CORPORATIONS MAY CHANGE THE LOCATION OF THEIR PRINCIPAL OFFICE.

Be it enacted, etc., as follows:

Chapter 180 of the General Laws is hereby amended by striking out section 11, as most recently amended by section 52 of chapter 750 of the acts of 1962, and inserting in place thereof the following section: —

Section 11. A corporation organized under general or special laws for any of the purposes specified in section two, if unable to comply with section ten of this chapter or section ten of chapter one hundred and fifty-five, may petition the state secretary, hereinafter called the secretary, for an addition to or change of purposes, for a change of name or for a change of the location of the principal office of the corporation in the commonwealth, as the case may be. The petition shall contain a list of the officers and members of the corporation, so far as they are known, with their addresses; shall state why the section in question cannot be complied with and the additional or new purposes, the name proposed to be adopted by the corporation or the proposed new location of the principal office of the corporation. It shall be signed and sworn to by the president or one member of the board of directors. The secre-

tary may require the petitioner to give him information as to what attempt, if any, has been made to secure the approval of two thirds of the members, or of such proportion thereof as the agreement of association or by-laws of the corporation may prescribe, for the proposed addition to or change of purposes, for the proposed change of name or for the proposed change of location. The secretary may also require any other information which may assist in determining the matter before him. He may direct the petitioner or the officers of the corporation to give any further notice to the members thereof of the proposed addition to or change of purposes, change of name or change of location and to report to him the result of such notice. If the secretary is satisfied that the proposed new or additional purposes, the proposed name of the corporation or the proposed location is approved by such members thereof as have expressed an opinion in relation thereto, or of a reasonable proportion thereof, and if he finds that the petition otherwise conforms to the requirements of law, he shall, in the case of a change of name or change of location, endorse his approval on the petition, or, in the case of an addition to or change of purposes, if he finds that the additional or new purpose is authorized by said section two, he shall so endorse his approval, and thereupon the petition, upon the payment of the appropriate fee, shall be filed in the office of the state secretary, who shall, in the case of a change of name, direct publication thereof and grant a certificate of name as provided in section ten of chapter one hundred and fifty-five.

Approved May 26, 1964.

Chap. 434. AN ACT RELIEVING CERTAIN INCORPORATED LIBRARY ASSOCIATIONS FROM THE OBLIGATION OF FILING CERTAIN ANNUAL REPORTS WITH THE STATE SECRETARY.

Be it enacted, etc., as follows:

Section 26A of chapter 180 of the General Laws is hereby amended by striking out the last paragraph, as appearing in chapter 390 of the acts of 1956, and inserting in place thereof the following paragraph: —

This section shall not apply to a church or religious organization, a non-profit school or college, a corporation organized prior to January first, nineteen hundred and twenty-three, under the laws of this commonwealth and having as part of its name the name of a political party as defined by law, a charitable hospital, or a library association whose real or personal property is exempt from taxation.

Approved May 26, 1964.

Chap. 435. AN ACT AUTHORIZING CERTAIN CORPORATIONS TO CHANGE THE LOCATION OF THEIR PRINCIPAL OFFICE BY A TWO THIRDS VOTE.

Be it enacted, etc., as follows:

Chapter 180 of the General Laws is hereby amended by striking out section 10, as most recently amended by section 51 of chapter 750 of the acts of 1962, and inserting in place thereof the following section: — *Section 10.* Any corporation heretofore or hereafter organized under gen-

eral or special law for any of the purposes mentioned in this chapter may, at a meeting duly called for the purpose, by vote of two thirds of the persons legally qualified to vote in meetings of the corporation, or by a larger vote if its agreement of association or by-laws shall so require, add to or change the purposes for which it was incorporated, if the additional or new purpose is authorized by section two or change the location of the principal office of the corporation in the commonwealth. The presiding, financial and recording officers and a majority of its other officers having the powers of directors shall forthwith make, sign and swear to a certificate setting forth such addition to or change of purposes, or change of the location. Such certificate shall be submitted to the state secretary who shall examine it, and if he finds that it conforms to the requirements of law, he shall, subject to section thirty of chapter sixty-nine if applicable to such certificate, so certify and endorse his approval thereon. Said certificate shall, upon the payment of a fee of five dollars, be filed in the office of the state secretary.

Approved May 26, 1964.

Chap. 436. AN ACT PROVIDING FOR THE ASSIGNMENT OF QUARTERS IN THE STATE HOUSE FOR THE USE OF THE ARMY-NAVY UNION.

Be it enacted, etc., as follows:

Chapter 8 of the General Laws is hereby amended by striking out section 17, as most recently amended by chapter 490 of the acts of 1962, and inserting in place thereof the following section: — *Section 17.* Whenever in the opinion of the superintendent of buildings there is space available, there shall be set apart and suitably furnished a room or rooms in the state house for the use of the Massachusetts department of The American Legion, of the United Spanish War Veterans, of the Disabled American Veterans of the World War, of the Veterans of Foreign Wars of the United States, of the American Veterans of World War II, AMVETS, of the Veterans of Indian Wars, of the Reserve Officers Association of the United States, of the Army-Navy Union, of Italian American War Veterans of the United States, Incorporated, Department of Massachusetts, of the Jewish War Veterans of the United States, Department of Massachusetts, Inc., of the Polish-American Veterans of Massachusetts, Inc., of the Marine Corps League, Department of Massachusetts, Inc., of the Polish Legion of American Veterans, Department of Massachusetts, Inc., of the Veterans of World War I of the U.S.A., Department of Massachusetts, of the Massachusetts Regional Group of the Blinded Veterans Association, Inc., of the Amputee Veterans Association of America, Inc., and of the Legion of National Guard Veterans of Massachusetts, Inc., respectively, such room or rooms to be under the charge of the state commanders of the respective departments, subject to this chapter. The headquarters thus established for each of the aforesaid departments shall be used for storing and preserving the records and other property of the department and relics and mementos of the World Wars and the Spanish War.

Approved May 26, 1964.

Chap. 437. AN ACT AUTHORIZING THE TOWN OF FRANKLIN TO ACQUIRE LAND IN THE TOWN OF NORFOLK FOR THE PURPOSE OF INCREASING ITS WATER SUPPLY.

Be it enacted, etc., as follows:

The town of Franklin acting by its board of public works, for the purpose of increasing its water supply, may with the assent of the selectmen of the town of Norfolk take by eminent domain under the provisions of chapter seventy-nine of the General Laws, or acquire by purchase or otherwise the following described parcels of land located in said town of Norfolk, bounded and described as follows:

Land located in the town of Norfolk and being shown as lots A and B on a plan of land entitled "Subdivision plan of land in Franklin and Norfolk", being a subdivision of lot C as shown on Plan 6616J filed with Certificate of Title No. 34088, Registry District of Norfolk County, containing six and eighty-seven hundredths acres of land more or less.

Approved May 26, 1964.

Chap. 438. AN ACT AUTHORIZING THE PUBLIC ACCESS BOARD TO PROVIDE PUBLIC ACCESS TO CERTAIN INLAND WATERS.

Be it enacted, etc., as follows:

Chapter 21 of the General Laws is hereby amended by striking out section 17, added by section 2 of chapter 715 of the acts of 1962, and inserting in place thereof the following section: — *Section 17.* There shall be in the department a board to be known as the public access board composed of the commissioner of the department of natural resources, who shall be designated chairman, the director of the division of fisheries and game, the director of the division of motorboats and the commissioner of public works. The board shall meet at the call of the chairman and shall by majority vote designate locations of public access to great ponds, coastal and inland waters. There is hereby established a fund to be known as the public access fund to which shall be credited such sums as shall be determined under the provisions of section thirteen of chapter sixty-four A. Such fund shall be expended subject to appropriation, only for the purpose of providing public access and related facilities in and to great ponds, as defined in section thirty-five of chapter ninety-one, inland waters as defined in section one of chapter one hundred and thirty-one, and coastal waters as defined in chapter one hundred and thirty, and the public access board shall designate the department of public works as the contracting agent for the expenditure of such funds.

Approved May 26, 1964.

Chap. 439. AN ACT DESIGNATING THE METROPOLITAN DISTRICT COMMISSION SWIMMING POOL ON MOUNTAIN AVENUE IN THE CITY OF MALDEN AS THE LIEUTENANT DENNIS C. HOLLAND MEMORIAL POOL.

Be it enacted, etc., as follows:

The metropolitan district commission swimming pool on Mountain avenue in the city of Malden shall be known and designated as the

Lieutenant Dennis C. Holland Memorial Pool in memory of Dennis C. Holland, a former member of the police department and a former chairman of the recreation commission of said city. A suitable marker bearing said designation shall be erected and maintained at said swimming pool by said commission.

Approved May 26, 1964.

Chap. 440. AN ACT FURTHER EXTENDING THE PERIOD OF OPERATION OF THE LAW AUTHORIZING THE TRIAL OF CIVIL ACTIONS IN THE CENTRAL DISTRICT COURT OF WORCESTER BY A JURY OF SIX.

Be it enacted, etc., as follows:

Section 14 of chapter 738 of the acts of 1956 is hereby amended by striking out the first sentence, as most recently amended by chapter 89 of the acts of 1961, and inserting in place thereof the following sentence: — Section one A of this act shall apply to actions entered on or after July first, nineteen hundred and fifty-seven, and shall become inoperative as to any action entered after July first, nineteen hundred and sixty-seven.

Approved May 26, 1964.

Chap. 441. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO CONSTRUCT AN ATHLETIC PLANT IN THE CLEVELAND CIRCLE SECTION OF THE BRIGHTON DISTRICT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission is hereby authorized and directed to construct on land owned by it in the Cleveland Circle section of the Brighton district of the city of Boston an athletic plant for high school track and field athletic meets and such other purposes as it may determine, with shower and dressing rooms, lockers, heating plant, offices, concession booths, adequate parking facilities and other appurtenances applicable to such a facility.

SECTION 2. Said 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 and full and complete information regarding any and all such leases and agreements and the operations resulting therefrom shall be a matter of public record and shall, at all times, be available upon reasonable request.

SECTION 3. To meet the expenditures necessary in carrying out the construction and improvements 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 the sum of one million five hundred thousand dollars. All bonds issued by the commonwealth as aforesaid shall be designated on their face, Metropolitan District Commission Athletic Plant Loan, Act of 1964, and shall be on the serial payment plan for such

maximum term of years, not exceeding twenty years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof, and the entire issue not later than June thirtieth, nineteen hundred and eighty-six. All interest payments and payments on account of principal on such obligations shall be paid from the metropolitan district commission park funds, to be assessed by methods fixed by law.

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

Approved May 28, 1964.

Chap. 442. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC HEALTH TO MAKE CERTAIN IMPROVEMENTS AT LAKE MAHKEENAC IN THE TOWN OF STOCKBRIDGE.

Be it enacted, etc., as follows:

The department of public health is hereby authorized and directed to treat the water of Lake Mahkeenac in the town of Stockbridge for the control of submerged aquatic vegetation. For such purpose, said department may expend for expert services, equipment and other expenses, including chemicals, such sums as may be appropriated therefor.

Approved May 29, 1964.

Chap. 443. AN ACT PROVIDING FOR THE FINGERPRINTING AND PHOTOGRAPHING OF PERSONS ARRESTED FOR THE COMMISSION OF A FELONY.

Be it enacted, etc., as follows:

Chapter 263 of the General Laws is hereby amended by inserting after section 1 the following section: —

Section 1A. Whoever is arrested by virtue of process, or is taken into custody by an officer, and charged with the commission of a felony shall be fingerprinted, according to the system of the bureau of identification in the department of public safety, and may be photographed.

Approved May 29, 1964.

Chap. 444. AN ACT PENALIZING THE MAKING OF FALSE WRITTEN REPORTS BY PUBLIC OFFICERS OR EMPLOYEES.

Be it enacted, etc., as follows:

Chapter 268 of the General Laws is hereby amended by inserting after section 6 the following section: —

Section 6A. Whoever, being an officer or employee of the commonwealth or of any political subdivision thereof or of any authority cre-

ated by the general court, in the course of his official duties executes, files or publishes any false written report, minutes or statement, knowing the same to be false in a material matter, 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.

Approved May 29, 1964.

Chap. 445. AN ACT AUTHORIZING THE DIRECTOR OF THE DIVISION OF FISHERIES AND GAME TO SELL AND CONVEY CERTAIN PROPERTY IN THE TOWN OF MARSHFIELD.

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 sell and convey, subject to the approval of the governor and council, the land with buildings thereon known as the Marshfield State Game Farm, located in said town, as described in a deed recorded with the Plymouth County Registry of Deeds Book 1417, pages 285 and 286, exempting one thousand three hundred and six square feet conveyed under the provisions of chapter two hundred and ninety-seven of the acts of nineteen hundred and thirty-three to one Lysander B. Sherman. The town of Marshfield shall be given the first option to purchase said property and shall have sixty days to exercise this option after a selling price is established.

Approved May 29, 1964.

Chap. 446. AN ACT INCREASING BENEFITS TO WIDOWS AND CHILDREN OF EMPLOYEES KILLED IN INDUSTRIAL ACCIDENTS.

Be it enacted, etc., as follows:

Section 31 of chapter 152 of the General Laws is hereby amended by striking out the second paragraph, as most recently amended by chapter 541 of the acts of 1961, and inserting in place thereof the following paragraph: —

To the widow or widower, so long as she or he remains unmarried, forty dollars a week if and so long as there is no child of the employee, who is under the age of eighteen, or over said age and physically or mentally incapacitated from earning; to or for the use of the widow or widower and for the benefit of all children of the employee, forty-six dollars a week if and so long as there is one such child, and six dollars more a week for each such additional child; provided, that in case any such child is a child by a former wife or husband, the death benefit shall be divided between the surviving wife or husband and all living children of the deceased employee in equal shares, the surviving wife or husband taking the same share as a child. If the widow or widower dies, such amount or amounts as would have been payable to or for her or his own use and for the benefit of all children of the employee shall be paid in equal shares to all the surviving children of the employee. If the widow or widower remarries, all payments under the foregoing provisions shall terminate and the insurer shall pay each week to each of such children of the employee fifteen dollars a week. If there is no surviving wife or

husband of the deceased employee, such amount or amounts as would have been payable under this section to or for the use of a widow or widower and for the benefit of all such children of the employee, shall be paid in equal shares to all such surviving children of the employee, but no individual shall receive an amount in excess of forty-one dollars a week. The total amount of payments and the period of payments in all cases under this section shall not be more than sixteen thousand dollars nor continue for more than four hundred weeks, except that payment to or for the benefit of children of the deceased employee under the age of eighteen shall not be discontinued prior to the age of eighteen, and except that after a dependent unremarried widow or physically or mentally incapacitated child over the age of eighteen has received the maximum payments, he or she shall continue to receive further payments, but only during such periods as he or she is in fact not fully self-supporting. Either party may request hearings at reasonable intervals before a board member on the question of granting such payments, or on the question of restoration of such payments, or on the question of discontinuance of such payments. A member of the board may set a case for hearing on his own initiative, after due notice to both parties.

Approved May 29, 1964.

Chap. 447. AN ACT AUTHORIZING CERTAIN NON-RESIDENTS TO CARRY FIREARMS IN OR THROUGH THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 140 of the General Laws is hereby amended by inserting after section 131F the following section:—

Section 131G. Any person who is not a resident of the commonwealth may carry a pistol or revolver in or through the commonwealth for the purpose of taking part in a pistol or revolver competition or attending any meeting or exhibition of any organized group of firearms collectors; provided, such person is a resident of the United States and has a permit or license to carry firearms issued under the laws of any state, district or territory thereof which has licensing requirements substantially similar to those of the commonwealth.

Approved May 29, 1964.

Chap. 448. AN ACT RELATING TO THE RECOMMENDATIONS OF THE REAL ESTATE REVIEW BOARD IN THE DEPARTMENT OF PUBLIC WORKS IN DETERMINING THE VALUE OF CERTAIN LAND TAKEN BY EMINENT DOMAIN.

Be it enacted, etc., as follows:

SECTION 1. The third paragraph of section 6 of chapter 556 of the acts of 1952, as amended by section 1 of chapter 385 of the acts of 1961, is hereby further amended by adding at the end the following sentence:— In the event that the recommendation of said real estate review board with respect to any parcel of land taken by the department is less than the amount fixed in the lowest appraisal thereof prepared on behalf of the department, or differs by more than ten per cent from the amount fixed by the reviewing appraiser of the right of way division of

the department, the written statement accompanying such recommendation shall set out the reasons for such difference in full and complete detail.

SECTION 2. The third paragraph of section 6 of chapter 403 of the acts of 1954, as amended by section 2 of said chapter 385, is hereby further amended by adding at the end the following sentence: — In the event that the recommendation of said real estate review board with respect to any parcel of land taken by the department is less than the amount fixed in the lowest appraisal thereof prepared on behalf of the department, or differs by more than ten per cent from the amount fixed by the reviewing appraiser of the right of way division of the department, the written statement accompanying such recommendation shall set out the reasons for such difference in full and complete detail.

SECTION 3. The third paragraph of section 6 of chapter 718 of the acts of 1956, as amended by section 3 of said chapter 385, is hereby further amended by adding at the end the following sentence: — In the event that the recommendation of said real estate review board with respect to any parcel of land taken by the department is less than the amount fixed in the lowest appraisal thereof prepared on behalf of the department, or differs by more than ten per cent from the amount fixed by the reviewing appraiser of the right of way division of the department, the written statement accompanying such recommendation shall set out the reasons for such difference in full and complete detail.

SECTION 4. The first paragraph of section 3 of chapter 822 of the acts of 1963 is hereby amended by adding at the end the following sentence: — In the event that the recommendation of said real estate review board with respect to any parcel of land taken by the department is less than the amount fixed in the lowest appraisal thereof prepared on behalf of the department, or differs by more than ten per cent from the amount fixed by the reviewing appraiser of the right of way division of the department, the written statement accompanying such recommendation shall set out the reasons for such difference in full and complete detail.

Approved May 29, 1964.

Chap. 449. AN ACT REQUIRING PUBLIC CHARITIES TO FILE MORE DETAILED FINANCIAL REPORTS WITH THE DIVISION OF PUBLIC CHARITIES IN THE DEPARTMENT OF THE ATTORNEY GENERAL.

Be it enacted, etc., as follows:

SECTION 1. Chapter 12 of the General Laws is hereby amended by striking out section 8F, as amended by chapter 425 of the acts of 1962, and inserting in place thereof the following section: — *Section 8F.* The trustee or trustees or the governing board of every public charity, including those referred to in section eight E, shall annually, on or before June¹ first, or on or before the sixtieth day following the end of its fiscal year if its fiscal year shall end in April or May, file with the division a written report for its last preceding fiscal year, or its last preceding calendar year if it has no fiscal year.

Such report shall contain (1) the names and addresses of the trustees, or if the public charity is an organization, the name and address of the organization and the names and addresses of the members of its princi-

pal governing board and of its principal officers; (2) if the organization is a corporation, the statute under which it was incorporated; (3) a statement as to whether the public charity has ever been enjoined by any court from soliciting contributions; (4) the aggregate value of endowment and other funds, the aggregate value of real estate, and the aggregate value of tangible personal property held and administered by the public charity for charitable, educational, benevolent, humane or philanthropic purposes or for other purposes of public charity, all as shown by the books of the public charity at the end of said fiscal year; (5) the aggregate income and the aggregate expenditures of the public charity for such fiscal or calendar year, each aggregate figure required being accompanied by an itemized statement; on forms provided by the director, of the component parts of such aggregate assets, income and expenditures; (6) the cost of administration; (7) the cost of solicitation; (8) the costs of programs designed to educate or to inform the public; provided, however, that the cost of such programs which include a solicitation of funds shall be separately reported and clearly distinguished from the costs of such programs which do not include such a solicitation; (9) funds or properties transferred out of the commonwealth with explanation as to the recipient and purpose; and, if the public charity has gross receipts of five thousand dollars or more or investment income of one thousand dollars or more, (10) a certification by an independent public accountant that he has examined the books of the charity and finds the financial statement correct.

A public charity which annually furnishes to interested persons or publishes an audited financial report containing information as to endowment and other funds, real estate or tangible personal property, income and expenditures required by the preceding paragraph, may file a copy of such financial report for any year with the division as its report for such year under this section as to matters covered by said financial report and a public charity which is required by law to file accounts in a probate court of the commonwealth may file a copy of such account for any year with the division as its report under this section for such year as to matters covered by such account.

The annual reports, and any other documents prescribed by the director, shall be signed by any two authorized officers, including the chief fiscal officer of the charitable organization and shall be verified under oath. A charitable organization which operates under more than one name shall file an annual report containing the above information under each name. There shall be a filing fee of three dollars for each such report, to be paid to the division at the time of filing. In the event that any public charity shall fail for two successive years to file a report as required hereunder, the division may take such action as may be appropriate to compel compliance with the provisions of this section.

This section shall not apply to any property held for any religious purpose by any public charity, incorporated or unincorporated.

Any public charity, or any officer or agent of a public charity who wilfully makes, executes or files a report, false in any material representation, required under this section, or whoever causes the same to be done, shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both.

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

Approved May 29, 1964.

Chap. 450. AN ACT PROVIDING ADDITIONAL FUNDS TO THE DEPARTMENT OF PUBLIC WORKS TO COVER THE COST OF PROVIDING RECREATIONAL FACILITIES AT FORT PHOENIX BEACH IN THE TOWN OF FAIRHAVEN.

Be it enacted, etc., as follows:

Section 2 of chapter 637 of the acts of 1962 is hereby amended by striking out, in line 7, the words "two hundred and fifty" and inserting in place thereof the words: — three hundred and fifty.

Approved June 1, 1964.

Chap. 451. AN ACT RELATIVE TO THE REPRINTING OF THE HOUSE JOURNALS FROM SEVENTEEN HUNDRED AND FIFTEEN TO SEVENTEEN HUNDRED AND EIGHTY, AND THE PURCHASE OF SUCH COPIES BY THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 413 of the acts of 1920 is hereby amended by striking out section 1, as most recently amended by chapter 446 of the acts of 1953, and inserting in place thereof the following section: — *Section 1.* Whenever the journals of the house of representatives of Massachusetts Bay from seventeen hundred and fifteen to seventeen hundred and eighty, inclusive, in volumes each covering one year, more or less, shall be reprinted accurately by the Massachusetts Historical Society, in the manner and form of volume one, seventeen hundred and fifteen to seventeen hundred and seventeen, inclusive, and approved by the secretary of the commonwealth, the secretary shall purchase from the society three hundred copies of the said journals at a price not exceeding ten dollars a volume, but in no year shall there be expended more than three thousand dollars; provided, that if the copies are plated, the plates shall be subject to the use of the commonwealth.

Approved June 2, 1964.

Chap. 452. AN ACT AUTHORIZING THE TRUSTEES OF THE WESTON MEMORIAL FUND OF THE TOWN OF SANDWICH TO EMPLOY PERSONS OR FIRMS TO ADVISE THEM ON INVESTMENTS OF CERTAIN FUNDS, AND TO PAY FOR SUCH ADVICE OUT OF THE INCOME OF SAID FUNDS.

Be it enacted, etc., as follows:

SECTION 1. The Trustees of the Weston Memorial Fund of the town of Sandwich, in administering the MacKnight Fund and the Mary Crocker Baker bequest, may employ any qualified bank, trust company, corporation, firm or person to advise them on the investment of the funds and to perform custodial services, and may pay, out of income, for such advice and services.

SECTION 2. This act shall take effect upon its acceptance by a two-thirds vote of the town of Sandwich.

Approved June 2, 1964.

Chap. 453. AN ACT FURTHER REGULATING THE HOLDING OF THE SESSIONS OF THE PROBATE COURT FOR THE COUNTY OF ESSEX.

Be it enacted, etc., as follows:

Section 62 of chapter 215 of the General Laws is hereby amended by striking out the paragraph contained in lines 21 to 25, inclusive, as appearing in the Tercentenary Edition, and inserting in place thereof the following paragraph: —

Essex, at Salem, the first, third and fifth Mondays of each month except August, and the first and third Mondays of August; at Lawrence, the second Monday of each month except August; at Newburyport, the fourth Monday of each month except April, August and October; at Haverhill, the fourth Mondays of April and October.

Approved June 2, 1964.

Chap. 454. AN ACT PROVIDING THAT NON-PROFIT INSTITUTIONS MAY ELECT TO PROVIDE COVERAGE UNDER THE EMPLOYMENT SECURITY ACT FOR THEIR EMPLOYEES.

Be it enacted, etc., as follows:

Section 6 of chapter 151A of the General Laws is hereby amended by striking out subsection (g), as amended by section 2 of chapter 414 of the acts of 1962, and inserting in place thereof the following subsection: —

(g) Service performed in the employ of a corporation, or of a community chest, fund or foundation, so called, organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation, and which does not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of any candidate for public office, if the employing unit is exempt from income tax under section 501 (a) of the Federal Internal Revenue Code; provided, that the employing unit for which the services are performed has not elected to become fully subject to this chapter under section ten; and, further provided, that the employing unit so electing, in addition to the mandatory exclusions provided for in subsections (j), (k) and (l), may exclude from coverage services performed as (1) duly ordained ministers, priests, rabbis, Christian Science readers, members of a religious order, or as practitioners of a religion by designation of the governing body of a religious organization and subject to discipline, including removal, by such governing body; (2) members of the faculty or the teaching or administrative staff of a school, college or university; and (3) members of the professional staff of a hospital the performance of whose services requires a license under the laws of the commonwealth;

Approved June 2, 1964.

Chap. 455. AN ACT RELATIVE TO PROMOTIONS IN THE DEPARTMENT OF PUBLIC WORKS.

Be it enacted, etc., as follows:

Section 15 of chapter 31 of the General Laws is hereby amended by inserting after paragraph C, as amended by section 9 of chapter 643 of the acts of 1955, the following two paragraphs: —

Notwithstanding the provisions of this section relative to promotions, all competitive examinations for positions in the department of public works shall be open to eligible employees in the next lower grade or grades, as determined by the director, in said department and in the case of promotional qualifying examinations length of service shall be computed on total length of permanent service, as set forth in section fifteen D, regardless of the unit to which assigned.

For positions in the classified labor service, districts established under section three of chapter sixteen shall not be changed except in accordance with section eighteen A of this chapter and certification shall be made in accordance with the provisions of said section.

Approved June 2, 1964.

Chap. 456. AN ACT PERMITTING CERTAIN CONTESTS INVOLVING TIME TRIAL DRIVING OF AUTOMOBILES TO BE CONDUCTED ON SUNDAY.

Be it enacted, etc., as follows:

Paragraph (7) of section 4 of chapter 136 of the General Laws, as appearing in section 2 of chapter 616 of the acts of 1962, is hereby amended by inserting after the word "spectator", in line 5, the words: —, nor to the conduct for charitable purposes of amateur contests involving time trial driving of automobiles. *Approved June 2, 1964.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, June 4, 1964.

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 456 of the Acts of 1964 entitled "An Act Permitting Certain Contests Involving Time Trial Driving of Automobiles to be Conducted on Sunday." and the enactment of which received my approval on June 2, 1964, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act would defeat its purpose in that it would prevent charitable organizations from benefiting from this year's sporting events allowed by this act.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, June 5, 1964.

I, Kevin H. White, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at two o'clock, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter four hundred and fifty-six of the acts of nineteen hundred and sixty-four.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 457. AN ACT RELATING TO THE APPORTIONMENT OF TAXES IN CERTAIN EMINENT DOMAIN PROCEEDINGS.

Be it enacted, etc., as follows:

Chapter 79 of the General Laws is hereby amended by inserting after section 35 the following section: —

Section 35A. In case of a trial by jury in a proceeding brought under section fourteen, the amount, if any, to which the petitioner is entitled by reason of the tax assessed upon the property in the year in which it was taken, as provided in section twelve, shall be separately determined by the court, either upon stipulation of the parties or upon evidence received, after the jury has rendered its verdict.

Approved June 2, 1964.

Chap. 458. AN ACT PROVIDING FOR THE PAYMENT OF WITNESS FEES TO PERSONS ASSISTING THE ATTORNEY GENERAL IN THE INVESTIGATION OF CRIME.

Be it enacted, etc., as follows:

Section 29 of chapter 262 of the General Laws is hereby amended by striking out the second paragraph, added by chapter 514 of the acts of 1962, and inserting in place thereof the following paragraph: —

Any person who at the request of the attorney general or a district attorney, for the purpose of assisting him in the investigation of any matter within his jurisdiction as such attorney general or district attorney, attends the attorney general at any place, or the office of such district attorney at a courthouse, shall receive the fees provided in the preceding paragraph for a witness attending the superior court and subject to the same provisions, except that the certificate required by the last sentence of said paragraph shall be accompanied by a voucher signed by the attorney general or the district attorney that such fees are due said person for his attendance as provided in this paragraph.

Approved June 2, 1964.

Chap. 459. AN ACT AUTHORIZING PROFESSIONAL CORPORATIONS TO HAVE MORE THAN ONE OFFICE, AND PROVIDING FOR THE CHANGING OF SUCH OFFICES.

Be it enacted, etc., as follows:

Chapter 156A of the General Laws is hereby amended by striking out section 6, as appearing in section 1 of chapter 654 of the acts of 1963,

and inserting in place thereof the following section: — *Section 6.* A professional corporation shall have only those offices which are designated by street address in the articles of organization, and shall not change any such offices without amendment of the articles of incorporation.

Approved June 2, 1964.

Chap. 460. AN ACT AUTHORIZING THE USE OF DEPUTY COLLECTORS BY THE COMMISSIONER OF CORPORATIONS AND TAXATION IN THE COLLECTION OF TAXES.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 3 of chapter 14 of the General Laws, as appearing in section 1 of chapter 654 of the acts of 1953, is hereby amended by adding at the end the following two sentences: — He may from time to time designate such employees of the department as he deems expedient as deputy collectors. Such deputies shall give bond for the faithful performance of their duties in such sum and in such form and subject to such conditions as he may prescribe, shall have all the powers of collectors under chapter sixty, and shall serve without pay except for their regular compensation as employees of the department.

SECTION 2. Chapter 62 of the General Laws is hereby amended by striking out section 41, as most recently amended by section 4 of chapter 350 of the acts of 1933, and inserting in place thereof the following section: — *Section 41.* Assessed taxes remaining unpaid after the date upon which the same are required to be paid shall bear interest at the rate of six per cent per annum, which shall be added to and become part of the tax.

The commissioner shall have for the collection of taxes assessed under this chapter all the powers and remedies provided by chapter sixty for the collection of taxes on personal estate by collectors of taxes of towns. Any warrant for the collection of a tax imposed under this chapter may be issued to any deputy collector, sheriff, deputy sheriff or constable, and he shall have authority to proceed thereunder anywhere within the commonwealth. The officer, to whom a warrant for the collection of such a tax is given, shall collect said tax and interest as herein provided, including the charges and fees provided in section fifteen of chapter sixty, and shall pay over such amounts collected to the commissioner. Such officer, other than a deputy collector, 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.

SECTION 3. Chapter 63 of the General Laws is hereby amended by striking out section 72, as appearing in the Tercenary Edition, and inserting in place thereof the following section: — *Section 72.* When a tax or excise of any kind remains due to or is claimed by the commonwealth from a corporation, company or association, whether existing by authority of the commonwealth or otherwise, except a municipal corporation, for ten days after notice given through the mail by the commissioner to its treasurer or other financial agent that such tax or excise is due and unpaid, the commissioner shall, in addition to other modes of

relief, have for the collection of such tax or excise all the powers and remedies provided by chapter sixty for the collection of taxes on personal estate by collectors of taxes of towns. Any warrant for the collection of such tax or excise may be issued to any deputy collector, sheriff, deputy sheriff or constable, and he shall have authority to proceed thereunder anywhere within the commonwealth. The warrant shall not run against the body of any person nor shall any property of such delinquent corporation, company or association be exempt from seizure and sale thereon. The officer, to whom a warrant for the collection of such a tax or excise is given, shall collect such tax or excise and interest upon the same at the rate of twelve per cent per annum from the time when such tax or excise became due, including the charges and fees provided in section fifteen of chapter sixty, and shall pay over such amounts collected to the commissioner. Such officer, other than a deputy collector, 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.

SECTION 4. Chapter 65 of the General Laws is hereby amended by striking out section 33, as amended by chapter 417 of the acts of 1963, 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 powers and remedies provided by chapter sixty for the collection of taxes on personal estate by collectors of taxes of towns. Any warrant for the collection of a tax imposed under this chapter may be issued to any deputy collector, 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, including the charges and fees provided in section fifteen of chapter sixty, and shall pay over such amounts collected to the commissioner. Such officer, other than a deputy collector, 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 commissioner. *Approved June 2, 1964.*

Chap. 461. AN ACT PROVIDING FOR THE SUBSIDIZATION OF CONTRIBUTORY GROUP HOSPITAL, SURGICAL AND MEDICAL INSURANCE FOR ELDERLY PERSONS RETIRED FROM THE SERVICE OF THE COMMONWEALTH AND FROM CERTAIN COUNTIES, CITIES, TOWNS AND DISTRICTS THROUGH PAYMENT BY THE COMMONWEALTH AND POLITICAL SUBDIVISIONS OF A SURCHARGE OR SUBSIDIARY RATE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide the payment by the commonwealth and certain political subdivisions of a surcharge or subsidiary rate applicable to contributory group hospital, surgical and medical insurance presently covering elderly persons retired from the service of the commonwealth and certain counties, cities, towns and districts and their dependents,

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

Be it enacted, etc., as follows:

SECTION 1. Section 10B of chapter 32A of the General Laws, inserted by section 2 of chapter 647 of the acts of 1962, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: — The commission shall negotiate with and purchase on such terms as it deems to be in the best interest of the commonwealth, certain political subdivisions that have accepted the provisions of this section, and the elderly governmental retirees and their dependents, from one or more insurance companies or non-profit hospital or medical service corporations, a policy or policies of group general or blanket insurance providing hospital, surgical and medical benefits for said retirees and their dependents. Such policy or policies shall consist of a schedule of hospital, surgical and medical benefits for elderly governmental retirees and their surviving spouses which shall be unrelated to the schedule of hospital, surgical and medical benefits purchased by the commonwealth under the provisions of section four, or the schedule of hospital, surgical and medical benefits purchased by counties, cities, towns and districts under the provisions of section three of chapter thirty-two B. The claim experience of elderly governmental retirees and the surviving spouses insured under this section shall be maintained unrelated to the claim experience applicable to the aforementioned schedules of hospital, surgical, medical benefits. The agreement between the carrier and the commission for said policy or policies may provide in addition to agreed, set, or stated monthly premium applicable to the aforementioned schedule a surcharge or subsidiary rate. The commission shall execute all agreements or contracts pertaining to said policy or policies or any amendment thereto for and on behalf and in the name of the commonwealth, for a period not less than two years nor more than five years; provided, however, that the portion of the cost of the monthly premium, and surcharge or subsidiary rate applicable to employees retired from the service of the commonwealth as enumerated in paragraph (b) of section two to be borne by the commonwealth shall not exceed the estimated monthly cost for which funds have been appropriated or otherwise made available by the general court for the then current fiscal year.

SECTION 2. Said section 10B of said chapter 32A is hereby further amended by striking out paragraphs (b) and (c), as so appearing, and inserting in place thereof the following two paragraphs: —

(b) The retiree's fifty per cent share of the premium shall be withheld by the appropriate authority from the retiree's pension, annuity or allowance under the state employees' retirement system, the teachers' retirement system, the retirement system established in the county, city, town or district, and under any non-contributory pension or annuity, and shall be forwarded by the responsible governmental official to the commission in accordance with its rules and regulations. The commission shall make primary payment of the remaining fifty per cent of said premium together with the surcharge or subsidiary rate, subject to reimbursement as outlined in paragraph (c).

(c) The commission shall determine at least annually, or sooner, the amount of premiums and surcharge or subsidiary rates which shall be reimbursed to the commonwealth by agencies thereof, by housing and

redevelopment authorities and counties, cities, towns and districts, having elderly governmental retirees insured under this section. The commission shall also determine, at least annually, the portion of the commission's expense of administering this hospital, surgical and medical insurance coverage for elderly governmental retirees applicable to the agency, authority or political subdivision from which they retired. After such determinations, the commission shall certify the amounts determined as aforesaid to the state treasurer for assessment. The state treasurer shall issue his warrant in the manner provided by section twenty of chapter fifty-nine requiring the cities and towns concerned to pay into the treasury of the commonwealth the amounts of such premium, surcharge or subsidiary rate and administrative expenses attributable to such cities and towns. In the case of counties, the commission on or before December fifteenth in each year shall notify the county commissioners of each county of the amount of premium, surcharge or subsidiary rate and the administrative expenses attributable to such county, and said amounts shall be included in the estimate of county receipts and expenses of said county; and reimbursement for said amounts shall be made to the state treasurer as prescribed by the commission.

SECTION 3. Chapter 32B of the General Laws is hereby amended by striking out section 11B, inserted by section 3 of said chapter 647, and inserting in place thereof the following section: — *Section 11B.* Any political subdivision, subject to the provisions of section ten B of chapter thirty-two A, may appropriate funds or apply therefor for the payment of group general or blanket insurance providing hospital, surgical and medical insurance for elderly governmental retirees as defined in paragraph (f) of section two of said chapter thirty-two A, and for the payment of the surcharge or subsidiary rate required to be paid by paragraph (c) of section ten B of chapter thirty-two A. This section shall take effect in a county, city, town or district upon its acceptance in the following manner: — In a county, by vote of the county commissioners; in a city having a Plan D or Plan E charter by majority vote of its city council; in any other city by vote of its city council, approved by the mayor; in a district by vote of the voters of the district at a district meeting; and in a town if a majority of the votes cast in answer to the following question, which shall be printed on the official ballot to be used at an election in said town, is in the affirmative: — “Shall the town extend contributory group hospital, surgical and medical insurance to elderly persons retired from the service of the town and to their dependents with fifty per cent of the premium cost, a portion of the administrative expense and the payment of a surcharge or subsidiary rate to be paid by the town?”

SECTION 4. Any political subdivision of the commonwealth which has accepted the provisions of section eleven B of chapter thirty-two B of the General Laws prior to the effective date of this act shall be required to make payment of the surcharge or subsidiary rate required by paragraph (c) of section ten B of chapter thirty-two A.

Approved June 3, 1964.

Chap. 462. AN ACT RELATIVE TO THE TERMS OF CERTAIN METROPOLITAN DISTRICT WATER MAIN BONDS AND VALIDATING THE SALE OF SUCH BONDS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under chapter five hundred and ninety of the acts of nineteen hundred and fifty-nine, as amended by chapter three hundred and ninety-six of the acts of the current year, authorizing the metropolitan district commission to construct certain improvements and extensions to the distribution system of the metropolitan water district and to borrow money for the construction thereof, shall be issued for maximum terms of thirty years, and shall be payable not earlier than July first, nineteen hundred and sixty, nor later than June thirtieth, nineteen hundred and ninety-four, as recommended by the governor in a message to the general court, dated May nineteenth, nineteen hundred and sixty-four, in pursuance of section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 2. The acts and proceedings of the state treasurer in inviting proposals for certain bonds pursuant to section fifty-three of chapter twenty-nine of the General Laws and in issuing and selling such bonds under authority of section two of chapter six hundred and twenty-three of the acts of nineteen hundred and fifty-nine shall be as effective in all respects as though this act had been in full force and effect since the twenty-first day of September, nineteen hundred and fifty-nine.

Approved June 3, 1964.

Chap. 463. AN ACT RELATIVE TO THE BASIS OF ASSESSMENT ON THE TOWNS WITHIN THE CAPE COD MOSQUITO CONTROL PROJECT.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 379 of the acts of 1930, as most recently amended by section 1 of chapter 238 of the acts of 1957, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence: — Beginning with the fiscal year commencing on July first, nineteen hundred and sixty-four, 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 fifty-five cents on each one thousand dollars of the taxable valuations of all such towns computed as of January first, nineteen hundred and sixty-one, and the state treasurer shall issue his warrant requiring the assessors of said towns to assess a tax to the amount so expended in proportion to their said valuation, and such amount 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 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.

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

Approved June 4, 1964.

Chap. 464. 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 is hereby amended by inserting before the last paragraph, added by section 1 of chapter 571 of the acts of 1963, the following paragraph:—

In determining whether a judge has served in any such 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, each three years spent by him in the service of the commonwealth or of any county, city or town thereof shall count as one year of creditable service and each such year so credited, but in no event to exceed more than four years of such creditable service, shall be added to and deemed continuous with the period of his service in any such office or offices.

SECTION 2. This act shall take effect as of January first, nineteen hundred and sixty-four.

Approved June 4, 1964.

Chap. 465. AN ACT AUTHORIZING EACH MEMBER OF THE BOSTON SCHOOL COMMITTEE TO APPOINT AN ADMINISTRATIVE ASSISTANT, WHO SHALL NOT BE SUBJECT TO THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 318 of the acts of 1906, as appearing in section 2 of chapter 497 of the acts of 1946, is hereby amended by adding at the end the following paragraph:—

Each member of said committee may appoint, without further authority than that contained in this paragraph, one administrative assistant, who shall serve at the pleasure of, and in a confidential capacity to, such member. Such administrative assistants shall not be subject to chapter thirty-one of the General Laws.

SECTION 2. Nothing in this act shall be deemed to affect the employment of any person who on the effective date of this act is an administrative assistant to a school committeeman of the city of Boston, or any rights of such employee.

Approved June 4, 1964.

Chap. 466. AN ACT PROVIDING THAT CERTAIN ADVERTISING SIGNS AND DEVICES LOCATED ON OR IN STATIONS, SUBWAYS OR STRUCTURES OF COMMON CARRIERS AND DISPLAYED WITHIN VIEW OF A PUBLIC WAY BE SUBJECT TO CONTROL AND REGULATION BY THE OUTDOOR ADVERTISING BOARD.

Be it enacted, etc., as follows:

Chapter 93 of the General Laws is hereby amended by striking out section 32, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:— *Section 32.* Sections twenty-nine to thirty-one, inclusive, and section thirty-three shall not apply to signs or other devices on or in the rolling stock of any common carrier, nor shall said sections apply to signs or other devices on or in stations, subways or structures of or used by any common carrier unless such signs or devices are displayed within view of a public way.

Approved June 4, 1964.

Chap. 467. AN ACT INCREASING THE PENALTY FOR THE REFUSAL OR WILFUL FAILURE OF AN EMPLOYER TO MAKE AGREED CONTRIBUTIONS TO HEALTH, WELFARE AND RETIREMENT FUNDS FOR THE BENEFIT OF EMPLOYEES AND THEIR DEPENDENTS.

Be it enacted, etc., as follows:

Section 10 of chapter 151D of the General Laws, as appearing in section 4 of chapter 655 of the acts of 1958, is hereby amended by striking out, in line 10, the words "not less than ten nor more than fifty" and inserting in place thereof the words: — five hundred, — and by striking out, in lines 11 and 12, the words "two months" and inserting in place thereof the words: — one year. *Approved June 4, 1964.*

Chap. 468. AN ACT EXTENDING THE TIME FOR THE ABATEMENT OF TAXES.

Be it enacted, etc., as follows:

SECTION 1. Section 27 of chapter 58 of the General Laws, as most recently amended by chapter 525 of the acts of 1959, is hereby further amended by striking out the first three sentences and inserting in place thereof the following sentences: — If it shall appear that any tax or excise imposed under the provisions of chapters sixty-two to sixty-five B, inclusive, chapter one hundred and thirty-eight, or of any act in lieu thereof or in addition thereto, was in whole or in part illegally assessed or levied, or was excessive or unwarranted, the commission may issue a certificate that the party aggrieved by such tax or excise is entitled to an abatement, stating the amount thereof. If the tax or excise has been paid, the state treasurer shall pay the amount thus certified in such manner and with or without interest as the certificate shall provide, without any appropriation by the general court. No certificate for the abatement of any tax or excise shall be issued under this section unless application therefor is made to the commission within five years from the time that the return with respect to such tax or excise was required to be filed, determined without regard to any extension of time, or for an amount exceeding the sum which in equity and good conscience ought to be abated under all the circumstances of the case.

SECTION 2. This act shall apply with respect to applications for abatement filed with the state tax commission after December thirty-first, nineteen hundred and sixty-four. *Approved June 4, 1964.*

Chap. 469. AN ACT EXTENDING CERTAIN METHODS FOR THE COLLECTION OF TAXES TO THE CIGARETTE EXCISE.

Be it enacted, etc., as follows:

The first paragraph of section 9 of chapter 64C of the General Laws, as appearing in section 1 of chapter 547 of the acts of 1945, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — The commissioner shall have the same powers and remedies with respect to the collection of said sums as he has with respect to the collection of income taxes under chapter sixty-two and corporation excises under chapter sixty-three.

Approved June 4, 1964.

Chap. 470. AN ACT RELATIVE TO THE FILING OF INVENTORIES OF ESTATES OF DECEASED PERSONS, UNDER THE INHERITANCE TAX LAW.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 9 of chapter 65 of the General Laws, as appearing in section 1 of chapter 502 of the acts of 1957, is hereby amended by striking out, in lines 20 and 21, the words "either the inventory of the estate of the deceased filed in the probate court, or".

SECTION 2. Section 22 of said chapter 65, as amended by section 1 of chapter 469 of the acts of 1961, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph: — A full and complete inventory of all property in which the deceased had an interest taxable under section one of this chapter, together with the fair market value at the time of the decedent's death, shall be filed with the commissioner, on a form approved by him, by the executor, administrator or trustee of the deceased or by the person or persons in actual enjoyment or possession of, or entitled to receive said property or any interest therein. Such inventory shall be filed within three months of the appointment of said executor, administrator or trustee or within one year after the date of death of the deceased, whichever period shall first expire.

Approved June 4, 1964.

Chap. 471. AN ACT EXTENDING THE TIME DURING WHICH APPLICATIONS FOR STATE AID FOR THE CONSTRUCTION OF SCHOOL BUILDINGS MAY BE MADE.

Be it enacted, etc., as follows:

Chapter 645 of the acts of 1948 is hereby amended by striking out section 10, as most recently amended by chapter 356 of the acts of 1958, and inserting in place thereof the following section: — *Section 10.* Sections one to nine of this act shall take effect on July first of the current year, and shall cease to be operative on June thirtieth, nineteen hundred and seventy-one, except that the payments provided by section nine shall be continued thereafter by the state treasurer, subject to appropriation, in accordance with the provisions of said section, on certification of the commissioner of education.

Approved June 4, 1964.

Chap. 472. AN ACT AUTHORIZING THE DEPARTMENT OF MENTAL HEALTH TO ESTABLISH A MENTAL HEALTH CENTER IN THE CITY OF QUINCY.

Be it enacted, etc., as follows:

The department of mental health is hereby authorized and directed to establish a mental health center in the city of Quincy. For said purposes, the department may expend such sums as may be appropriated therefor.

Approved June 4, 1964.

Chap. 473. AN ACT PROVIDING FOR THE APPOINTMENT OF AN ADDITIONAL ASSISTANT DISTRICT ATTORNEY FOR THE NORFOLK 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 sixth paragraph, as appearing in section 2 of chapter 423 of the acts of 1948, and inserting in place thereof the following paragraph:—

For the Norfolk district, four assistant district attorneys.

SECTION 2. Section 16 of said chapter 12 is hereby amended by striking out the sixth paragraph, as appearing in section 2 of chapter 743 of the acts of 1963, and inserting in place thereof the following paragraph:—

For the Norfolk district, one assistant, nine thousand five hundred dollars; one assistant, eight thousand five hundred dollars; one assistant, seven thousand five hundred dollars; and one assistant, six thousand five hundred dollars.

Approved June 4, 1964.

Chap. 474. AN ACT PROVIDING FOR A THIRD ASSISTANT CLERK IN THE MUNICIPAL COURT OF THE WEST ROXBURY DISTRICT.

Be it enacted, etc., as follows:

Section 10 of chapter 218 of the General Laws is hereby amended by striking out the second paragraph, as most recently amended by section 2 of chapter 601 of the acts of 1957, and inserting in place thereof the following paragraph:—

Third assistant clerks with salaries payable by the county may be appointed in the municipal court of the Roxbury district, the municipal court of the Dorchester district, the municipal court of the West Roxbury district and, subject to the approval of the county commissioners, in the first district court of eastern Middlesex, the district court of Springfield, the third district court of eastern Middlesex, the district court of East Norfolk and the central district court of Worcester.

Approved June 4, 1964.

Chap. 475. AN ACT PROVIDING FOR EQUAL COMPENSATION FOR MEN AND WOMEN TEACHERS EMPLOYED AT THE ESSEX AGRICULTURAL AND TECHNICAL INSTITUTE.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, women teachers employed at the Essex agricultural and technical institute doing the same type of work with the same preparation as men teachers shall be paid at the same rate as men teachers. Such equal pay shall not be effected by reducing the pay of men teachers.

Approved June 4, 1964.

Chap. 476. AN ACT TO PROVIDE FOR THE CERTIFICATION AND RECORDING OF EVIDENCE OF THE INCORPORATION OF CERTAIN CHARITABLE CORPORATIONS.

Be it enacted, etc., as follows:

Chapter 155 of the General Laws is hereby amended by striking out section 2A, as amended by section 7 of chapter 750 of the acts of 1962,

and inserting in place thereof the following section: — *Section 2A.* Any civic, educational, charitable, benevolent, church or cemetery organization created or organized under the laws of the commonwealth, the evidence of the corporate existence of which is not on file in the records of the state secretary by reason of the destruction of records or by reason of the fact that it was organized before such recording was required, may file such evidence with the secretary. The evidence of corporate existence shall include, so far as originals are available, copies of agreements of association and articles of organization or similar documents, and a certificate executed by the president, treasurer, clerk and a majority of the directors or officers having the powers of directors, setting forth, so far as known, the history and present status of the corporation and its structure such as would have been disclosed by the filing of the original corporation documents and amendments thereto. The secretary, if satisfied of its corporate existence, shall endorse his approval upon such copies of the agreement of association and articles of organization or similar documents and upon such certificate, and upon receipt of a filing fee of five dollars to the state secretary, he shall file the same in his office, and shall issue a certificate of incorporation, in such form as he shall determine, dated as of the earliest date upon which such documents shall indicate the corporation to have been in existence. Any civic, educational, charitable, benevolent, church or cemetery organization to which a certificate of incorporation is so issued shall thereafter comply with the provisions of the general laws relating to similar corporations.

Approved June 4, 1964.

Chap. 477. AN ACT ESTABLISHING A FISH INSPECTION SECTION WITHIN THE DIVISION OF FOOD AND DRUGS IN THE DEPARTMENT OF PUBLIC HEALTH.

Be it enacted, etc., as follows:

SECTION 1. Section 4 of chapter 17 of the General Laws is hereby amended by striking out the second paragraph, as most recently amended by chapter 527 of the acts of 1963, and inserting in place thereof the following paragraph: —

There shall be within the division of food and drugs a furniture and bedding inspection section, a drugs control section, a poultry inspection section, a fish inspection section and such other sections as the director, with the approval of the department, may from time to time determine.

SECTION 2. The second sentence of section 9, of chapter 111 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word “drugs”, in line 4, the word: — , fish.

SECTION 3. Employees of the department of natural resources, who hold permanent positions classified as “food inspector” on the effective date of this act, are hereby transferred to the service of the food and drug division in the department of public health without impairment of their civil service, retirement, seniority or other rights and their term of office shall not be deemed to be interrupted within the meaning of chapter thirty-one or section nine A of chapter thirty of the General Laws; provided, however, that in connection with such transfer the

titles and duties, but not the salary grade, of such positions may be changed, and that such action is subject to the approval of the director of personnel and standardization and the director of civil service.

Approved June 4, 1964.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, June 29, 1964.

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 477 of the Acts of 1964 entitled "An Act Establishing A Fish Inspection Section Within the Division of Food and Drugs in the Department of Public Health." and the enactment of which received my approval on June 4, 1964, 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:

That in order for the food inspectors of the Department of Natural Resources to be transferred to the Department of Public Health without impairment of any rights and to synchronize the effective date of transfers with the start of the next fiscal year, this act should take effect immediately.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, June 29, 1964.

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 four hundred and seventy-seven of the acts of nineteen hundred and sixty-four.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 478. AN ACT INCREASING THE RATE OF INTEREST PAYABLE ON COMPENSATION AND DAMAGES IN CERTAIN EMINENT DOMAIN CASES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to increase forthwith the rate of interest payable on compensation and damages in certain eminent domain 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. The fourth sentence of section 12 of chapter 80A of the General Laws, as appearing in the Tercentenary Edition, is hereby

amended by striking out, in line 3, the word "four" and inserting in place thereof the word: — six, — so as to read as follows: — Compensation and damages shall be assessed as of the date of the adoption of the order, and shall bear interest at the rate of six per cent per annum from the date when the right to damages becomes vested until payable, but shall not bear interest after they are payable unless the body politic fails upon demand to pay the same to the person entitled thereto.

SECTION 2. The provisions of section twelve of chapter eighty A of the General Laws in effect immediately prior to the effective date of this act shall apply with respect to interest on compensation and damages if the right to such damages vested prior to the effective date of this act.

Approved June 5, 1964.

Chap. 479. AN ACT RELATIVE TO THE SALARIES OF CERTAIN ASSISTANT CLERKS OF THE MUNICIPAL COURT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section two of chapter seven hundred and seventy-four of the acts of nineteen hundred and sixty-three, any person appointed to the office of first assistant clerk or assistant clerk of the municipal court of the city of Boston, between the first day of July and the thirty-first day of December, nineteen hundred and sixty-three, both dates inclusive, shall receive such salary as is provided by section seventy-five A of chapter two hundred and eighteen of the General Laws, said salary to be effective as of the date of his respective appointment.

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

Approved June 5, 1964.

Chap. 480. AN ACT PROVIDING FOR THE DESIGNATION OF A PORTION OF ROUTE 2 IN THE CITY OF GARDNER AS THE FRED A. BLAKE HIGHWAY.

Be it enacted, etc., as follows:

Notwithstanding any provision of chapter six hundred and fifty-three of the acts of nineteen hundred and sixty to the contrary that portion of state highway route 2 which is located in the city of Gardner shall be known and designated as the Fred A. Blake highway, in memory of Fred A. Blake, a former member of the house of representatives. Suitable markers bearing said designation shall be erected along said highway by the department of public works.

Approved June 5, 1964.

Chap. 481. AN ACT PROVIDING FOR THE ESTABLISHMENT OF THE PER DIEM RATE TO BE CHARGED TO ELDERLY PERSONS WHO ARE PATIENTS IN THE CUSHING HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. The director of hospital costs and finances shall examine the books and accounts of the Cushing hospital and, after a hearing, establish the per diem cost of maintaining elderly persons as patients in said hospital. The determination of the per diem cost shall be deemed

a regulation as defined in paragraph (5) of section one of chapter thirty A of the General Laws.

SECTION 2. The department of mental health is hereby authorized and directed to establish as the per diem rate to be charged to elderly persons as patients in said hospital the per diem cost established by said director as provided in section one. *Approved June 5, 1964.*

Chap. 482. AN ACT PERMITTING REINSTATEMENT OF FORMER PERMANENT EMPLOYEES CLASSIFIED UNDER CIVIL SERVICE.

Be it enacted, etc., as follows:

Section 46C of chapter 31 of the General Laws, as most recently amended by section 2 of chapter 373 of the acts of 1947, is hereby further amended by striking out the first sentence and inserting in place thereof the following: — An officer or employee of the commonwealth or of any city or town who has been separated from the official or labor service may, upon the request of the appointing authority and with the approval of the director, be reinstated in the same or in another department in a position in the same class and grade or in a lower grade in the same class; provided, the appointing authority submits to the director in writing the reasons why such reinstatement would be in the public interest; but no such request shall be approved if there is a suitable eligible list containing names of two or more persons available for appointment to such position and if the officer or employee for whom reinstatement is requested has been separated from the official or labor service for a period of over five years. Nothing herein shall impair the preference to disabled veterans provided by section twenty-three, or affect the rights of persons to reinstatement under sections forty-six G and forty-six H or under section forty-three, so far as it relates to a first suspension. Seniority of any person reinstated to a position in a department in which he formerly had a permanent civil service status shall be computed as set forth in section fifteen D. In the event of his reinstatement in a department other than that in which he formerly had a permanent civil service status, the seniority of a person shall be computed from the date of the reinstatement, but upon continuous service in such department for three years or twice the length of his absence from the payroll as shown in the payroll records of the division, whichever is the greater, his seniority shall be computed in accordance with section fifteen D as though his earlier service in a permanent civil service status had been in the department in which he has been reinstated.

Approved June 5, 1964.

Chap. 483. AN ACT DIRECTING THE DEPARTMENT OF CORRECTION TO GRANT A CERTAIN RIGHT OF WAY TO THE TOWN OF CONCORD.

Be it enacted, etc., as follows:

The department of correction, in the name and behalf of the commonwealth, is hereby authorized and directed to grant a right of way to the town of Concord over land now owned by the commonwealth, said right of way being shown on a plan entitled "Plan of Land in Concord, Mass. Made For The Town of Concord, R. D. Nelson, Engineer," dated November 13, 1963, and recorded in South Middlesex Registry of Deeds as Plan #330 of 1964, and bounded and described

as follows: Northerly and southerly by land now or formerly of the Commonwealth of Massachusetts and easterly and westerly by land now or formerly of the Marden Corporation et al, all as shown on said plan.

Approved June 5, 1964.

Chap. 484. AN ACT PROVIDING FOR THE RESERVATION OF A CORPORATE NAME.

Be it enacted, etc., as follows:

SECTION 1. Chapter 155 of the General Laws is hereby amended by striking out section 9, as most recently amended by chapter 59 of the acts of 1963, and inserting in place thereof the following section: — *Section 9.* A corporation organized under the general laws may assume any name which, in the judgment of the secretary, indicates that it is a corporation; but it shall not assume the name or trade name of another corporation established under the laws of the commonwealth, or of a corporation, firm, association or person carrying on business in the commonwealth, at the time of incorporation or change of name of the corporation assuming any such name or within three years prior thereto, or assume a name so similar thereto or a name which is under reservation for another or proposed corporation under the laws of the commonwealth as to be likely to be mistaken for it, except with the written consent of the said existing corporation, firm or association or of such person previously filed with the secretary; 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. The supreme judicial or superior court shall have jurisdiction in equity, upon the application of any person interested or affected, to enjoin such corporation from doing business under a name assumed in violation of any provision of this section, although articles of organization or articles of amendment may have been approved and filed and a certificate of incorporation issued.

If within thirty days of the date when the certificate or articles of organization of any corporation are filed in the office of the state secretary any corporation or person in whose name a corporate name is under reservation, or any other corporation established under the laws of the commonwealth, or a corporation, firm, association or person carrying on business in the commonwealth at the time when such certificate or articles are so filed, or within three years prior thereto, shall protest in writing to the secretary that the name under reservation, or the name assumed by the corporation the certificate or articles of organization of which have been so filed is the same as the name or trade name of the party protesting or so similar thereto as to be likely to be mistaken for it, the secretary shall, as soon as reasonably may be, hear the party protesting and the corporation which assumed the name, giving written notice of the hearing to each. If after the hearing the secretary shall be of the opinion that the assuming of the name violates any provision of this section he shall record a statement withdrawing his approval of said certificate or articles in so far as it or they relate to the name assumed by the corporation, such withdrawal to take effect sixty days from the date of recording. After the expiration of said period of sixty days the corporation shall have no right to use

the name assumed and may be enjoined from doing business under such name by the supreme judicial or superior court upon application of the attorney general or any person interested or affected.

SECTION 2. Said chapter 155 is hereby further amended by inserting after section 9 the following section:—

Section 9A. Any person intending to organize a corporation under the general laws, or any corporation organized under the general laws intending to change its name, or any foreign corporation, as defined in section one of chapter one hundred and eighty-one, intending to make application for a certificate of authority to transact business in this commonwealth, or any foreign corporation as defined in said section one, authorized to transact business in this commonwealth and intending to change its name, or any person intending to organize and incorporate a foreign corporation, as defined in said section one and intending to have such corporation make application for a certificate of authority to transact business in this commonwealth, may reserve the exclusive right to the use of a corporate name.

The reservation shall be made by filing with the secretary of the commonwealth an application to reserve a specific corporate name, signed by the applicant, accompanied by a fee of two dollars. If the name is available for corporate use, in compliance with the provisions of sections nine and ten, the secretary of the commonwealth shall reserve the name for the exclusive use of the applicant for a period of thirty days, and shall so notify the applicant in writing.

The secretary of the commonwealth may extend the reservation for an additional thirty days upon written request of the applicant accompanied by a fee of two dollars.

Approved June 5, 1964.

Chap. 485. AN ACT AUTHORIZING THE CITY OF LEOMINSTER AND THE METROPOLITAN DISTRICT COMMISSION TO CONTRACT FOR THE PURCHASE OF WATER FROM THE WACHUSETT RESERVOIR.

Be it enacted, etc., as follows:

SECTION 1. The city of Leominster, hereinafter referred to as the city, acting by its board of water commissioners, and the metropolitan district commission, hereinafter referred to as the commission, may, from time to time, contract for the purchase of water by the city from the commission upon such terms as may be agreeable to the city and to the commission, and the city with the approval of the commission may construct upon land subject to the control of the commission such facilities as may be necessary for the city to withdraw water from the Wachusett reservoir.

SECTION 2. For the purpose of withdrawing and conveying water from the Wachusett reservoir to the city water system the city may construct, maintain and operate pumping and purification works and construct, lay, maintain and operate conduits, pipes and other works under or over any lands, water courses, railroads, railways and public or private ways, and along any state highway or other way in the city and in the towns of Clinton, Sterling and Lancaster in such manner as not unnecessarily to obstruct the same; and for the purpose of constructing, laying, maintaining, operating and repairing such aqueducts, conduits, pipes and other works, and for all other proper purposes of this

act, the city may enter upon and dig up or raise and embank any such lands or public or other ways in such manner as to cause the least possible hindrance to public travel thereon; provided, that no way in said towns of Clinton, Sterling and Lancaster shall be dug up except with the consent of the state department of public works in the case of a state highway or of the selectmen or other authority having charge of public ways in the town in which any such way or ways are situated in the case of other ways, and provided, further, that any such way so dug up shall be restored to the satisfaction of said state department of public works, selectmen or authority, as the case may be. The city shall not enter upon, construct or lay any aqueduct, conduit, pipe or other works within the location of any railroad corporation except at such time and in such manner as it may agree upon with such corporation, or, in case of failure so to agree, as may be provided by the state department of public utilities. The city may take any land or easements necessary for the purposes of this act under the provisions of chapter seventy-nine of the General Laws.

SECTION 3. For the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, other than expenses of maintenance and operation, said city of Leominster may 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, Leominster Water Loan, Act of 1964. Each authorized issue shall constitute a separate loan and such loans shall be paid in not more than thirty years from their dates. Indebtedness incurred hereunder shall be in excess of the statutory limit of indebtedness, but shall, except as herein provided, be subject to the provisions of chapter forty-four of the General Laws.

SECTION 4. The powers conferred herein shall be in addition to all other powers heretofore or hereafter conferred upon the city and the commission.

SECTION 5. This act shall take effect upon its passage.

Approved June 9, 1964.

Chap. 486. AN ACT INCREASING THE AMOUNTS OF PENSIONS AND RETIREMENT ALLOWANCES PAYABLE TO CERTAIN FORMER PUBLIC EMPLOYEES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide, commencing on July first, in the current year, an increase in the pension or retirement allowance of certain former public employees and thereby provide for a better standard of living for such retired persons, 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 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 retirement had completed at least five years of creditable service shall be increased by one hundred dollars; and to any such former employee who at the time of retirement had completed at least ten years of creditable service shall be increased by one

hundred and fifty dollars; and to any such former employee who at the time of retirement had completed at least twenty years of creditable service shall be increased by two 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 amount of such pension, retirement allowance or annuity, exclusive of any such additional annuity, exceed twenty-eight hundred dollars; provided, further, that no increase shall be payable under the provisions of this act to any such former employee who has received an increase in his pension, retirement allowance or annuity under the provisions of chapter six hundred and forty-six of the acts of nineteen hundred and sixty-two or under the provisions of chapter four hundred and seventy-eight of the acts of nineteen hundred and sixty-three.

SECTION 2. The increases granted under this act with respect to pensions, retirement allowances or annuities payable by the commonwealth or by the teachers' retirement system shall take effect on July 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 of 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 3. Any former employee of the commonwealth or any of its political subdivisions who is entitled to the increase granted by this act may waive and renounce for himself, his heirs and legal representatives his right to receive all or any part of 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 written statement.

SECTION 4. This act shall not apply to the pension to be used for reimbursement purposes under paragraph (c) of subdivision (2) of section twenty of chapter thirty-two of the General Laws, on account of teachers retired by the city of Boston.

Approved June 9, 1964.

Chap. 487. AN ACT AUTHORIZING THE CITY OF FITCHBURG TO APPROPRIATE AND PAY A SUM OF MONEY TO TRI-MARK CONSTRUCTION, CORP.

Be it enacted, etc., as follows:

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 Tri-Mark Construction, Corp. for work and labor performed in connection with the building of an elementary school in the city of Fitchburg, a sum not exceeding eighteen thousand eight hundred and seventy-four dollars and sixteen cents, the claim for which is legally unenforceable by reason of being incurred in excess of available appropriations. *Approved June 9, 1964.*

Chap. 488. AN ACT RELATING TO THE ABATEMENT OF INCOME TAXES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 62 of the General Laws is hereby amended by striking out section 43, as most recently amended by section 1 of chapter 252 of the acts of 1961, and inserting in place thereof the following section: — *Section 43.* Any person who is required to file a return under this chapter and who believes that he has been over-assessed or has over-paid any tax imposed by this chapter may apply in writing to the commission, on a form prescribed by it, for an abatement of any such over-assessment or over-payment at any time within three years from the last day for filing the return required by this chapter without regard to any extension of time, within one year after the date of any notice of additional tax due, or within one year of the date that the return was actually filed, whichever occurs later. Any person who is not otherwise required to file a return under this chapter and who has made an over-payment under the provisions of chapter sixty-two B, may apply in writing to the commission, on a form prescribed by it, for the abatement of any such over-payment at any time within three years from the date that such over-payment was made.

If after hearing, or otherwise, the commission finds that the tax assessed or paid exceeds the tax due it shall abate such excess. If there has been an over-payment, the state treasurer shall refund the same with interest thereon at the rate of three per cent per annum from the time it was paid, except as hereinafter provided. To the extent that an over-payment arises from the fact that the total of the credit allowed under section nine of chapter sixty-two B and the aggregate payments on account of the declaration of estimated tax pursuant to said chapter sixty-two B exceeds the tax imposed by this chapter, interest shall be paid from a date six months after the date of the payment of the tax or six months from the date upon which the return for the taxable year, or the application for abatement where no return is required, was actually filed, whichever is later. No interest shall be paid in the case of an over-payment arising from the fact that an employee has understated in the withholding exemption and deduction certificate filed by him pursuant to section four (a) of chapter sixty-two B the number of dependency deductions, as therein defined, to which he was entitled or has failed to claim a personal exemption. The commission shall notify the applicant by certified mail of its decision upon the application for abatement.

For the purposes of this section, any tax actually deducted and withheld at the source during any calendar year shall, in respect of the recipient of the income, be deemed to have been paid by him on the fifteenth day of the fourth month following the close of his taxable year with respect to which such tax is allowable as a credit under section nine of chapter sixty-two B; and any amount paid as estimated income

tax for any taxable year shall be deemed to have been paid on the fifteenth day of the fourth month following the close of such taxable year.

SECTION 2. This act shall apply to applications for abatement filed with the state tax commission on and after January first, nineteen hundred and sixty-five.

Approved June 9, 1964.

Chap. 489. AN ACT RELATIVE TO THE BURIAL ALLOWANCE OF RECIPIENTS OF OLD AGE ASSISTANCE, SO CALLED.

Be it enacted, etc., as follows:

Section 1 of chapter 118A of the General Laws is hereby amended by inserting after the fifth paragraph the following paragraph: —

A local board of public welfare may pay a sum, not exceeding two hundred dollars, for the burial of a recipient providing the cost of burial does not exceed four hundred dollars and there are insufficient resources to pay for the cost of such burial. Any resources of a recipient shall be deducted from the maximum cost of the burial allowable hereunder and the difference, subject to the limitation set forth in this paragraph, shall be paid by said board.

Approved June 9, 1964.

Chap. 490. AN ACT PROVIDING AN ANNUAL ALLOWANCE FOR THE WIDOW OF CERTAIN PUBLIC EMPLOYEES WHO RETIRED FOR DISABILITY.

Be it enacted, etc., as follows:

Chapter 32 of the General Laws is hereby amended by adding at the end the following section: —

Section 101. In the event of the death of any former employee who had been retired under the provisions of this chapter after having been found to be incapacitated for further duty by reason of injuries sustained while in the performance of his duties, under which retirement he was unable to provide for any annual benefits to be paid to his widow at the time of his death, there shall be paid to such widow an annual allowance in the amount of twelve hundred dollars, for as long as she remains unmarried; provided that any benefit payable under this section shall be in the alternative to any benefit to which such widow would be entitled under the provisions of any other section of this chapter.

Approved June 9, 1964.

Chap. 491. AN ACT RELATING TO THE ASSESSMENT, COLLECTION AND REFUND OF SMALL AMOUNTS.

Be it enacted, etc., as follows:

Chapter 58 of the General Laws is hereby amended by inserting after section 26A the following section: —

Section 26B. In the assessment or collection of any tax or excise imposed by chapters sixty-two to sixty-five B, inclusive, and chapter one hundred and thirty-eight, or by any act in lieu thereof or in addition thereto, or in the allowance of any amount as a credit, refund or abatement, the commissioner or the commission, as the case may be, may, under regulations issued by the commission, disregard a fractional part of a dollar unless it amounts to fifty cents or more, in which case it shall be increased to one dollar.

The commission is authorized to abate the unpaid portion of the assessment of any tax or excise imposed by chapter sixty-two to sixty-five B, inclusive, and chapter one hundred and thirty-eight, or by any act in lieu thereof or in addition thereto, or any liability in respect thereof, if the amount due does not exceed one dollar and the commission determines that the administration and collection costs involved would not warrant collection of said amount due.

Approved June 9, 1964.

Chap. 492. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE COMMONWEALTH MAY BORROW TO MEET THE NON-FEDERAL COST OF THE WESTFIELD FLOOD PROTECTION PROJECT.

Be it enacted, etc., as follows:

Section 9 of chapter 638 of the acts of 1962 is hereby amended by inserting after the word "of", in line 7, the words: — one million.

Approved June 9, 1964.

Chap. 493. AN ACT AUTHORIZING THE TOWN OF WEST SPRINGFIELD TO CONSTRUCT, OPERATE AND MAINTAIN A MUNICIPAL GOLF COURSE ON CERTAIN PARK LAND IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of West Springfield is hereby authorized to use such portion of land now held by the town for park, recreation or conservation purposes, as the town by vote shall determine, for the construction of a municipal golf course. Said town may equip, operate and maintain said golf course and 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 under this act for construction and original equipment, 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 and notes therefor, which shall bear on their face the words Town of West Springfield, Golf Course Loan, Act of 1964. 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 acceptance by the town of West Springfield.

Approved June 9, 1964.

Chap. 494. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE COMMONWEALTH MAY BORROW TO MEET THE NON-FEDERAL COST OF CERTAIN WORKS OF IMPROVEMENT FOR FLOOD PREVENTION AND RELATED PURPOSES IN THE WATERSHED OF THE SUDBURY, ASSABET AND CONCORD RIVERS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for an increase in the amount of

money which may be borrowed by the commonwealth to meet the non-federal cost of certain works of improvement for flood prevention and related purposes in the watershed of the Sudbury, Assabet and Concord rivers, 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:

For the purpose of meeting the non-federal cost of certain works of improvement for flood prevention and related purposes, including water resources utilization, in the watershed of the Sudbury, Assabet and Concord rivers, as authorized by chapter six hundred and sixty-nine of the acts of nineteen hundred and sixty, and for purposes of low-flow regulation, 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 sixty-nine, 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 the sum of two hundred and fifty thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, SuAsCo Watershed Project Plan, Act of 1964, and shall be on the serial payment plan for such maximum term of years, not exceeding ten years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issuance thereof and the entire issue not later than June thirtieth, nineteen hundred and seventy-nine. *Approved June 10, 1964.*

Chap. 495. AN ACT PROVIDING FOR THE CONSOLIDATION DURING THE CURRENT YEAR OF THE NEW BEDFORD INSTITUTE OF TECHNOLOGY AND THE BRADFORD DUFEE COLLEGE OF TECHNOLOGY INTO THE SOUTHEASTERN MASSACHUSETTS TECHNOLOGICAL INSTITUTE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the consolidation of the New Bedford Institute of Technology and the Bradford Durfee College of Technology into the Southeastern Massachusetts Technological Institute, therefore it is hereby declared to be an emergency law necessary for the immediate preservation of the public welfare and convenience.

Be it enacted, etc., as follows:

Chapter 543 of the acts of 1960 is hereby amended by striking out sections 6 to 10, inclusive, and inserting in place thereof the following four sections: —

Section 6. On July first, nineteen hundred and sixty-four, the board of trustees of the Southeastern Massachusetts Technological Institute shall be vested with all the powers, rights and privileges and shall be subject to all the duties of the trustees of the New Bedford Institute of Technology and the Bradford Durfee College of Technology. The New

Bedford Institute of Technology and the Bradford Durfee College of Technology shall thereby be consolidated into the Southeastern Massachusetts Technological Institute which shall be deemed for all purposes a continuation of the Bradford Durfee College of Technology and the New Bedford Institute of Technology. The said trustees of the Bradford Durfee College of Technology and New Bedford Institute of Technology shall transfer to the board of trustees of the Southeastern Massachusetts Technological Institute all property, real or personal, and all rights which they hold by reason of their office as said trustees and they shall execute any deeds, contracts and assignments and institute any legal proceedings necessary to transfer such property and rights.

Section 7. On July first, nineteen hundred and sixty-four, the Research Foundations of New Bedford Institute of Technology and the Bradford Durfee College of Technology shall transfer by deed, assignment or otherwise, all real or personal property and all rights of whatever nature or description, of which they have title or custody or to the benefits of which they are entitled, to the Southeastern Massachusetts Technological Institute Research Foundation. The Research Foundations of New Bedford Institute of Technology and Bradford Durfee College of Technology shall thereby be consolidated into Southeastern Massachusetts Technological Institute Research Foundation which shall be deemed for all purposes a continuation of the Research Foundations of the New Bedford Institute of Technology and the Bradford Durfee College of Technology and which shall be vested with all the powers, rights and privileges and shall be subject to the duties and obligations of the Research Foundations of the New Bedford Institute of Technology and the Bradford Durfee College of Technology. The Research Foundations of the New Bedford Institute of Technology and the Bradford Durfee College of Technology and the boards of trustees of the New Bedford Institute of Technology and the Bradford Durfee College of Technology shall execute any deeds, contracts or assignments, and shall institute any legal proceedings necessary to transfer such property and rights.

Section 8. On July first, nineteen hundred and sixty-four, the professional staffs and employees of New Bedford Institute of Technology and Bradford Durfee College of Technology shall be transferred to the Southeastern Massachusetts Technological Institute without loss or impairment of tenure, status, retirement or civil service rights.

Section 9. On and after July first, nineteen hundred and sixty-four, the phrases, "New Bedford Textile Institute", "New Bedford Institute of Textiles and Technology", "New Bedford Institute of Technology", "Bradford Durfee Institute of Technology of Fall River", "Bradford Durfee College of Technology", or any words connoting the same, when used in any statute, ordinance, by-law, rule or regulation, shall mean the Southeastern Massachusetts Technological Institute.

Approved June 10, 1964.

Chap. 496. AN ACT INCREASING THE MAXIMUM SIZE OF CLAIMS WHICH MAY BE DETERMINED UNDER SMALL CLAIMS PROCEDURES IN DISTRICT COURTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 218 of the General Laws is hereby amended by striking out section 21, as most recently amended by section 3 of chapter

810 of the acts of 1963, 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 of 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 and fifty 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 2. This act shall take effect on October first, nineteen hundred and sixty-four.

Approved June 10, 1964.

Chap. 497. AN ACT AUTHORIZING THE DEPARTMENT OF EDUCATION TO PROVIDE FOR THE CARE AND EDUCATION OF CHILDREN WHO ARE BOTH MENTALLY RETARDED AND BLIND.

Be it enacted, etc., as follows:

The third sentence of section 26 of chapter 69 of the General Laws, as appearing in chapter 508 of the acts of 1958, is hereby amended by inserting after the word "blind", in line 3, the words: — or both mentally retarded and blind, — so as to read as follows: — With the approval of the governor the department may, at the expense of the commonwealth, make such provision for the care and education of children who are both deaf and blind or both mentally retarded and blind as it may deem expedient.

Approved June 10, 1964.

Chap. 498. AN ACT AUTHORIZING THE ESSEX AGRICULTURAL AND TECHNICAL INSTITUTE TO RECEIVE GIFTS.

Be it enacted, etc., as follows:

Chapter 74 of the General Laws is hereby amended by striking out section 31, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 31.* The Bristol county agricultural school, the Essex agricultural and technical institute and the Norfolk county agricultural school may receive and use gifts deemed by the trustees and the commissioner consistent with the purposes thereof.

Approved June 10, 1964.

Chap. 499. AN ACT FURTHER REGULATING THE 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 striking out section 10B, inserted by chapter 630 of the acts of 1963, and inserting in place thereof the following section: — *Section 10B.* Except when a fee is required by another provision of law, and except in the case of a

filing by the commonwealth or any of its political subdivisions, the department shall charge and collect the following fees:

1. For filing a tariff having intrastate application only, 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, other than one required to be filed under section seven of chapter one hundred and fifty-nine B, 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 under chapter one hundred and fifty-nine A, for the issuance of a license for charter service under chapter one hundred and fifty-nine A, or for exemption from a zoning ordinance, 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
1,001	—	2,500	.....	10
2,501	—	5,000	.....	20
5,001	—	10,000	.....	30
10,001	—	40,000	.....	40
40,001	—	50,000	.....	50
50,001	—	75,000	.....	75
75,001	—	150,000	.....	100
150,001	—	300,000	.....	200
300,001	—	400,000	.....	300
400,001	—	500,000	.....	400
500,001	—	1,000,000	.....	500
For each additional \$10,000 or fraction thereof				1

5. For any other approval or authority of the department, ten dollars.

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 June 10, 1964.*

Chap. 500. AN ACT PROVIDING FOR THE RECIPROCAL ENFORCEMENT OF TAX LIABILITIES BETWEEN THE COMMONWEALTH AND OTHER STATES.

Be it enacted, etc., as follows:

Chapter 58 of the General Laws is hereby amended by inserting after section 28B, the following section: —

Section 28C. At the request of the commission, the attorney general may bring suit, in the name of the commonwealth, in the appropriate court of any other state to collect any tax legally due the commonwealth; and any political subdivision of the commonwealth or the appropriate officer thereof, acting in its behalf, may bring suit in the appropriate court of any other state to collect any tax legally due to such political subdivision.

The courts shall recognize and enforce liabilities for taxes similar to the taxes imposed by the commonwealth and lawfully imposed by any other state, or political subdivision thereof, which extends a like comity to the commonwealth, and the duly authorized officer of any other state, or political subdivision thereof, may sue for the collection of such taxes in the courts of the commonwealth. A certificate by the secretary of state of such other state that the officer suing for the collection of such a tax is duly authorized to collect the same shall be conclusive proof of such authority. A certificate by the commissioner of corporations and taxation that the tax of such other state or political subdivision thereof is similar to a tax imposed by the commonwealth shall be prima facie evidence of such similarity.

For the purposes of this section, the words "tax" and "taxes" shall include interest and penalties due under any taxing statute, and liability for such interest or penalties, or both, due under a taxing statute of another state, or political subdivision thereof, shall be recognized and enforced by the courts of the commonwealth to the same extent that the laws of such other state permit the enforcement in its courts of liability for such interest or penalties, or both, due under the tax laws of the commonwealth, or any political subdivision thereof.

Approved June 10, 1964.

Chap. 501. 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 PROVINCETOWN.

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 Provincetown after the effective date of this act who meet all other requirements shall be eligible for certification and appointment provided they are not less than five feet four inches in height.

SECTION 2. This act shall take effect upon its acceptance in the current year by the town of Provincetown. *Approved June 10, 1964.*

Chap. 502. AN ACT FURTHER REGULATING THE ESTABLISHMENT OF REGIONAL INCINERATOR DISTRICTS.

Be it enacted, etc., as follows:

SECTION 1. Section 44C of chapter 40 of the General Laws, inserted by chapter 609 of the acts of 1961, is hereby amended by striking out, in lines 12 and 13, the words "all such plans shall be subject to" and inserting in place thereof the words: — no incinerator shall be constructed or enlarged under such an agreement without.

SECTION 2. Section 44E of said chapter 40, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: — The selectmen of each of the several towns, upon receipt of a recommendation that a regional incinerator district be established, shall cause the question of accepting such plan to be presented for determination by vote, with printed ballots at the next annual town meeting or at a special town meeting called for the

purpose. The mayors of the several cities, upon receipt of a recommendation that a regional incinerator district be established, shall submit the question of accepting such plan to the city council within sixty days after receipt of the recommendation. In the case of either a town or a city, the question to be voted on shall be: — “Shall the city (town) accept the provisions of sections 44A to 44K, inclusive, of chapter forty of the General Laws providing for the establishment of a regional incinerator district, together with the towns of _____ and the cities of _____, and the establishment, maintenance and operation of a regional incinerator by said district in accordance with the provisions of a proposed agreement filed with the selectmen or the mayor?”

SECTION 3. Section 44F of said chapter 40, as so appearing, is hereby amended by striking out clauses (a) to (e), inclusive, and inserting in place thereof the following clauses: —

(a) To adopt a name and a corporate seal, and the engraved or printed facsimile of such seal appearing on a bond or note of the district shall have the same legal effect as such seal would have if it 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 be sued.

(c) To purchase, or take by eminent domain under chapter seventy-nine land within the cities and towns which have accepted the provisions of sections forty-four A to forty-four K, inclusive, for the purposes of the district and to construct and originally equip an incinerator for the benefit of said cities and towns, and to make any necessary contracts in relation thereto.

(d) To incur debt for the purpose of acquiring land and constructing, and originally equipping an incinerator for a term not exceeding twenty years; provided, however, that any indebtedness so incurred shall not exceed an amount approved by the emergency finance board; and provided, further, that written notice of the amount of the debt and of the general purposes for which it was authorized shall be given to the city council of each city, and to the board of selectmen of each town, comprising the district not later than seven days after the date on which said debt was authorized by the district committee; and no debt may be incurred until the expiration of thirty days from the date said debt was authorized by the district committee. If, prior to the expiration of said period, the city council of said city expresses disapproval of the amount authorized by the district committee, or any member town expresses such disapproval by vote of a majority of the voters present and voting on the matter at a town meeting called for the purpose of expressing such disapproval, the said debt shall not be incurred and the regional incinerator district 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 the 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 fac-

simile signature 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.

SECTION 4. Section 44H of said chapter 40, as so appearing, is hereby amended by striking out the last sentence and inserting in place thereof the following two sentences: — The obligation of each member city or town to pay apportionments pursuant to the agreement shall be included in the amounts to be assessed annually in such city or town under section twenty-three of chapter fifty-nine without appropriation and the city or town treasurer shall pay to the district the amounts so apportioned at the times specified in the agreement. The amounts apportioned or to be apportioned pursuant to the agreement shall not be included in the statutory limit of indebtedness of any city or town.

SECTION 5. Said chapter 40 is hereby further amended by inserting after section 44I the following two sections: —

Section 44J. The agreement made under section forty-four C, or any amendment to such an agreement, may contain provisions authorizing any member city or town to sell, lease or license to the regional incinerator district any incinerator and any land appurtenant thereto or used in connection therewith or any other property useful for the purposes of the district, and any such city or town may authorize such sale, lease or license accordingly, notwithstanding the provisions of section three of chapter forty 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 cities and towns other than the selling city or town 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, the rental or license fee and terms of payment and assessment shall be set forth in the agreement or amendment. The lease or license may be for a term not in excess of twenty years, and may contain provisions for the extension of the lease or license for an additional term not in excess of twenty years at the option of the regional incinerator district committee.

Section 44K. The provisions of sections sixteen to twenty-eight, inclusive, of chapter forty-four shall, so far as apt, apply to regional incinerator districts, but the provisions of section sixteen relating to the countersigning of bonds and notes and the provisions of section twenty-four relating to the countersigning and approval of notes and the certificates of the clerk relating thereto shall not apply to such districts.

SECTION 6. Clause Twenty-fifth of section 5 of chapter 59 of the General Laws, as amended by chapter 272 of the acts of 1951, is hereby further amended by striking out, in line 5, the words "or regional school district" and inserting in place thereof the words: — , regional school district or regional incinerator district. *Approved June 10, 1964.*

Chap. 503. AN ACT AUTHORIZING THE CITY OF FALL RIVER TO BORROW MONEY FOR THE PURPOSE OF CONSTRUCTING CERTAIN PUBLIC IMPROVEMENTS.

Be it enacted, etc., as follows:

SECTION 1. The city of Fall River may, within a period of seven years after the effective date of this act, incur indebtedness at one time

or from time to time in an amount not to exceed, in the aggregate, two million dollars, to construct such of the following public improvements as shall be determined by its city council: the original construction of public ways or the extension or widening thereof, including the cost of pavement and sidewalks laid at the time of such construction; the extension or improvement of the city's sewer system by the construction of sewers for sanitary and surface drainage purposes and the construction of additional sewage disposal facilities; and the extension or improvement of the city's water system by the laying and relaying of water mains and the construction of a standpipe, including, in each case, the cost of acquiring land or interests in land in connection with such public improvements, and the cost of surveys, engineering fees, plans, and supervision reasonably and necessarily related to the construction thereof. Said city may issue bonds or notes therefor which shall bear on their face the words Fall River Public Improvement Loan, Act of 1964. Each authorized issue shall constitute a separate loan, and such loans shall be payable within the periods specified for debt incurred for comparable purposes as set forth in the applicable clauses of sections seven and eight of chapter forty-four of the General Laws. Indebtedness incurred under this act shall be in excess of the statutory limit provided for by said chapter forty-four but shall, except as provided herein, be subject to the provisions of said chapter forty-four excluding, however, the limitation contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take full effect upon its acceptance by the city of Fall River.

Approved June 10, 1964.

Chap. 504. AN ACT VALIDATING THE ESTABLISHMENT OF THE REGIONAL SCHOOL DISTRICT CONSISTING OF THE TOWNS OF AVON, BRAINTREE, CANTON, HOLBROOK, NORWOOD, RANDOLPH AND WESTWOOD.

Be it enacted, etc., as follows:

SECTION 1. The formation of a regional school district consisting of the towns of Avon, Braintree, Canton, Holbrook, Norwood, Randolph and Westwood is hereby validated and confirmed in all respects notwithstanding that the warning for any meeting held in any one or more of said towns for the purpose of accepting the agreement for the formation of said district may not have set out verbatim the language required by section fifteen of chapter seventy-one of the General Laws, that any such warning may have included the name of an additional town, that any such warning may have been issued or posted prior to the receipt of such agreement by the selectmen, and that some of the members of the regional school district planning board for said district may not have been legally appointed. The said regional school district is declared to be, and at all times since its organization to have been, a valid district with all the rights, powers and duties of a district duly organized under said chapter seventy-one.

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

Approved June 12, 1964.

Chap. 505. AN ACT AUTHORIZING THE TOWN OF MASHPEE TO JOIN IN A REGIONAL SCHOOL DISTRICT WITH THE APPROVAL OF THE MASHPEE ADVISORY COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. The town of Mashpee is hereby authorized to enter into an agreement for the formation of a regional school district or to become a member of such a district after its formation in accordance with the provisions of chapter seventy-one of the General Laws, provided that the proposed agreement or the district agreement and any affirmative action taken by the town is subsequently approved by the Mashpee Advisory Commission established under chapter two hundred and twenty-three of the acts of nineteen hundred and thirty-two, as amended. Any action taken by the town to amend such an agreement shall also be subject to the approval of said commission.

SECTION 2. Authority vested in a town under the provisions of clause (d) of section sixteen of chapter seventy-one of the General Laws to express disapproval of the amount of debt authorized by the district committee shall also be extended to said commission and, if disapproval is expressed by either the town meeting or the commission, the said debt shall not be incurred and the district school committee shall thereupon prepare another proposal which may be the same as any prior proposal and an authorization to incur debt therefor.

SECTION 3. Notwithstanding the provisions of section two of chapter two hundred and twenty-three of the acts of nineteen hundred and thirty-two, as amended, said commission shall have no authority, other than that contained in section two, relative to amounts to be raised to maintain and operate the district school or schools and the amounts required for the payment of debt and interest incurred by the district.

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

Approved June 12, 1964.

Chap. 506. AN ACT RELATIVE TO THE TENURE OF THOMAS B. CUMMINGS, INCUMBENT OF THE OFFICE OF DEPUTY RECORDER OF THE LAND COURT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to allow Thomas B. Cummings to continue to serve as deputy recorder of the land court after reaching age seventy on August sixth, 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:

Notwithstanding any provision of law to the contrary, Thomas B. Cummings, incumbent of the office of deputy recorder of the land court, may continue to serve in said office after reaching age seventy, subject to the will of the judge of the land court. Upon termination of his service he shall receive a retirement allowance equal to that to which he would have been entitled had he retired for superannuation upon reaching age seventy.

Approved June 12, 1964.

Chap. 507. AN ACT TO PROVIDE FOR A SPECIAL OUTDOOR RECREATION 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 outdoor recreation 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. The department of natural resources is hereby authorized and directed to expend a sum not exceeding three million three hundred thousand dollars for the development or redevelopment and improvement of outdoor recreation areas, including the acquisition of land therefor, as authorized by section three of chapter one hundred and thirty-two A of the General Laws. Funds authorized to be expended by this act shall be subject to the provisions of law regulating the disbursement of public funds and the approval thereof; provided, however, that such expenditures shall not be subject to the provisions of section thirty A of chapter seven of the General Laws.

SECTION 2. The department shall not 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. Before engaging such consultant services under said subsidiary title "03", as so coded, as "Professional", the department 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 3. To meet the expenditure necessary in carrying out the provisions of section one of this act, the state treasurer shall, upon request of the governor and council, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor and council from time to time, but not exceeding in the aggregate, the sum of three million three hundred thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face Outdoor Recreation Capital Outlay Loan, Act of 1964, 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 State Recreation Areas Fund; provided, that notwithstanding the foregoing, such bonds shall be general obligations of the commonwealth.

Approved June 12, 1964.

Chap. 508. AN ACT TRANSFERRING CERTAIN DUTIES RELATIVE TO VITAL STATISTICS FROM THE STATE SECRETARY TO THE COMMISSIONER OF PUBLIC HEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to transfer certain duties relative to vital statistics from the state secretary to the commissioner of public health, and which is in part to make its provisions effective for the fiscal year beginning July first, 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. Chapter 46 of the General Laws is hereby amended by striking out section 21, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 21.* The state secretary shall as soon as is reasonably practicable make the birth, marriage and death records received by him available to the commissioner of public health for the purposes set forth in section two of chapter one hundred and eleven. Upon the return of such records from the commissioner of public health the state secretary shall cause them to be bound with indexes thereto and shall retain their custody.

SECTION 2. Section 2 of chapter 111 of the General Laws, as so appearing, is hereby amended by adding the following paragraph: —

The commissioner shall prepare from birth, marriage and death records made available to him by the state secretary under the provisions of section twenty-one of chapter forty-six such statistical tables as he deems useful, and shall make annual report thereof to the general court. The commissioner shall return all such birth, marriage and death records to the state secretary without undue delay. The commissioner may make such further use of such records as he deems useful for administrative and research purposes connected with health programs and population studies. The commissioner shall not issue copies of such records, certified or non-certified, without the prior written permission of the state secretary, nor shall he permit access to the records in his possession except for the purposes stated above.

SECTION 3. Permanent personnel employed in the vital statistics division of the department of the secretary of the commonwealth on the effective date of this act, and whose job titles are statisticians, principal statistical clerk, senior statistical clerk, and statistical machine operator, are hereby transferred to the department of public health without loss or impairment of civil service, seniority, retirement or other rights.

SECTION 4. This act shall take effect on July first, nineteen hundred and sixty-four.

Approved June 12, 1964.

Chap. 509. AN ACT VALIDATING AND CONFIRMING THE AWARDING OF CERTAIN CONTRACTS BY THE COUNTY COMMISSIONERS OF BRISTOL COUNTY FOR THE CONSTRUCTION, PLANS, SPECIFICATIONS AND ARCHITECT'S FEES OF A NEW POULTRY PLANT AT THE BRISTOL COUNTY AGRICULTURAL SCHOOL.

Be it enacted, etc., as follows:

SECTION 1. Any action taken by the county commissioners of Bristol county in awarding contracts to Limcar Construction Co., Inc. to construct a new poultry plant at the Bristol county agricultural school and to Edward M. Corbett Associates of Fall River for plans, specifications and architect's fees relative thereto is hereby validated and confirmed notwithstanding that the total amount of said contracts was in excess of the amount authorized by the provisions of chapter six hundred and three of the acts of nineteen hundred and sixty-three in effect at the time of the awarding of said contracts, but prior to the effective date of chapter two hundred and eighty-nine of the acts of nineteen hundred and sixty-four.

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

Approved June 12, 1964.

Chap. 510. AN ACT TEMPORARILY EXEMPTING CERTAIN SCHOOL COMMITTEES FROM THE PROVISIONS OF LAW REQUIRING PUPILS AND TEACHERS TO WEAR PROTECTIVE EYEGLASSES WHILE ATTENDING CERTAIN CLASSES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith provide for the temporary exemption of certain school committees from the law providing that such committees shall require pupils and teachers to wear protective eyeglasses while attending certain classes, 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 51 of the acts of 1964 is hereby amended by adding at the end the following section:—

Section 2. The department of education, upon application of a school committee, may exempt such committee from the provisions of section fifty-five C of chapter seventy-one of the General Laws, inserted by section one of this act, until January first, nineteen hundred and sixty-five.

Approved June 12, 1964.

Chap. 511. 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-four 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 sub-classes within a main group may be made by said trustees or said county commissioners whenever in their opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated herein for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general law to the contrary; except that an attendant who becomes a licensed practical nurse may be paid an increased salary rate on account of such promotion, subject to approval by the county personnel board.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of said trustees and said county commissioners with the approval of the director of accounts.

No moneys appropriated under this act shall be expended by county officers or employees for monthly telephone service furnished to such officers or employees at places other than regular county offices.

BRISTOL COUNTY.

Item	
1. For personal services	\$295,141 97
2. For contractual services	15,000 00
3. For supplies and materials	80,600 00
4. For current charges and obligations	36,000 00
5. For equipment	9,347 95
8. For debt and interest	11,000 00
10. For unpaid bills of previous years	18 63
11. For reserve fund	2,500 00
12. For group insurance	3,950 00
For total expenditures	\$453,558 55

ESSEX COUNTY.

Item	
1. For personal services	\$331,500 00
2. For contractual services	15,500 00
3. For supplies and materials	80,000 00
4. For current charges and obligations	60,000 00
8. For debt and interest	28,324 00
10. For unpaid bills of previous years	500 00
11. For reserve fund	5,000 00
12. For group insurance	6,000 00
13. For industrial accident insurance	2,131 81
For total expenditures	\$528,955 81

HAMPSHIRE COUNTY.

Item	
1. For personal services	\$279,801 60
2. For contractual services	10,885 00
3. For supplies and materials	57,000 00
4. For current charges and obligations	25,616 30
5. For equipment	7,810 25
8. For debt and interest	11,080 00
11. For reserve fund	10,000 00
12. For group insurance	4,500 00
For total expenditures	\$406,693 15

MIDDLESEX COUNTY.

Item	
1. For personal services	\$1,450,439 50
2. For contractual services	88,580 00
3. For supplies and materials	290,000 00
4. For current charges and obligations	106,937 91
5. For equipment	19,297 00
6. For structures and improvements	5,000 00
8. For debt and interest	24,000 00
10. For unpaid bills of previous years	15 38
11. For reserve fund	20,000 00
12. For group insurance	25,800 00
For total expenditures	\$2,030,069 79

NORFOLK COUNTY.

Item	
1. For personal services	\$797,108 40
2. For contractual services	43,000 00
3. For supplies and materials	248,000 00
4. For current charges and obligations	43,424 27
5. For equipment	74,135 00
8. For debt and interest	4,000 00
11. For reserve fund	10,000 00
12. For group insurance	12,000 00
For total expenditures	\$1,231,667 67

PLYMOUTH COUNTY.

Item	
1. For personal services	\$604,032 04
2. For contractual services	36,950 00
3. For supplies and materials	147,400 00
4. For current charges and obligations	52,297 75
5. For equipment	14,549 44
7. For land and nonstructural	254 00
8. For debt and interest	10,000 00
11. For reserve fund	10,000 00
12. For group insurance	10,615 32
For total expenditures	\$886,098 55

WORCESTER COUNTY.

Item	
1. For personal services.....	\$767,867 61
2. For contractual services.....	50,000 00
3. For supplies and materials.....	176,078 00
4. For current charges and obligations.....	68,000 00
5. For equipment.....	45,904 00
8. For debt and interest.....	8,000 00
10. For unpaid bills of previous years.....	471 50
11. For reserve fund.....	10,000 00
12. For group insurance.....	15,100 00
For total expenditures.....	\$1,141,421 11

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

Approved June 12, 1964.

Chap. 512. AN ACT EXTENDING THE INSURANCE COVERAGE OF STUDENTS AT THE ESSEX AGRICULTURAL AND TECHNICAL INSTITUTE WHO ARE DISMEMBERED OR KILLED WHILE PARTICIPATING IN ATHLETIC ACTIVITIES.

Be it enacted, etc., as follows:

Section 31C of chapter 74 of the General Laws, inserted by chapter 323 of the acts of 1963, is hereby amended by inserting after the word "covering", in line 4, the words: — dismemberment or death and.

Approved June 12, 1964.

Chap. 513. AN ACT REQUIRING SCHOOL COMMITTEES TO INDEMNIFY PUBLIC SCHOOL TEACHERS FOR EXPENSES OR DAMAGES SUSTAINED BY REASON OF CERTAIN ACTIONS AND CLAIMS.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by striking out section 100C, as amended by chapter 405 of the acts of 1961, and inserting in place thereof the following section: — *Section 100C.* In addition to the indemnification provided in section one hundred A, a city, town or regional school district, acting by its school committee, shall, out of any funds appropriated for the purpose of this section which appropriation shall be made in the same manner as appropriations for general school purposes, indemnify a teacher in its employ for expenses or damages sustained by him by reason of an action or claim against him arising out of the negligence of such teacher or other act of his resulting in accidental bodily injury to or the death of any person or in accidental damage to or destruction of property, while acting as such teacher, and may, out of any funds so appropriated, indemnify a teacher in its employ for expenses or damages sustained by him by reason of an

action or claim against him arising out of any other acts done by him while acting as such teacher; provided, in either case, that after investigation it shall appear to the school committee that such teacher was at the time the cause of action or claim arose acting within the scope of his employment; and provided, further, that the defence or settlement of any action or claim for which indemnification is sought under this section shall have been made by the city solicitor, town counsel or legal counsel for the district upon request of the school committee, or, if the town has no town counsel or the district has no legal counsel, by an attorney employed for the purpose by the school committee, or, if such solicitor or counsel upon such request or such attorney upon such employment fails or refuses to defend such action or claim, by an attorney employed by such teacher. *Approved June 12, 1964.*

Chap. 514. AN ACT PERMITTING STATE POLICE OFFICERS TO RETIRE FOR ORDINARY DISABILITY.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (g) of subdivision (2) of section 3 of chapter 32 of the General Laws is hereby amended by striking out the definition of *Group 3*, as appearing in section 3 of chapter 321 of the acts of 1958, and inserting in place thereof the following definition: —

Group 3. — Officers and inspectors of the division of state police in the department of public safety referred to in section twenty-six, who shall be retired and receive retirement allowances as provided for in said section and in sections six and seven, anything in sections one to twenty-eight, inclusive, to the contrary notwithstanding.

SECTION 2. Subdivision (1) of section 6 of said chapter 32 is hereby amended by striking out the words “Group 1 or Group 2”, inserted by section 10 of chapter 321 of the acts of 1958, and inserting in place thereof the words: — Group 1, Group 2 or Group 3.

SECTION 3. Subdivision (2) of said section 6 of said chapter 32 is hereby amended by striking out, in line 18, the words “Group 1 or Group 2”, inserted by section 11 of said chapter 321, and inserting in place thereof the words: — Group 1, Group 2 or Group 3.

SECTION 4. Said subdivision (2) of said section 6 of said chapter 32 is hereby further amended by adding at the end the following paragraph: —

(c) The normal yearly amount of such allowance for any member classified in Group 3 other than a veteran as defined in section one shall be equal to that to which he would be entitled under the provisions of section twenty-six if he were to be retired for superannuation upon the completion of twenty years’ service. *Approved June 12, 1964.*

Chap. 515. AN ACT EXTENDING THE LIABILITY OF CITIES AND TOWNS FOR HOSPITAL CARE FURNISHED TO CERTAIN NEEDY PERSONS.

Be it enacted, etc., as follows:

Chapter 117 of the General Laws is hereby amended by striking out section 24A, inserted by chapter 584 of the acts of 1959, and inserting in place thereof the following section: — *Section 24A.* If hospital care

is furnished to a person in need of public assistance by any person not liable by law for his support, the town wherein he resides at the time his hospitalization begins or, if at such time he does not reside in the commonwealth, the town where such care is furnished, shall be liable for the expense of such care necessarily incurred under this chapter after notice and request made in writing and signed by such person to one or more members of the board of public welfare thereof, and until provision is made by them; but no town shall be liable under this section in a sum exceeding the maximum amount which would be allowable to a town under section thirty K of chapter seven as reimbursement from the commonwealth for like hospital care. A town shall be liable under this section for hospital care furnished to such a person during a period not exceeding thirty days prior to such request. The word "resides", as used in this section, shall be construed to mean "occupies an established place of abode with no present intention of definite and early removal, but not necessarily with the intention of remaining permanently".

Approved June 12, 1964.

Chap. 516. AN ACT AUTHORIZING THE CITY OF BOSTON TO BORROW ADDITIONAL MONEY OUTSIDE ITS DEBT LIMIT FOR THE PURPOSE OF CONSTRUCTING AND ORIGINALLY EQUIPPING AND FURNISHING A NEW CITY HALL AND A MUNICIPAL AUDITORIUM.

Be it enacted, etc., as follows:

SECTION 1. Chapter 624 of the acts of 1958 is hereby amended by inserting after section 4 the following section:—

Section 4A. To provide for the purposes of this act funds in addition to the funds provided by section four, the collector-treasurer of said city, without further authority than that contained in this section, shall borrow from time to time, as requested by the Government Center Commission created by section two, sums not exceeding, in the aggregate, five million dollars, and may issue bonds and notes of said city therefor, which shall bear on their face the words, City of Boston, New City Hall Loan, Act of 1964. Each issue shall constitute a separate loan, and such loans shall be paid in not more than thirty years from their dates. Debt incurred from time to time under authority of this section 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, but including the provisions of section seventeen thereof relative to temporary loans in anticipation of the issue of bonds or notes.

SECTION 2. Chapter 164 of the acts of 1954 is hereby amended by inserting after section 1A, inserted by section 1 of chapter 718 of the acts of 1957, the following section:—

Section 1B. To provide for the purpose of constructing and originally equipping and furnishing the municipal auditorium authorized by section one funds in addition to the funds provided by section one A, the collector-treasurer of said city, without further authority than that contained in this section, shall borrow from time to time, as requested by the

auditorium commission of said city, sums not exceeding, in the aggregate, nine hundred thousand dollars, and may issue bonds and notes of said city therefor, which shall bear on their face the words, City of Boston, Municipal Auditorium Loan, Act of 1964. Each issue shall constitute a separate loan, and such loans shall be paid in not more than forty years from their dates. Debt incurred from time to time under authority of this section 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 but including the provisions of section seventeen thereof relative to temporary loans in anticipation of the issue of bonds or notes.

SECTION 3. This act shall take effect upon its acceptance by the city of Boston.

Approved June 12, 1964.

Chap. 517. AN ACT EXTENDING THE COVERAGE OF COMPULSORY MOTOR VEHICLE LIABILITY INSURANCE TO ANY PLACE IN THE COMMONWEALTH TO WHICH THE PUBLIC HAS A RIGHT OF ACCESS.

Be it enacted, etc., as follows:

SECTION 1. The paragraph defining "Motor vehicle liability bond" in section 34A of chapter 90 of the General Laws, as most recently amended by section 1 of chapter 476 of the acts of 1963, is hereby further amended by striking out, in lines 17 and 18, the words "upon the ways of the commonwealth of such motor vehicle" and inserting in place thereof the words: — of such motor vehicle upon the ways of the commonwealth or in any place therein to which the public has a right of access.

SECTION 2. The paragraph defining "Motor vehicle liability policy" in said section 34A of said chapter 90, as most recently amended by section 2 of said chapter 476, is hereby further amended by striking out, in lines 16 and 17, the words "upon the ways of the commonwealth of such motor vehicle" and inserting in place thereof the words: — of such motor vehicle upon the ways of the commonwealth or in any place therein to which the public has a right of access.

SECTION 3. The first sentence of section 34D of said chapter 90, as most recently amended by section 3 of chapter 358 of the acts of 1963, is hereby further amended by striking out, in lines 21 and 22, the words "upon the ways of the commonwealth of such motor vehicle" and inserting in place thereof the words: — of such motor vehicle upon the ways of the commonwealth or in any place therein to which the public has a right of access.

SECTION 4. 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-five and subsequent years.

Approved June 12, 1964.

Chap. 518. AN ACT FURTHER REGULATING THE PRACTICE OF ELECTROLYSIS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 112 of the General Laws is hereby amended by striking out section 87GGG, as appearing in section 2 of chapter 625 of the acts of 1958, and inserting in place thereof the following section: — *Section 87GGG.* Any person desiring to engage in the practice of electrolysis shall make application upon a form furnished by the board, which application shall be signed and sworn to by the applicant. Each application shall be accompanied by a fee of twenty-five dollars. Each applicant who shall furnish the board with satisfactory proof that he is twenty-one years of age or over, of good moral character and a citizen of the United States or has filed a declaration of intention to become a citizen of the United States and that he possesses (1) the education qualifications required for graduation from an accredited high school, (2) a certificate or diploma of graduation from an electrolysis school licensed under section eighty-seven LLL, or a certificate or diploma from an electrolysis school in any other state or foreign country, which state or foreign country has standards equivalent to those required for licensing schools under section eighty-seven LLL, and (3) a basic knowledge of histology, bacteriology and sterilization, electricity, hair structure, dermatology, physiology, hygiene and equipment necessary for the practice of electrolysis, shall be examined by the board, and, if he passes such examination, shall be licensed as a qualified electrologist and granted a certificate signed by the chairman and secretary of the board in testimony thereof. Such license shall be valid until August first of the next odd year and may be renewed for a two year period upon application therefor on blank forms to be furnished by the board. The fee for each such renewal shall be thirty dollars.

Any person who has been licensed as a qualified electrologist or a qualified instructor, or any person to whom a license to conduct a school of electrolysis has been issued, who fails to renew such license upon its expiry date, may renew the same upon application therefor and payment of the regular renewal fee at any time within two years after said expiry date; if he fails to renew his license prior to the expiration of said two-year period, he shall be required to register as for an original license, take the required examination and pay the appropriate fee.

SECTION 2. Said chapter 112 is hereby further amended by striking out section 87LLL, as so appearing, and inserting in place thereof the following section: — *Section 87LLL.* The board shall, upon the application of any school desiring to teach electrolysis in the commonwealth, inspect such school and notify the governing body thereof in writing if said school is approved by the board, or if not, what action said school must take in order to be licensed by the board. Such application shall be on a form furnished by the board, which application shall be signed and sworn to by the applicant. Each application shall be accompanied by a fee of fifty dollars. Such license shall be valid for a period of two years 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. The fee for each such renewal shall be fifty dollars. The board and the commissioner of public health, acting in an advisory

capacity, shall further establish standards to be met by said electrolysis school and shall require the school to maintain the prescribed course of study. When in the opinion of the board such standards have been met by said school, a license of approval shall be awarded to it. No school, not so licensed, may teach electrolysis. Instructors in licensed schools shall be licensed by the board and shall devote their time, exclusively, while on school premises, to teaching the theory and practice of electrolysis. No persons, not so licensed may instruct in any electrolysis school in the commonwealth. If at any time an approved school has, in the opinion of the board, lowered its standards below those established by the board, such license, after notice and hearing, may be revoked by the board. Any applicant aggrieved by the refusal of the board to approve an electrolysis school shall be entitled to have the reasonableness of such refusal reviewed by a justice of the superior court whose decision shall be final.

Any licensed electrologist, desiring to instruct in the practice and theory of electrolysis in a school licensed under this section, shall make application upon a form furnished by the board. Such application shall be signed and sworn to by the applicant, and shall be accompanied by a fee of twenty-five dollars. Each applicant, who shall furnish the board with satisfactory proof that for at least five years he has been actively engaged in the practice of electrology and that he possesses the qualifications to instruct students in the theory and practice of electrolysis, shall be given an examination by the board, and, if he passes such examination, shall be licensed as a qualified instructor, and granted a license signed by the chairman and the secretary of the board in testimony thereof. Such license shall be valid for a period of two years from the date of its issue, and may be renewed for a like period upon application therefor on blank forms to be furnished by the board. The fee for each such renewal shall be ten dollars. Such license shall be valid only when instructing in an electrolysis school licensed under this section.

SECTION 3. Any licensed electrologist, who on August first, nineteen hundred and fifty-nine, had been actively engaged in the practice of electrolysis in the commonwealth for five years immediately preceding said date, shall, upon application, accompanied by a fee of twenty-five dollars, be granted an instructor's license, as provided by section eighty-seven LLL of chapter one hundred and twelve of the General Laws, by the board of registration of electrologists, without examination; provided, he proves to the satisfaction of said board that he had instructed in electrolysis within the five years immediately preceding said date and that he possesses the qualifications to instruct students in the theory and practice of electrolysis; and provided, further, that he makes such application within ninety days of the effective date of this act.

Approved June 12, 1964.

Chap. 519. AN ACT RELATIVE TO THE EQUALIZED VALUATION OF CITIES AND TOWNS WITH RESPECT TO CERTAIN PROJECTS APPROVED BY THE SCHOOL BUILDING ASSISTANCE COMMISSION.

Be it enacted, etc., as follows:

Chapter 660 of the acts of 1963 is hereby amended by striking out section 4 and inserting in place thereof the following section: — *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 school project of a city, town, county or regional school district approved by the school building assistance commission for which funds have been authorized to meet the estimated cost thereof before January first, nineteen hundred and sixty-five shall be based on the equalized valuations set forth in chapter five hundred and fifty-nine of the acts of nineteen hundred and forty-five. *Approved June 12, 1964.*

Chap. 520. AN ACT DISCONTINUING THE COMMITMENT OF GIRLS TO COUNTY TRAINING SCHOOLS.

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 77 of the General Laws is hereby amended by striking out the clause added by section 1 of chapter 565 of the acts of 1957 and inserting in place thereof the following clause: — ; provided, that no girl shall be committed to a county training school under this section, but may be committed to the custody of the youth service board.

SECTION 2. Section 4 of said chapter 77 is hereby amended by striking out the clause added by section 2 of said chapter 565 and inserting in place thereof the following clause: — ; provided, that no girl shall be committed to a county training school under this section, but may be committed to the custody of the youth service board.

SECTION 3. Section 5 of said chapter 77 is hereby amended by striking out the clause added by section 3 of said chapter 565 and inserting in place thereof the following clause: — ; provided, that no girl shall be committed to a county training school under this section, but may be committed to the custody of the youth service board.

SECTION 4. Nothing in this act shall affect the legality of any commitment to a county training school which was made prior to the effective date of this act, nor the authority of such school and the county commissioners over any girl committed to such school prior to said date; provided that the county commissioners of any county maintaining a county training school which has custody of any girl committed prior to said date may, with the consent of the youth service board, transfer the custody of such girl to the said board, which shall then have full authority and jurisdiction over such girl, as if she had been initially committed to said board under sections three, four or five of chapter seventy-seven of the General Laws; and the authority of such county commissioners and such county training school over any such girl shall thereupon cease and determine. *Approved June 12, 1964.*

Chap. 521. AN ACT RELATIVE TO THE POSTING OF PROMOTIONAL BULLETINS PRIOR TO CERTAIN PROMOTIONS IN THE CLASSIFIED LABOR SERVICE.

Be it enacted, etc., as follows:

Section 8 of chapter 31 of the General Laws is hereby amended by inserting after the third paragraph the following paragraph: —

Prior to any request to the director for promotion of a permanent employee in the classified labor service to a position of the same or higher grade in the classified labor service, which may be either a temporary or permanent position, the appointing authority shall cause a promotional bulletin to be posted in locations where it can be seen by all employees eligible under the civil service law and rules for at least five working days. Such promotional bulletin shall state the title of the position to be filled, the salary of such position, the location and any pertinent information as to any special qualifications, or licenses required by law to fill the position. It shall also clearly state the last date for applying for such position. All such requests recommended by the appointing authority to the director shall be in conformance with the civil service law and rules. A promotional bulletin shall be mailed to any employee on sick or military leave; on vacation; or off the payroll during the entire period of the posting of such bulletin. Any request for promotion to the division shall state therein that such promotional bulletin has been posted indicating the location and date of the posting. Any such appointing authority or his designee who neglects or wilfully refuses to post such notice shall be punished by a fine of not more than one hundred dollars.

Approved June 12, 1964.

Chap. 522. AN ACT AUTHORIZING THE CITY OF WESTFIELD TO APPROPRIATE MONEY FOR THE PAYMENT OF AND TO PAY A CERTAIN UNPAID BILL.

Be it enacted, etc., as follows:

SECTION 1. The city of Westfield is hereby authorized to appropriate money for the payment of, and after such appropriation the treasurer of said city is hereby authorized to pay an unpaid bill due to the Lane Construction Corp., duly incorporated in the state of Connecticut, for materials furnished to the city of Westfield during the month of May, nineteen hundred and sixty-three, in the amount of nineteen thousand two hundred and twenty-five dollars and fifty cents, which bill is legally unenforceable against said city by reason of it being incurred in the absence of available appropriations.

SECTION 2. No bills 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 materials for which said bills are submitted were ordered by an official or employee of said city, that such materials were delivered to and actually received by said city, and that the receipt of the payment of such money will constitute a settlement in full of any and all claims of said Lane Construction Corp., for materials furnished to said city in the year nineteen hundred and sixty-three.

SECTION 3. Any person who knowingly files a certificate required by section two, which is false and who thereby receives payment for goods or materials which were not received by or rendered to said city, shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both.

SECTION 4. This act shall take effect upon its acceptance during the current year by the city of Westfield.

Approved June 12, 1964.

Chap. 523. AN ACT AMENDING THE COMPETITIVE BIDDING STATUTE.

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 most recently amended by chapter 267 of the acts of 1963, 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) accoustical 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; (17) masonry work; and (18) 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 June 12, 1964.

Chap. 524. AN ACT RELATIVE TO THE ORGANIZATION OF THE DEPARTMENT OF NATURAL RESOURCES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 21 of the General Laws is hereby amended by striking out section 6, as appearing in section 1 of chapter 631 of the acts of 1953, and inserting in place thereof the following section: — *Section 6.* The division of law enforcement shall be under the administrative supervision of a director, called the director of law enforcement. The director shall appoint, with the approval of the commissioner, subject to the provisions of chapter thirty-one, such assistants to the director, enforcement officers and administrative personnel as may be determined necessary to carry out the duties of the division. Enforcement officers appointed under authority of this section shall be known as natural resource officers. With like approval the director may designate employees of the commonwealth and the United States as deputy natural resource officers, who shall be unpaid.

SECTION 2. Said chapter 21 is hereby further amended by striking out section 6B, as so appearing, and inserting in place thereof the following section: — *Section 6B.* The commissioner, director and his assistants, wardens, as defined in section one of chapter one hundred and thirty-one, and all natural resource officers and deputies shall have and exercise throughout the commonwealth, subject to such rules and regulations as the commissioner may from time to time adopt, all the authority of police officers and constables, except the service of civil process. Such rules and regulations shall be subject to the approval of the board of natural resources and shall be filed with the state secretary in accordance with section thirty-seven of chapter thirty. The director may in writing authorize his assistants and any natural resource officer to have in his possession and carry a revolver, club, billy, handcuffs, twist-ers,

or any other weapon or article required in the performance of his official duty.

SECTION 3. Said chapter 21 is hereby further amended by striking out section 6C, as so appearing, and inserting in place thereof the following: — *Section 6C.* Each such assistant appointed by the director and each warden, natural resource officer or deputy, when on duty shall wear on his outer clothing or otherwise display a metallic badge bearing the seal of the commonwealth and appropriate words to identify his position, together with a number to be assigned by the director.

The director may, with the approval of the commissioner, prescribe by rules and regulations a standard form or forms of uniform to be worn by such personnel. Such badge and uniform or any distinctive part thereof so prescribed shall be worn only by such personnel entitled thereto under said rules and regulations.

Whoever violates this section by wearing such badge or uniform without authority or by impersonating an officer authorized to wear such badge or uniform shall be punished by a fine of not less than ten nor more than one hundred dollars.

SECTION 4. Said chapter 21 is hereby further amended by striking out section 6D, as so appearing, and inserting in place thereof the following section: — *Section 6D.* The commissioner, the director and his assistants, natural resource officers and deputies may in the performance of their duties enter upon and pass through or over private property or lands whether or not covered by water, and may keep or dispose of sick, injured or helpless fish, birds or mammals, that may come into their possession, subject to such rules and regulations as the director, with the approval of the commissioner, is hereby authorized to adopt.

SECTION 5. Section 1 of chapter 130 of the General Laws is hereby amended by striking out the definitions of "Coastal warden", "Deputy" or "deputy coastal warden", and "Fish inspector", as appearing in section 1 of chapter 598 of the acts of 1941.

SECTION 5A. The caption preceding section eighty-four of said chapter one hundred and thirty, as appearing in section one of chapter five hundred and ninety-eight of the acts of nineteen hundred and forty-one, is hereby stricken out.

SECTION 6. Sections five, six, seven, eight, eleven, forty-five, forty-six, eighty-four, eighty-five, eighty-six, eighty-seven, eighty-eight, eighty-nine, ninety and ninety-one of said chapter one hundred and thirty are hereby repealed.

SECTION 7. Section 8A of said chapter 130, inserted by section 1 of chapter 383 of the acts of 1963, is hereby amended by striking out, in line 5, the words "coastal wardens" and inserting in place thereof the words: — natural resource officers.

SECTION 8. Section 9 of said chapter 130, as appearing in section 1 of chapter 598 of the acts of 1941, is hereby amended by striking out, in lines 1 and 2, the words "a coastal warden, a deputy coastal warden, a fish inspector" and inserting in place thereof the words: — his assistants, a natural resource officer or deputy.

SECTION 9. The first paragraph of section 13 of said chapter 130, as so appearing, is hereby amended by striking out, in lines 1 and 2, the words "a coastal warden, a deputy coastal warden, a fish inspector" and inserting in place thereof the words: — his assistants, a natural resource officer or deputy.

SECTION 10. Section 39 of said chapter 130, as amended by chapter 150 of the acts of 1959, is hereby further amended by striking out, in line 8, the words "a coastal warden" and inserting in place thereof the words: — his assistants, a natural resource officer.

SECTION 11. Section 80 of said chapter 130 is hereby amended by striking out the sixth and seventh paragraphs, as appearing in section 1 of chapter 598 of the acts of 1941, and inserting in place thereof the following paragraph:—

The director shall promulgate rules and regulations relative to the form, contents and use of all certificates issued under this section. At the request of the commissioner of public health, or of his own motion, the director shall revoke and cancel and require the surrender of any certificate issued by him under this section if, in his opinion, after a hearing, after due notice, by him or some person designated by him, the holder thereof is guilty of violating any rule or regulation of the director or of the department of public health pertaining to fish or the sale thereof, or of any provision of this section or section seventy-five, or upon a change in the facts and conditions set forth in such certificate. Pending the hearing the certificate shall be suspended. Whoever violates any provision of this section shall be punished by a fine of not less than ten nor more than fifty dollars or by imprisonment for thirty days, or both.

SECTION 12. Chapter 94 of the General Laws is hereby amended by striking out section 77A, added by chapter 216 of the acts of 1934, and inserting in place thereof the following nine sections:—

Section 77A. All fresh food fish before being offered for sale, placed in cold storage, salted or smoked shall be graded as follows:—

"Prime", fish in extra fine condition.

"Superior", fish in suitable condition to stand shipment outside the commonwealth for human consumption as fresh fish.

"Standard", fish in suitable condition for immediate human consumption as fresh fish.

All other fish shall be classified as refuse, shall be deemed unsuitable for human consumption, and may be used only for fish meal, fertilizer or other non-food purposes.

No person shall represent, sell, offer for sale or advertise fresh, frozen, salted or smoked fish of any grade under any misleading or other than the truthful and correct name and grade or corresponding term for such fish.

The word "fish" as used in this section shall be taken to mean only swimming fish or finny fish of the class known as Pisces.

Section 77B. Food fish, unless deposited in bulk, when deposited in cold storage except in private freezing plants, shall be plainly marked with the date of receipt on the containers in which they are packed; and if deposited in bulk, shall at the time of removal from cold storage be plainly marked on such containers with the month and year of receipt.

Section 77C. No person shall sell, or represent for the purpose of sale, otherwise than as frozen, fish which have been frozen.

Section 77D. No person shall import, or cause to be imported into this commonwealth for purposes of sale, any fresh swordfish unless properly packed in ice so as to prevent the same from becoming infected, contaminated or unwholesome.

Section 77E. No person shall deposit or cause to be deposited in cold storage for a period exceeding six months fish received from any other state or country which have been previously in cold storage either within or without this commonwealth, unless at the time of deposit such fish are plainly marked with the date of their original deposit in cold storage, whether within or without.

Section 77F. All food fish, except soft-shelled clams and oysters sold at wholesale, shall be sold by weight. Whoever violates this section shall be punished by a fine of not less than ten nor more than fifty dollars.

Section 77G. 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 77H. No person shall buy, sell, expose for sale, give away, deliver, transport, ship, carry or have in his possession any lobster meat or crab meat after the same has been taken from the shell, except as hereinafter provided. Any lobster meat unlawfully sold, given away, shipped, bought, transported or possessed shall be liable to seizure and may be confiscated. The foregoing shall not apply to such lobster meat or crab meat in the possession of a common carrier for transportation and which is marked as provided in section forty-seven of chapter one hundred and thirty or of which it has no notice; nor to canned lobster meat or crab meat when certified, to the satisfaction of the commissioner of public health, by the board of health or a body having similar powers of the municipality or other governmental unit, where canned, to have been in suitable condition for human consumption when canned, and to have been canned under healthful conditions, and so as to insure the continuance, until use, of such condition; nor to such meat sold for food by a licensed victualler if such meat has been obtained from a dealer holding a permit as hereinafter provided; nor to such meat removed from the shell on the premises where it is to be eaten; nor to such meat removed from the shell by a wholesale or retail dealer in lobster, or edible crabs, at his regular place of business therefor if said dealer has a written permit from the director of marine fisheries in the department of natural resources for the sale and delivery of such lobster or crab meat and if such meat is so removed or sold under such conditions and regulations as the commissioner of public health shall prescribe, and if such premises are at all reasonable times open to the inspection of the commissioner, his agents or inspectors. No permit shall be required for the resale of such meat so long as it remains in the original unbroken package; provided that such package is clearly labeled with the words "lobster meat removed under permit No. _____", followed by the number of the permit under which said lobster meat was removed. Such a permit may be granted upon written application to the said director and the payment of a fee of ten dollars, shall expire on December thirty-first next succeeding the date of issue, and shall be revoked by the said director upon the request of the commissioner of public health for the violation by the holder thereof of any rule or regulation.

Section 77I. As used in sections seventy-seven A to seventy-seven H, inclusive, the following words shall have the following meanings unless a contrary intention appears: —

“Canned lobster meat or crab meat”, lobster meat or crab meat preserved by heat processing, freezing, or refrigeration, and packed in a container impervious to contamination and so sealed that once opened it cannot be re-sealed and re-used for its original purpose.

“Clam”, a marine mollusk of the species *Mya arenaria* commonly called the soft-shelled clam.

“Fish”, any animal life inhabiting the ocean or its connecting waters including any crustacean or marine fish, whether free swimming or free moving, and any shellfish or sea worms, whether or not imbedded in the soil. All provisions of said sections relative to fish shall, so far as apt, apply also to lobster meat and crab meat after the same has been taken from the shell.

“Lobster”, the common American lobster, of the species *Homarus americanus*.

“Quahaug”, a marine mollusk of the species *Venus mercenaria* commonly called the hard-shell clam.

“Scallop”, a marine mollusk of the species *Pecten irradians*, commonly known as the bay scallop or shallow water scallop.

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

SECTION 13. Said chapter 94 of the General Laws is hereby further amended by adding after section 88B the following two sections: —

Section 88C. The commissioner of public health shall adopt rules and regulations relative to the sanitary conditions required for establishments, and persons operating such establishments, for which certificates or permits are required by chapter one hundred and thirty or by this chapter for the commercial processing or distribution of food fish, including lobsters, crabs, the meat from either, finny fish of the class known as Pisces, and shellfish, and for the sanitary requirements of boats and other vehicles or structures used in the catching, storage or transportation of such food fish; provided that all such rules and regulations shall meet the requirements of the United States as to interstate commerce in fish or shellfish and of other states in relation to the importation, inspection and consumption thereof within their respective limits.

Section 88D. The commissioner, his agents or inspectors may inspect all fish offered or exposed for sale or kept with intent to sell, and for such purpose may enter any place where fish is stored, kept, offered or exposed for sale, may examine the conditions of such place and the equipment thereof and may require that such place and equipment be kept in a sanitary condition. If on inspection it is found that such fish is tainted, diseased, corrupted, decayed, unwholesome or unfit for food from any cause, the inspector shall seize and cause the same to be destroyed forthwith or disposed of otherwise than for food. All money received for fish disposed of as aforesaid, after deducting the expense of said seizure and disposal, shall be paid to the owner of such fish. Whoever, by himself or by his agent or employee, sells, or offers or exposes for sale, or keeps with intent to sell or offer or expose for sale, for food

purpose fish which is tainted, diseased, corrupted, decayed, unwholesome or unfit for food from any cause, or whoever violates any provisions of sections seventy-seven A to eighty-eight D, inclusive, or any rule or regulation made thereunder, or hinders, obstructs, or interferes with any inspection authorized hereunder, or secretes or removes fish for the purpose of preventing such inspection shall be punished by a fine of not more than five hundred dollars or by imprisonment for six months, or both.

SECTION 14. Section 1 of chapter 131 of the General Laws is hereby amended by striking out the definitions of "Conservation officer", and "Deputy", as appearing in section 2 of chapter 599 of the acts of 1941.

SECTION 15. Section 3 of said chapter 131, as so appearing, is hereby amended by striking out, in lines 6 and 7, the words "a conservation officer or member of the state police".

SECTION 16. Section 4 of said chapter 131, as so appearing, is hereby amended by striking out, in lines 1 and 2, the words "The director, conservation officers, deputies and wardens" and inserting in place thereof the word: — Wardens.

SECTION 17. The next to the last sentence of section 6 of said chapter 131, as amended by section 1 of chapter 218 of the acts of 1953, is hereby further amended by striking out, in lines 8 and 9, the words "conservation officer" and inserting in place thereof the words: — natural resource officer.

SECTION 18. Section 18 of said chapter 131, as appearing in section 2 of chapter 599 of the acts of 1941, is hereby amended by striking out the first two sentences and inserting in place thereof the following sentence: — The director, his assistants, natural resource officers, deputies, wardens and members of the state police shall enforce the laws, rules and regulations relating to fish, birds and mammals.

SECTION 19. Section nineteen of said chapter one hundred and thirty-one is hereby repealed.

SECTION 20. Section twenty of said chapter one hundred and thirty-one is hereby repealed.

SECTION 21. Section 21 of said chapter 131, as so appearing, is hereby amended by striking out, in line 1, the words "conservation officers" and inserting in place thereof the words: — his assistants, natural resource officers.

SECTION 22. Section 22 of said chapter 131, as so appearing, is hereby amended by striking out, in line 1, the words "any conservation officer" and inserting in place thereof the words: — his assistants, natural resource officers.

SECTION 23. Section 24 of said chapter 131, as so appearing, is hereby amended by striking out, in line 1, the words "or any conservation officer" and inserting in place thereof the words: — his assistants, or any natural resource officer.

SECTION 24. Section 30 of said chapter 131, as so appearing, is hereby amended by striking out, in line 1, the words "conservation officers" and inserting in place thereof the words: — his assistants, natural resource officers.

SECTION 25. Section 52 of said chapter 131 is hereby amended by striking out, in line 1 as so appearing, the words "conservation officers" and inserting in place thereof the words: — his assistants, natural resource officers.

SECTION 26. Section 79 of said chapter 131, as amended by chapter 282 of the acts of 1949, is hereby further amended by striking out, in line 18, the words "conservation officer" and inserting in place thereof the words: — natural resource officer.

SECTION 27. Section 88 of said chapter 131 is hereby amended by striking out, in line 1 as appearing in section 2 of chapter 599 of the acts of 1941, the words "conservation officers" and inserting in place thereof the words: — his assistants, natural resource officers.

SECTION 28. Section 98 of said chapter 131, as most recently amended by chapter 107 of the acts of 1963, is hereby further amended by striking out, in line 2, the words "conservation officer" and inserting in place thereof the words: — the director, his assistants, a natural resource officer.

SECTION 29. Chapter 21 of the General Laws is hereby amended by adding after section 6D the following section: —

Section 6E. Notwithstanding the provisions of chapter one hundred and forty-nine or of any other general law or any special law to the contrary, the commissioner, with the approval of the board of natural resources, shall make rules and regulations governing the tours of duty and hours of work of the assistants to the director and natural resource officers. Such rules and regulations shall provide, in the case of land based personnel, for a minimum of five tours of duty in any one work week and of eight hours in any one tour of duty and service in excess of such minimums shall not be compensated; provided that each such person who is land based shall be entitled to two days off in each calendar week, or time off in lieu thereof within ninety days, and in the case of boat based personnel, such officers may be required to be on duty up to ninety-six consecutive hours, and off duty a similar number of hours, for each tour of duty. Boat personnel shall be paid three dollars and fifty cents in lieu of meals allowances for each day of duty and shall be deemed to be on full travel status. Such rules and regulations shall also provide for the assignment of all officers of the division to any area within the commonwealth and for the conduct of such officers in the performance of their duties.

SECTION 30. Upon the effective date of this act, the permanent incumbents in the division of law enforcement in the department of natural resources of the positions of chief marine officer and of chief inland officer shall be transferred to and be deemed appointed in accordance with the provisions of chapter thirty-one of the General Laws to the positions of assistants to the director without loss of seniority or civil service rights; all permanent coastal wardens and conservation officers shall be deemed so transferred to and appointed to the positions of natural resource officers; all permanent supervising coastal wardens and supervising conservation officers and the captain, coastal patrol boat, shall be deemed so transferred to and appointed to the positions of supervising natural resource officers; all permanent coastal wardens, coastal patrol boat shall be deemed so transferred to and appointed to the positions of natural resource officers, coastal patrol boat; all permanent coastal wardens (engineer) coastal patrol boat shall be deemed so transferred to and appointed to the positions of natural resource officers (engineer) coastal patrol boat; all permanent boatswains, coastal patrol boat shall be deemed so transferred to and appointed to the positions of natural resource officer (boatswain) coastal patrol boat. All permanent food

inspectors employed in the said division upon the effective date of this act shall be deemed so transferred to and appointed to the positions of food inspector in the bureau of consumer products protection in the department of public health. All persons who are employed in any of the above enumerated positions in a temporary status immediately prior to the effective date of this act shall be transferred to the respective positions in the same temporary status. The transfer of all permanent employees hereunder shall be without loss of rights of seniority, retirement, classification of pay grades, and civil service rights, and shall not be subject to further examination, any law to the contrary notwithstanding.

SECTION 31. Wherever in the general laws or in special laws reference is made to the enforcement thereof by coastal wardens, conservation officers or deputies, it shall mean the director, his assistants, natural resource officers and deputies appointed under the provisions of section six of chapter twenty-one of the General Laws.

Approved June 12, 1964.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, June 29, 1964.

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 524 of the Acts of 1964 entitled "An Act Relative to the Organization of the Department of Natural Resources." and the enactment of which received my approval on June 12, 1964, 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:

That in order for this organizational plan of the Department of Natural Resources to proceed in an orderly manner and so as to coordinate the duties and functions of the various divisions and personnel, this act should take effect immediately.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, June 29, 1964.

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 thirty minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter five hundred and twenty-four of the acts of nineteen hundred and sixty-four.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 525. AN ACT REVIVING THE MERCANTILE WHARF CORPORATION, AND EXTENDING THE TERM OF ITS CORPORATE EXISTENCE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section seven of chapter one hundred and fifty-six of the General Laws, The Mercantile Wharf Corporation, established under chapter thirteen of the acts of eighteen hundred and twenty-six, shall continue to be a corporation for a further term of fifty years from May sixteenth, nineteen hundred and sixty-two, the date of the most recent expiration of the term of its incorporation, 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.

SECTION 2. This act shall take effect as of May sixteenth, nineteen hundred and sixty-two.

Approved June 12, 1964.

Chap. 526. AN ACT TO EXEMPT CERTAIN OFFICERS FROM THE APPLICATION OF CIVIL SERVICE RULES.

Be it enacted, etc., as follows:

Section 5 of chapter 31 of the General Laws is hereby amended by striking out, in lines 6 and 7, as appearing in chapter 26 of the acts of 1951, the words "officers whose appointment is subject to confirmation by the executive council" and inserting in place thereof the words:— officers whose appointment is subject to approval or confirmation by the governor or the executive council, or by both —, and by striking out, in lines 10 and 11 as so appearing, the words "; officers whose appointment is subject to the approval of the governor and council".

Approved June 12, 1964.

Chap. 527. AN ACT AUTHORIZING AGENTS OF THE DIVISION OF FISHERIES AND GAME OF THE DEPARTMENT OF NATURAL RESOURCES TO REMEDY CERTAIN CONDITIONS CAUSED BY BEAVERS.

Be it enacted, etc., as follows:

Chapter 131 of the General Laws is hereby amended by adding after section 112C the following section:—

Section 112D. The director of the division of fisheries and game or his agents authorized by him in writing may, in the performance of their duties, enter upon and pass through or over private lands, whether or not covered by water. They may in the course of such duties remedy conditions caused by beavers resulting or likely to result in damage to property.

Approved June 12, 1964.

Chap. 528. AN ACT BROADENING AUTHORITY TO SUSPEND CERTAIN OFFICERS OR EMPLOYEES FOR MISCONDUCT IN OFFICE OR EMPLOYMENT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to enable forthwith the appointing authority to suspend certain officers or employees under indictment for misconduct at

any time in public office or employment pending the outcome of such indictment, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The first paragraph of section 59 of chapter 30 of the General Laws, as amended by section 1 of chapter 829 of the acts of 1963, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — 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 or for misconduct in any elective or appointive public office, trust or employment at any time held by him, if he was appointed by the governor, be suspended by the governor, whether or not such appointment was subject to the advice and consent of the council or, if he was appointed by some other appointing authority, be suspended by such authority, whether or not such appointment was subject to approval in any manner.

Approved June 15, 1964.

Chap. 529. 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-four:

BARNSTABLE COUNTY.

Item	
1. For interest on county debt.....	\$30,900 00
2. For reduction of county debt.....	100,000 00
3. For county commissioners, salaries and expenses..	21,065 48
4. For transportation and expenses of county and acting commissioners.....	900 00
5. For clerk of courts, salaries and expenses.....	29,331 25
6. For county treasurer, salaries and expenses.....	32,068 62
7. For sheriff, salary and expenses.....	11,739 00
8. For registry of deeds, salaries and expenses.....	149,880 62
8a. For registry of probate, salaries and expenses....	4,920 00
9. For law library, salaries and expenses.....	5,550 00

Item		
10.	For highways, including state highways, bridges and land damages.....	\$215,033 47
12.	For criminal costs in superior court.....	46,072 89
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees.....	24,850 00
14.	For district courts, salaries and expenses.....	187,544 51
15.	For medical examiners and commitments of insane	5,975 00
16.	For jail and house of correction, maintenance and operation.....	238,824 29
17.	For training school.....	2,600 00
18.	For court houses and registry buildings, maintenance and operation.....	46,097 40
18a.	For sewage system, maintenance and operation...	2,236 00
20.	For agricultural school or county aid to agriculture, maintenance and operation.....	50,811 06
22.	For hospital or sanatorium.....	724,031 59
23.	For health service.....	76,756 12
24.	For non-contributory pensions.....	18,651 54
25.	For contributory retirement system and supervisory expenses.....	32,582 99
26.	For miscellaneous and contingent expenses.....	20,349 51
27.	For unpaid bills of previous years.....	2,125 45
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.....	49,548 53
32a.	For maintenance, forest fire apparatus.....	500 00
33.	For police training school and bureau of criminal investigation.....	37,170 28
38.	For airplane.....	1,950 00
39.	For group insurance.....	18,701 45
40.	For advertising and promoting county fairs.....	500 00
41.	For firefighters' training school.....	8,001 00
Total amount of appropriations.....		\$2,312,268 05
Less estimated amount available for reduction of county tax.....		898,618 97

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. . . \$1,413,649 08

BERKSHIRE COUNTY.

Item		
1.	For interest on county debt.....	\$10,000 00
2.	For reduction of county debt.....	47,508 15
3.	For county commissioners, salaries and expenses..	20,987 30
4.	For transportation and expenses of county and acting commissioners.....	1,000 00

<i>Item</i>		
5.	For clerk of courts, salaries and expenses.	\$30,076 60
6.	For county treasurer, salaries and expenses.	17,538 07
7.	For sheriff, salary and expenses.	9,718 00
8.	For registries of deeds, salaries and expenses.	114,647 08
8a.	For registry of probate, salaries and expenses.	5,460 00
9.	For law library, salaries and expenses.	9,916 30
10.	For highways, including state highways, bridges and land damages.	265,696 67
11.	For examination of dams.	590 00
12.	For criminal costs in superior court.	59,134 77
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees.	51,720 00
14.	For district courts, salaries and expenses.	247,449 79
15.	For medical examiners and commitments of insane.	10,000 00
16.	For jail and house of correction, maintenance and operation.	149,770 46
17.	For training school.	1,000 00
18.	For court houses and registry buildings, mainte- nance and operation.	41,960 40
20.	For agricultural school or county aid to agriculture, maintenance and operation.	57,705 88
21.	For state reservation, maintenance and operation (Mount Greylock).	50,622 80
21a.	For state reservation, maintenance and operation (Mount Everett).	7,873 50
23.	For county tuberculosis clinic.	24,172 48
24.	For non-contributory pensions.	5,899 98
25.	For contributory retirement system and super- visory expenses.	35,775 20
26.	For miscellaneous and contingent expenses.	9,385 00
27.	For unpaid bills of previous years.	4,837 76
28.	For reserve fund.	10,000 00
29.	For advertising recreational advantages of the county.	40,000 00
30.	For forest fire patrol.	5,200 00
31.	For radio system for fire protection.	3,404 00
32.	For forest development.	2,200 00
34.	For soil conservation district.	425 00
35.	For industrial development commission.	65,348 30
36.	For Dutch elm disease.	5,000 00
39.	For group insurance.	11,500 00
Total amount of appropriations.		\$1,433,523 49
Less estimated amount available for reduction of county tax.		246,592 11

And the county commissioners of Berkshire County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of . . .

\$1,186,931 38

BRISTOL COUNTY.

Item	
1. For interest on county debt	\$27,585 00
2. For reduction of county debt	91,000 00
3. For county commissioners, salaries and expenses	16,837 00
4. For transportation and expenses of county and acting commissioners	1,200 00
5. For clerk of courts, salaries and expenses	128,527 75
6. For county treasurer, salaries and expenses	58,504 54
7. For sheriff, salary and expenses	12,373 00
8. For registries of deeds, salaries and expenses	279,477 26
8a. For registry of probate, salaries and expenses	14,940 00
9. For law libraries, salaries and expenses	31,951 20
10. For highways, including state highways, bridges and land damages	306,550 00
11. For examination of dams	1,750 00
12. For criminal costs in superior court	150,897 62
13. For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	188,875 20
14. For district courts, salaries and expenses	522,784 87
15. For medical examiners and commitments of insane	36,740 00
16. For jail and house of correction, maintenance and operation	332,476 47
17. For training school	10,000 00
18. For court houses and registry buildings, maintenance and operation	318,405 71
20. For agricultural school or county aid to agriculture, maintenance and operation	435,796 93
24. For non-contributory pensions	50,000 00
25. For contributory retirement system and supervisory expenses	101,386 68
26. For miscellaneous and contingent expenses	21,711 11
27. For unpaid bills of previous years	12,345 80
28. For reserve fund	35,000 00
30. For forest fire patrol	5,200 00
33. For police training school	500 00
39. For group insurance	24,000 00
Total amount of appropriations	\$3,216,816 14
Less estimated amount available for reduction of county tax	871,696 93

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 \$2,345,119 21

DUKES COUNTY.

Item	
1. For interest on county debt	\$6,600 00
2. For reduction of county debt	26,500 00
3. For county commissioners, salaries and expenses	6,315 86

Item	
4. For transportation and expenses of county and acting commissioners	\$250 00
5. For clerk of courts, salaries and expenses	6,127 76
6. For county treasurer, salaries and expenses	5,215 05
7. For sheriff, salary and expenses	4,331 00
8. For registry of deeds, salaries and expenses	15,315 20
8a. For registry of probate, salaries and expenses	1,575 00
9. For law library, salaries and expenses	1,000 00
10. For highways, including state highways, bridges and land damages	27,000 00
12. For criminal costs in superior court	6,679 85
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	22,313 03
15. For medical examiners and commitments of insane	800 00
16. For jail and house of correction, maintenance and operation	9,580 00
18. For court houses and registry buildings, maintenance and operation	6,574 15
20. For agricultural school or county aid to agriculture, maintenance and operation	15,743 30
21. For state reservation, maintenance and operation (Gay Head)	250 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	7,163 20
26. For miscellaneous and contingent expenses	11,581 93
27. For unpaid bills of previous years	222 73
28. For reserve fund	6,500 00
29. For advertising recreational advantages of the county	28,371 56
34. For soil conservation district	250 00
38. For county airport, maintenance and operation	54,251 16
39. For group insurance	4,000 00
42. For rodent control	7,260 00
43. For woodtick control	1,250 00
Total amount of appropriations	\$290,138 78
Less estimated amount available for reduction of county tax	32,156 02

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 \$257,982 76

ESSEX COUNTY.

Item	
1. For interest on county debt.	\$29,592 08
2. For reduction of county debt.	100,000 00
3. For county commissioners, salaries and expenses. .	44,812 79
4. For transportation and expenses of county and acting commissioners.	800 00
5. For clerk of courts, salaries and expenses.	161,202 56
6. For county treasurer, salaries and expenses.	48,727 77
7. For sheriff, salary and expenses.	12,258 00
8. For registries of deeds, salaries and expenses. . . .	463,175 42
8a. For registry of probate, salaries and expenses. . .	14,035 00
9. For law libraries, salaries and expenses.	27,740 40
10. For highways, including state highways, bridges and land damages.	506,598 72
12. For criminal costs in superior court.	193,414 08
13. For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees.	293,695 00
14. For district courts, salaries and expenses.	759,710 20
15. For medical examiners and commitments of insane	38,825 50
16. For jails and house of correction, maintenance and operation.	447,533 02
16a. For industrial farm.	164,864 98
17. For training school.	264,702 76
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.	240,604 40
20. For agricultural school or county aid to agriculture, maintenance and operation.	694,561 23
24. For non-contributory pensions.	98,987 79
25. For contributory retirement system and supervisory expenses.	240,605 80
26. For miscellaneous and contingent expenses.	53,348 60
27. For unpaid bills of previous years.	25,965 22
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.	350 00
32. For forest development.	1,800 00
39. For group insurance.	68,000 00
Total amount of appropriations.	\$5,056,111 32
Less estimated amount available for reduction of county tax.	1,225,254 12

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. \$3,830,857 20

FRANKLIN COUNTY.

Item	
1. For interest on county debt.	\$2,000 00
3. For county commissioners, salaries and expenses. . .	11,135 00
4. For transportation and expenses of county and acting commissioners.	800 00
5. For clerk of courts, salaries and expenses.	24,619 13
6. For county treasurer, salaries and expenses.	16,086 90
7. For sheriff, salary and expenses.	7,930 50
8. For registry of deeds, salaries and expenses.	64,748 42
8a. For registry of probate, salaries and expenses. . . .	3,210 00
9. For law library, salaries and expenses.	7,527 44
10. For highways, including state highways, bridges and land damages.	215,500 00
11. For examination of dams.	600 00
12. For criminal costs in superior court.	22,141 88
13. For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees.	34,050 00
14. For district courts, salaries and expenses.	67,299 03
15. For medical examiners and commitments of insane. . . .	5,640 00
16. For jail and house of correction, maintenance and operation.	95,862 42
17. For training school.	1,700 00
18. For court houses and registry buildings, maintenance and operation.	33,740 90
20. For agricultural school or county aid to agriculture, maintenance and operation.	50,755 74
21. For state reservation, maintenance and operation (Mount Sugarloaf).	3,912 67
23a. For mental health clinic.	9,300 00
23b. For children's camp.	2,000 00
25. For contributory retirement system and supervisory expenses.	16,718 00
26. For miscellaneous and contingent expenses.	4,418 47
27. For unpaid bills of previous years.	338 77
28. For reserve fund.	20,000 00
29. For advertising recreational, industrial and agricultural advantages of the county.	6,500 00
31. For radio system for fire protection.	1,100 00
35. For County Planning Board.	12,179 51
39. For group insurance.	5,500 00
Total amount of appropriations.	\$747,314 78
Less estimated amount available for reduction of county tax.	103,788 83

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. \$643,525 95

HAMPDEN COUNTY.

Item	
1. For interest on county debt.....	\$23,000 00
2. For reduction of county debt.....	46,250 00
3. For county commissioners, salaries and expenses..	31,303 94
4. For transportation and expenses of county and acting commissioners.....	600 00
5. For clerk of courts, salaries and expenses.....	102,142 25
6. For county treasurer, salaries and expenses.....	33,795 73
7. For sheriff, salary and expenses.....	12,168 00
8. For registry of deeds, salaries and expenses.....	254,398 44
8a. For registry of probate, salaries and expenses....	36,051 50
9. For law library, salaries and expenses.....	26,650 83
10. For highways, including state highways, bridges and land damages.....	315,400 00
11. For examination of dams.....	3,000 00
12. For criminal costs in superior court.....	124,562 73
13. For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees.....	203,265 68
14. For district courts, salaries and expenses.....	646,130 89
15. For medical examiners and commitments of insane	45,000 00
16. For jail and house of correction, maintenance and operation.....	421,233 67
17. For training school.....	138,057 18
18. For court houses and registry buildings, maintenance and operation.....	177,000 81
20. For agricultural school or county aid to agriculture, maintenance and operation.....	135,453 67
21. For state reservation, maintenance and operation (Mount Tom).....	38,649 03
23b. For children's camp.....	5,000 00
24. For non-contributory pensions.....	34,646 40
25. For contributory retirement system and supervisory expenses.....	93,254 90
26. For miscellaneous and contingent expenses.....	18,296 08
27. For unpaid bills of previous years.....	8,179 61
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 for fire protection.....	500 00
34. For soil conservation district.....	200 00
39. For group insurance.....	35,000 00
Total amount of appropriations.....	\$3,037,691 34
Less estimated amount available for reduction of county tax.....	609,517 09

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.... \$2,428,174 25

HAMPSHIRE COUNTY.

Item	
1. For interest on county debt	\$1,150 73
2. For reduction of county debt	9,420 15
3. For county commissioners, salaries and expenses . .	20,919 60
4. For transportation and expenses of county and acting commissioners	800 00
5. For clerk of courts, salaries and expenses	30,632 55
6. For county treasurer, salaries and expenses	25,081 58
7. For sheriff, salary and expenses	9,478 00
8. For registry of deeds, salaries and expenses	59,792 36
8a. For registry of probate, salaries and expenses	4,340 00
9. For law library, salaries and expenses	9,934 00
10. For highways, including state highways, bridges and land damages	184,785 00
11. For examination of dams	2,000 00
12. For criminal costs in superior court	38,612 82
13. For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	58,021 00
14. For district courts, salaries and expenses	130,481 05
15. For medical examiners and commitments of insane . .	11,040 00
16. For jail and house of correction, maintenance and operation	145,560 28
17. For training school	100 00
18. For court houses and registry buildings, maintenance and operation	37,751 58
20. For agricultural school or county aid to agriculture, maintenance and operation	59,216 17
21. For state reservation, maintenance and operation (Mount Tom)	6,298 18
21a. For state reservation, maintenance and operation (Deer Hill)	350 00
24. For non-contributory pensions	17,414 05
25. For contributory retirement system and supervisory expenses	33,803 20
26. For miscellaneous and contingent expenses	2,657 13
27. For unpaid bills of previous years	4,374 09
28. For reserve fund	25,000 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	7,500 00
Total amount of appropriations	\$946,333 52
Less estimated amount available for reduction of county tax	189,361 90

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 . . .

\$756,971 62

MIDDLESEX COUNTY.

Item	
1. For interest on county debt	\$30,000 00
3. For county commissioners, salaries and expenses . .	92,146 90
4. For transportation and expenses of county and acting commissioners	1,500 00
5. For clerk of courts, salaries and expenses	414,286 67
6. For county treasurer, salaries and expenses	79,832 40
7. For sheriff, salary and expenses	12,650 00
8. For registries of deeds, salaries and expenses	1,036,408 66
8a. For registry of probate, salaries and expenses . . .	26,212 15
9. For law libraries, salaries and expenses	48,649 59
10. For highways, including state highways, bridges and land damages	979,838 14
11. For examination of dams	2,500 00
12. For criminal costs in superior court	642,890 80
13. For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	764,300 36
14. For district courts, salaries and expenses	2,140,765 68
15. For medical examiners and commitments of insane . .	92,606 25
16. For jail and house of correction, maintenance and operation	1,559,800 75
17. For training school	361,375 77
18. For court houses and registry buildings, maintenance and operation	581,511 30
20. For agricultural school or county aid to agriculture, maintenance and operation	129,318 53
21. For state reservation, maintenance and operation (Walden Pond)	175,362 27
24. For non-contributory pensions	150,004 04
25. For contributory retirement system and supervisory expenses, including not more than six positions	272,431 25
26. For miscellaneous and contingent expenses	91,821 47
27. For unpaid bills of previous years	138,388 61
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	110,000 00
Total amount of appropriations	\$9,988,301 59
Less estimated amount available for reduction of county tax	2,098,462 77

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 . . . \$7,889,838 82

NORFOLK COUNTY.

Item	
1. For interest on county debt	\$32,077 50
2. For reduction of county debt	157,000 00

Item	
3. For county commissioners, salaries and expenses . . .	\$29,251 40
4. For transportation and expenses of county and acting commissioners	660 00
5. For clerk of courts, salaries and expenses	87,318 45
6. For county treasurer, salaries and expenses	43,128 30
7. For sheriff, salary and expenses	12,922 00
8. For registry of deeds, salaries and expenses	399,022 30
8a. For registry of probate, salaries and expenses	25,916 95
9. For law library, salaries and expenses	7,747 80
10. For highways, including state highways, bridges and land damages	558,538 77
12. For criminal costs in superior court	153,842 82
13. For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	208,517 60
14. For district courts, salaries and expenses	743,943 51
15. For medical examiners and commitments of insane	50,200 00
16. For jail and house of correction, maintenance and operation	358,878 85
17. For training school	50,000 00
18. For court houses and registry buildings, maintenance and operation	281,067 96
20. For agricultural school or county aid to agriculture, maintenance and operation	510,314 33
24. For non-contributory pensions	50,000 00
25. For contributory retirement system and supervisory expenses	90,941 68
26. For miscellaneous and contingent expenses	8,373 40
27. For unpaid bills of previous years	18,176 39
28. For reserve fund	40,000 00
30. For forest fire patrol	2,000 00
39. For group insurance	36,000 00
Total amount of appropriations	\$3,955,840 01
Less estimated amount available for reduction of county tax	1,169,588 55

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 \$2,786,251 46

PLYMOUTH COUNTY.

Item	
1. For interest on county debt	\$9,965 32
2. For reduction of county debt	117,500 00
3. For county commissioners, salaries and expenses . .	31,876 27
4. For transportation and expenses of county and acting commissioners	1,000 00
5. For clerk of courts, salaries and expenses	89,685 74
6. For county treasurer, salaries and expenses	29,255 60

Item	
7. For sheriff, salary and expenses	\$11,711 50
8. For registry of deeds, salaries and expenses	244,776 71
8a. For registry of probate, salaries and expenses	15,329 40
9. For law library, salaries and expenses	8,784 42
10. For highways, including state highways, bridges and land damages	326,850 00
11. For examination of dams	1,000 00
12. For criminal costs in superior court	161,297 32
13. For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	139,453 15
14. For district courts, salaries and expenses	390,368 11
15. For medical examiners and commitments of insane	22,940 25
16. For jail and house of correction, maintenance and operation	388,238 51
17. For training school	10,000 00
18. For court houses and registry buildings, maintenance and operation	92,752 84
20. For agricultural school or county aid to agriculture, maintenance and operation	91,163 08
24. For non-contributory pensions	16,226 21
25. For contributory retirement system and supervisory expenses	73,509 70
26. For miscellaneous and contingent expenses	5,118 52
27. For unpaid bills of previous years	3,006 34
28. For reserve fund	30,000 00
30. For forest fire patrol	5,650 00
31. For police radio system	300 00
32a. For maintenance, forest fire apparatus	810 00
33. For police training school and bureau of criminal investigation	28,185 75
38. For airplane	3,345 00
39. For group insurance	15,970 20
Total amount of appropriations	\$2,366,069 94
Less estimated amount available for reduction of county tax	587,521 27

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 . . . \$1,778,548 67

WORCESTER COUNTY.

Item	
1. For interest on county debt	\$42,470 00
2. For reduction of county debt	175,000 00
3. For county commissioners, salaries and expenses	44,168 40
4. For transportation and expenses of county and acting commissioners	2,027 00
5. For clerk of courts, salaries and expenses	213,355 96
6. For county treasurer, salaries and expenses	60,808 58

Item	
7. For sheriff, salary and expenses	\$13,275 50
8. For registries of deeds, salaries and expenses	351,246 36
8a. For registry of probate, salaries and expenses	12,205 00
9. For law libraries, salaries and expenses	37,122 00
10. For highways, including state highways, bridges and land damages	783,666 43
12. For criminal costs in superior court	268,977 29
13. For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	309,635 10
14. For district courts, salaries and expenses	902,595 51
15. For medical examiners and commitments of insane	75,130 00
16. For jail and house of correction, maintenance and operation	546,618 56
18. For court houses and registry buildings, mainte- nance and operation	294,954 27
18a. For bindery department	13,861 61
20. For agricultural school or county aid to agriculture, maintenance and operation	130,080 65
21. For state reservation, maintenance and operation (Mount Wachusett)	35,413 30
21a. For state reservation, maintenance and operation (Purgatory Chasm)	18,165 80
24. For non-contributory pensions	37,614 00
25. For contributory retirement system and super- visory expenses	139,551 00
26. For miscellaneous and contingent expenses	24,677 53
27. For unpaid bills of previous years	13,494 95
28. For reserve fund	40,000 00
30. For forest fire patrol	3,200 00
31. For radio system for fire protection	900 00
36. For Dutch elm disease	10,000 00
39. For group insurance	50,000 00
Total amount of appropriations	\$4,650,214 80
Less estimated amount available for reduction of county tax	883,450 60

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 . . . \$3,766,764 20

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 sub-classes within a main group may be made by the authorized official of the organization unit whenever in his opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated in section one for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated in section one shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general law to the contrary; except that an attendant who becomes a licensed practical nurse may be paid an increased salary rate on account of such promotion, subject to approval by the county personnel board.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners with the approval of the director of accounts.

SECTION 3. No expense incurred for mid-day meals by county officers and employees, other than those who receive as part of their compensation a non-cash allowance in the form of full or complete boarding and housing, and those county officers and employees who are stationed beyond commuting distance from their homes for a period of more than twenty-four hours, shall be allowed by any county; provided that officers or employees who have charge of juries or who have the care and custody of prisoners, insane persons or other persons placed in their charge by a court or under legal proceedings for transfer to or from court to an institution or from institution to institution and persons certified by a district attorney as engaged in investigation shall be reimbursed for the expense of mid-day meals when necessarily engaged on such duty; and provided, further, that county officers and employees in attendance at meetings and conferences called by or for any group or class on a statewide basis shall be so reimbursed.

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 shall be approved by the county commissioners and expended by the county treasurer for any unpaid bills of previous years which were incurred prior to January first of nineteen hundred and sixty-three.

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-four, in accordance with the approved list filed with the county personnel board by the joint committee on counties.

SECTION 6. This act shall take effect upon its passage.

Approved June 15, 1964.

Chap. 530. AN ACT PROVIDING THAT A CERTAIN LICENSE FOR THE PURPOSE OF MAINTAINING FILL OVER A CERTAIN FORMER TIDEWATER AREA IN EAST BOSTON BE IRREVOCABLE.

Be it enacted, etc., as follows:

License No. 4757 granted by the department of public works to General Electric Realty Corporation to maintain existing solid fill and a four-story brick building constructed on piles or similar supports in and over the former tidewater area of Boston Harbor in that part of the city of Boston known as the East Boston district, dated November 26, 1963, registered in the registry district of the Land Court for Suffolk County as Document No. 263863 and recorded in the registry of deeds for Suffolk County, book 7808, page 366, shall, upon compliance with the following condition, namely: payment to the commonwealth of such compensation, if any, as may be properly assessed by said department for tidewater displacement, pursuant to the provisions of section twenty-one of chapter ninety-one of the General Laws, be irrevocable.

Said license pertains to that certain parcel of land situated on the northeasterly side of Porter Street in said East Boston, bounded and

described as follows: — Southwesterly, by the northeasterly line of said Porter Street, 720.58 feet; Northwesterly, 63.71 feet; Northwesterly, again, but more northerly, 95.75 feet; Northeasterly, on a straight line and on a curved line having a radius of 1,992 feet, 315.90 feet; North-easterly, again on a curved line having a radius of 374.26 feet, 265.04 feet; Northeasterly, again, but more northerly, 129.86 feet; and South-easterly, 145.85 feet. Said last six courses being all by land of the commonwealth, measuring on a chain link fence.

Said parcel of land is shown on a plan entitled, "Plan of Land in Boston — Mass. (East Boston District)" by William S. Crocker, Inc., Civil Engineers and Surveyors, dated April 29, 1963, filed in the Land Court as Plan No. 3854G.

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 June 15, 1964.

Chap. 531. AN ACT PROVIDING FOR A BRANCH OFFICE OF THE REGISTRY OF MOTOR VEHICLES IN THE CITY OF WOBURN.

Be it enacted, etc., as follows:

The registrar of motor vehicles, subject to appropriation therefor, is hereby authorized and directed to establish and maintain in the city of Woburn a branch office of the registry of motor vehicles.

Approved June 15, 1964.

Chap. 532. AN ACT PROVIDING THAT EMPLOYEES OF CERTAIN DISTRICTS SHALL BE ENTITLED TO MEMBERSHIP IN THE STATE EMPLOYEES RETIREMENT SYSTEM.

Be it enacted, etc., as follows:

SECTION 1. The fourth sentence of section 2 of chapter 32 of the General Laws, as appearing in section 3 of chapter 306 of the acts of 1956, is hereby amended by inserting after the word "twenty-eight", in line 15, the words: — , except that in the case of a district which comprises cities and towns located in more than one county, or in the case of a district in which the cities and towns comprising such district may vary from time to time, the employees of such district may become members of the state employees retirement system, subject to the provisions of subdivision (4) of section twenty-eight.

SECTION 2. Said section 2 of said chapter 32 is hereby further amended by adding the following paragraph: —

No provision of this section shall operate so as to provide membership in any system established under this chapter for any employees of any district which is included in any agreement providing social security coverage for the employees of such district under the provisions of chapter one hundred and eighteen C.

SECTION 3. Paragraph (a) of subdivision (4) of section 28 of said chapter 32 is hereby amended by inserting after the word "laws", in line 8 as appearing in section 1 of chapter 658 of the acts of 1945, the words: — , or any district the cities and towns of which are located in more than one county; and by inserting after the word "town", in line 23, as so appearing, the words: — or the state board of retirement.

Approved June 15, 1964.

Chap. 533. AN ACT INCREASING THE AMOUNT WHICH THE JUSTICES OF THE MUNICIPAL COURT OF THE CITY OF BOSTON MAY EXPEND FOR MEDICAL SERVICE FOR ITS CRIMINAL BUSINESS.

Be it enacted, etc., as follows:

SECTION 1. Section 55 of chapter 218 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 5, the word "ten" and inserting in place thereof the word: — fifteen.

SECTION 2. This act shall take effect upon its acceptance by the city of Boston.

Approved June 15, 1964.

Chap. 534. AN ACT REQUIRING PHYSICIANS TO REPORT INJURY OR ABUSE TO PATIENTS UNDER SIXTEEN YEARS OF AGE IN CERTAIN CASES.

Be it enacted, etc., as follows:

Chapter 119 of the General Laws is hereby amended by adding after section 39 the following two sections: —

Section 39A. Every physician and every interne or medical officer, registered as provided in section nine A of chapter one hundred and twelve who professionally examines or treats a child under the age of sixteen years and has reasonable cause to believe that such child is suffering from serious physical injury or abuse inflicted by a parent or other person responsible for the care of such child, shall report such injury or abuse to the department of public welfare in accordance with rules and regulations of the department.

Any information contained in such report if given in good faith by such physician, or interne or medical officer shall not constitute slander or libel.

Section 39B. The department shall forthwith investigate, or cause to be investigated by an agency approved by it, such report in order to determine who caused such injury or abuse. If the department finds that a parent or other person responsible for the care of the child inflicted said injury or abused such child, it shall take such action as may be necessary to prevent any further injury or abuse to such child.

If a parent or other person responsible for the care of such child cannot or will not make suitable provisions for the care and protection of the child, the department shall take such action in accordance with law, as may be necessary for the care and protection of the child. If the injury or abuse to such child is so serious that the provisions of this section are inadequate, the department shall, in addition to taking such action under this section as it deems necessary, report its findings to the district attorney of the county in which the injury or abuse occurred.

The department may adopt such rules and regulations as may be necessary in carrying out the provisions of this section.

Approved June 15, 1964.

Chap. 535. AN ACT PROVIDING FOR THE ESTABLISHMENT IN THE DIVISION OF SPECIAL EDUCATION OF A LIBRARY CENTER FOR VISUALLY-HANDICAPPED CHILDREN.

Be it enacted, etc., as follows:

Chapter 15 of the General Laws is hereby amended by inserting after section 15A the following section: —

Section 15B. There shall be established in the division of special education a library center for the acquisition, maintenance and distribution of books and other material deemed essential to the proper instruction and training of visually-handicapped children.

Approved June 15, 1964.

Chap. 536. AN ACT PROVIDING FOR THE INSTALLATION OF AN ELECTRIC ROLL CALL SYSTEM IN THE CHAMBER OF THE HOUSE OF REPRESENTATIVES.

Be it enacted, etc., as follows:

The sergeant-at-arms, acting under the direction of the house committee on rules, is hereby authorized and directed to purchase or lease an electric or electronic roll call system for installation in the chamber of the house of representatives and for said purpose may expend such sums as may be appropriated therefor.

Approved June 15, 1964.

Chap. 537. AN ACT RELATIVE TO THE ADMISSIBILITY IN EVIDENCE OF CERTAIN STATEMENTS TAKEN ON RECORDING INSTRUMENTS.

Be it enacted, etc., as follows:

Chapter 233 of the General Laws is hereby amended by striking out section 23A, as amended by chapter 242 of the acts of 1953, and inserting in place thereof the following section: — *Section 23A.* In any action to recover damages for personal injuries or consequential damages, so called, resulting therefrom, no statement in writing signed by any party to the action or statement taken on a recording instrument, concerning the facts out of which the cause of action arose, given by such party, or a person in his behalf, to any other party to the action, or to his agent or attorney, or to the insurer of such other party, or to the agent or attorney of such insurer, shall be admissible in evidence in, or referred to at, the trial of such action or in any proceeding connected therewith unless a copy of such statement or verbatim written transcription of such recorded statement is furnished to the party making the same or to his attorney within ten days after written request therefor made by such party or attorney to the adverse party or his attorney, or within such further time as the court may allow on motion and notice.

Approved June 15, 1964.

Chap. 538. AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO CONSTRUCT A CERTAIN FOOTBRIDGE ACROSS SOLDIERS FIELD ROAD IN THE BRIGHTON DISTRICT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized and directed to construct a footbridge across Soldiers Field road in the Brighton district of the city of Boston in the vicinity of its playground located thereat. For such purpose said commission may expend such sums as may be appropriated therefor.

Approved June 15, 1964.

Chap. 539. AN ACT AUTHORIZING THE CITY OF TAUNTON TO PAY A SUM OF MONEY TO PAULINE M. CLEARY, THE WIDOW OF THE LATE BERNARD F. CLEARY, FORMER MAYOR OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of promoting the public good, the city of Taunton is hereby authorized to appropriate or transfer from available funds and pay to Pauline M. Cleary, the widow of the late Bernard F. Cleary, who died while serving as mayor of said city, 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.

SECTION 2. This act shall take effect upon its acceptance by the city of Taunton.

Approved June 15, 1964.

Chap. 540. AN ACT EXTENDING THE AUTHORITY TO ISSUE CRIMINAL COMPLAINTS FOR VIOLATION OF CERTAIN MOTOR VEHICLE LAWS.

Be it enacted, etc., as follows:

Section 4 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 first sentence and inserting in place thereof the following sentence: — No justice or clerk of a district court shall issue a criminal complaint to a police officer for an automobile law violation, as defined in section one, unless such officer exhibits to such justice or clerk a copy of a citation showing either that a complaint has been recommended or that an arrest has been made, or unless no police officer observed such violation or, if a police officer did observe such violation, he was unable to identify the offending operator.

Approved June 15, 1964.

Chap. 541. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO DREDGE A HARBOR, ESTABLISH A HARBOR ANCHORAGE AND CONSTRUCT DOCKAGE FACILITIES IN THE ANDREWS RIVER AREA OF SOUTH HARWICH AND AUTHORIZING THE TOWN OF HARWICH TO BORROW MONEY TO PAY ITS SHARE OF THE COST.

Be it enacted, etc., as follows:

SECTION 1. The department of public works, acting by its division of waterways, is authorized to dredge a harbor, establish a harbor anchor-

age and construct dockage facilities, which may include a marina, a parking area and such other related facilities as the department may determine, in the Andrews River area of South Harwich. No work shall be begun until the town of Harwich 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 said town has paid its share of the cost of the project, as determined by the department, into the state treasury.

SECTION 2. The department of public works, acting by its division of waterways, is authorized to accept and spend any federal survey or planning advances or construction grants which may be available for the purposes of this act. The department and the town are each authorized to do such acts and enter into such contracts as may be necessary or desirable to obtain the federal aid.

SECTION 3. For the purpose of meeting the payments required to be made by it under section one, the town of Harwich may, from time to time, borrow a sum not exceeding, in the aggregate, one hundred and fifty thousand dollars, and may issue bonds or notes therefor. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit provided by chapter forty-four of the General Laws and shall, except as provided herein, be subject to the provisions of chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 4. Any action taken by the town of Harwich at its annual town meeting in the current year relative to the matters referred to in this act shall be as valid and effective as if this act had been in effect at the time of the posting of the warrant for said meeting.

SECTION 5. This act shall take effect upon its passage.

Approved June 16, 1964.

Chap. 542. AN ACT AUTHORIZING THE DEPARTMENT OF NATURAL RESOURCES TO CONVEY CERTAIN LAND IN THE CITY OF CHICOPEE TO SAID CITY FOR THE PURPOSE OF A MUNICIPAL GOLF COURSE IN CONSIDERATION OF THE CONVEYANCE BY SAID CITY OF CERTAIN OTHER LAND TO SAID DEPARTMENT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the department of natural resources and the city of Chicopee to exchange certain land in said city for the purpose of facilitating the construction of a municipal golf course therein, 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 consideration of the conveyance to the department of natural resources by the city of Chicopee of certain land as provided in section two, said department is hereby authorized to convey to said city, for the purpose of a municipal golf course, by a deed, approved as to form by the attorney general, all the right, title, interest and estate of the commonwealth in and to a certain parcel of land in the Cooley brook area of said city, bounded and described as follows: — Beginning

at a concrete bound standing on the Northerly side of Pendleton Avenue — said concrete bound being also the Southwest corner of land belonging to the City of Chicopee, said concrete bound standing at the Southeasterly corner of the parcel herein described:

Thence S $21^{\circ} 18' 30''$ W 54.06 feet across the aforesaid Pendleton Avenue to another concrete bound standing at land supposed to belong to one Golden;

Thence N $79^{\circ} 54' 30''$ W 500 feet along land of said Golden to a concrete bound standing at the Southwesterly corner of the land herein described;

Thence N $33^{\circ} 20'$ W 700 feet to a concrete bound standing at the Northwest corner of the land herein described;

Thence N $55^{\circ} 41''$ E 1702 feet to a concrete bound standing at the Northeast corner of the land herein described, the last two courses being bounded by other lands of the grantor;

Thence S $74^{\circ} 48'$ E 220.70 feet to a concrete bound,

S $22^{\circ} 15'$ E 475 \pm feet to a concrete bound,

S 10° E 640 \pm feet to a concrete bound, the last three corners bounding on other lands of the grantor to the Northwesterly boundary of the grantee, the city of Chicopee;

Thence along northwesterly boundary of the City of Chicopee S $65^{\circ} 58' 50''$ W 1100 \pm feet to the first monument, a concrete bound mentioned above. All bearings as stated are magnetic as of 1961 and vary $16^{\circ} 45'$ — from those shown upon plans prepared by the City of Chicopee.

Meaning to convey 42.5 \pm Acres from the Southwesterly corner of land conveyed to the grantor, the department of natural resources, by the grantee, the City of Chicopee and recorded at Hampden County Registry of Deeds, in Book 2796, Page 295.

Reference may be had to a plan describing said land drawn from surveys, levels and reconnaissance by Messrs. Slack, Maisner and Leo Roy and dated May 8, 1964.

Subject to easements of record in the Hampden County Registry of Deeds from the City of Chicopee to the United States of America, including an aviation easement and right-of-way on that portion of the premises herein described, which is designated as Tracts numbered 205E-1, 205E-2, 205E-3, and 205E-4, as described in a Declaration of Taking Civil No. 53-1184-S, from the City of Chicopee by the United States of America, dated November 4, 1953, recorded with the Hampden County Registry of Deeds on the 6th day of January, 1954, in Book 2287, Pages 277-283.

SECTION 2. In consideration of the conveyance to the city of Chicopee by the department of natural resources of certain land as provided in section one, said city is hereby authorized to convey to said department the following two parcels of land:

Parcel No. 1. Beginning at a concrete bound standing on the boundary line of lands of the Commonwealth of Massachusetts and the City of Chicopee aforesaid, said concrete bound being a point called "A" as shown upon a plan to be recorded as hereinafter referred to, and said point being distant N $65^{\circ} 58' 50''$ E 170' \pm from the Southeast corner, a concrete bound, of the tract of land being conveyed to aforesaid city by the department of natural resources;

Thence via said boundary line N 65° 58' 50" E 1375' ± to point "B" situated at the Southeast corner of Westover Field, so-called, property of the people of the U.S.A.;

Thence along the Westerly bounds of the said City of Chicopee, bounded Westerly by Westover Field N 61° 45' E 1700' ± to point "C" situated at the Northwest corner of lands of the said City of Chicopee;

Thence S 28° 15' E 1200' ± to point "D", bounded Northerly by land supposed to belong to the people of the U.S.A.;

Thence Southwesterly 250' ± across a brook to a concrete bound called point "E";

Thence along the edge of a swamp and by a line hereinafter referred to as Contour 205 feet Southwesterly and Southerly 1650' ± to point "F", a concrete bound;

Thence Southerly across a brook 80.30' to point "G", another concrete bound;

Thence Westerly, Northerly, Southwesterly, Southerly and Easterly 1700' via said Contour 205 feet to point "H", another concrete bound, standing at said Contour 205 feet;

Thence Southeasterly 135.10' across an old wood road and brook to point "J" another concrete bound, standing at said Contour 205 feet;

Thence Southwesterly and Southeasterly along said Contour 205 feet 625' to point "K", another concrete bound, standing at said Contour 205 feet;

Thence S 52° W 865' ± to point "L", a concrete bound, standing approximately at said Contour 205 feet. Thence Northwesterly 475' ± via Contour 205 feet to point "M", another concrete bound;

Thence N 14° W 650' ± to point "N", another concrete bound standing approximately at said Contour 205 feet;

Thence Northeasterly and Northerly 750' ± via said Contour 205 feet to point "A" aforesaid, all the courses and bounds being by other lands of the grantor, the said City of Chicopee, from point "D" to point "A" inclusive, and meaning to convey about 78 Acres of Swamp and Upland, as shown upon a preliminary plan drawn from surveys, levels and reconnaissance by Messrs. Slack, Maisner and Leo Roy, dated May 8, 1964.

Meaning also to convey such flowage rights as are necessary to the establishment and maintenance of a pond covering the above described land, the high water line to be within said Contour 205 feet as existing, and resulting from said city's construction of a golf course adjacent to the above.

All bearings as stated are magnetic as of 1961 and vary 16° 45' ± from those shown upon plans prepared by the City of Chicopee.

The datum to which contour elevation 205 is referred is that of the City of Chicopee Water Department, with the Bench Mark elevation referred to on the plan being established from said datum.

Parcel No. 2. Entrance Area of 4.838 Acres City of Chicopee deed to Commonwealth of Massachusetts. Beginning at a point marked by a concrete bound standing on the Eastern boundary of Chicopee State Park, situated N 12° 47' 00" E 100.16 feet distant from a concrete bound (formerly an iron bound) standing at the Southeast corner of said Chicopee State Park and bounded on the East by "Johnnycake Hollow Road" so-called;

Thence along the said Easterly boundary of said State Park N 11° 02' 30" E 254.45 feet to a point at the Southwesterly corner of other lands of the grantor, the said City of Chicopee;

Thence S 81° 01' 50" E 182.53 feet to a point;

Thence N 87° 17' 10" E 1698.29 feet to a point in the Westerly side line of Burnett Road, a public way;

Thence via said Westerly side line S 65° 24' 00" W 135.88 feet to an angle in said Westerly side line;

Thence S 58° 30' 00" W 216.57 feet to another point in said Westerly side line at other land of the grantor,

Thence N 2° 42' 50" W 54.94 feet to a point;

Thence S 87° 17' 10" W 1392.62 feet to a point;

Thence S 6° 42' 30" W 146.19 feet to a point in the Northerly bounds of land supposed to belong to James W. Wells et al, the last three courses bounding land of the grantor on the South;

Thence N 83° 17' 30" W 207.89 feet to the concrete bound first mentioned above and containing by computation 4.838 Acres, and meaning to convey the foregoing described parcel of land also bounded as follows: —

Westerly by Chicopee State Park; Northerly by the grantor, the said City of Chicopee; Southeasterly by Burnett Road; and Southerly by the said grantor and lands supposed to belong to James W. Wells et al and reserving an Easement (Water Main).

Reference may be had to a plan prepared by Durkee-White-Towne & Chadelaine, being Drawing Number 83-4454, dated November 8, 1963, showing the above described parcel as checked, revised and corrected by Tracy B. Slack for the said department of natural resources, May 16, 1964.

SECTION 3. Said department and said city shall convey substantially the land described in sections one and two, but minor alterations of boundaries may be agreed upon by the parties.

Approved June 16, 1964.

Chap. 543. AN ACT PROVIDING FOR THE COMMONWEALTH'S PARTICIPATION IN CO-OPERATIVE FEDERAL-STATE NAVIGATION, BEACH EROSION CONTROL AND HURRICANE BARRIER PROJECTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to permit forthwith the department of public works to enter into certain agreements required by the federal government before federal funds are available for navigation, beach erosion control and hurricane barrier projects, 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, subject to appropriation, is hereby authorized to pay to the Secretary of the Army on his demand, the contribution required, if any, from local interests, as specified by the Congress of the United States with respect to the following projects authorized by the River and Harbor Acts of 1960 and 1962, and Public Law 71, Eighty-fourth Congress, and to give to said Secretary of

the Army the assurances required for these projects; provided that the municipalities in which the work is to be done shall have deposited with the state treasurer one half of such contribution and 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 each project, and have given to said department of public works satisfactory assurances that conditions imposed upon them with respect to each project will be met. Said projects are as follows: navigational improvements at Cotuit harbor, Barnstable; Chelsea river, Boston-Chelsea; Gloucester harbor, Gloucester; Plymouth harbor, Plymouth; Dorchester bay and Neponset river, Boston, Quincy and Milton; Marblehead harbor, Marblehead; Acushnet river, New Bedford, Fairhaven and Acushnet; Polpis harbor and Madaket harbor, Nantucket; Padanaram river, Dartmouth; and Taunton river, Fall River and Somerset; and beach erosion control projects at Wessagussett beach, Weymouth; Brant Rock beach, Marshfield; North Scituate beach, Scituate; Plymouth Town beach, Plymouth; Town Neck beach, Sandwich; Thumpertown beach, Eastham; Provincetown beach, Provincetown; Clark point, New Bedford; Horseneck beach, Westport; Fort Phoenix beach, Fairhaven; and Town beach, Fairhaven; and hurricane barrier, Marion and Wareham.

Approved June 16, 1964.

Chap. 544. AN ACT INCREASING THE PROPORTION OF THE COSTS OF CONSTRUCTING AND IMPROVING MUNICIPAL AIRPORTS WHICH MAY BE CONTRIBUTED BY THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose which is in part to pay forthwith for municipal airport projects now in progress, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The first paragraph of section 39F of chapter 90 of the General Laws, as appearing in section 4 of chapter 593 of the acts of 1947, is hereby amended by striking out, in line 10, the word "twenty-five" and inserting in place thereof the word: — forty. *Approved June 16, 1964.*

Chap. 545. AN ACT RELATIVE TO THE FINANCIAL RESPONSIBILITY FOR PATIENTS IN TEWKSBURY HOSPITAL.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to abolish forthwith settlements as the bases for determining financial responsibility for certain hospitalization of indigent persons, 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 122 of the General Laws is hereby amended by striking out section 14, as appearing in section 8 of chapter 613 of the acts of 1958, and inserting in place thereof the following section: — *Section 14.* Any person who is a resident of the commonwealth and is affected with any disease, except mental defect or insanity, or smallpox,

or other diseases dangerous to the public health, or whose health would be injured or endangered by removal, may be admitted to the Tewksbury hospital; provided, that his admission shall be upon the certificate of the board of health, or the board of public welfare, of the town from which he is sent, or the department of public health, or from someone duly authorized by said boards or said department. The department may make rules and regulations for such admission and to facilitate the operation of this section.

The expenses of the maintenance of such a patient shall be paid by him, his executor or administrator, except that persons in need of public assistance shall have the responsibility for payment of such charges fixed in accordance with the provisions of the particular category of assistance under which they are aided. Persons or kindred bound by law to support such needy persons, not eligible for public assistance, shall be assessed in accordance with a schedule approved by said department.

SECTION 2. Sections seventeen, eighteen, nineteen and twenty of said chapter one hundred and twenty-two are hereby repealed.

SECTION 3. Notwithstanding any other provision of law, in the case of a person who was an inmate or patient at the Tewksbury hospital at any time prior to January first, nineteen hundred and sixty-four, and who was without a settlement in the commonwealth as of the date of his last admission to said hospital, no charge to any city or town will be made for care rendered on or after January first, nineteen hundred and sixty-four.

SECTION 4. This act shall take effect as of January first, nineteen hundred and sixty-four.

Approved June 16, 1964.

Chap. 546. AN ACT EXTENDING THE DURATION OF THE BOARD OF SCHOOLHOUSE STRUCTURAL STANDARDS AND INCREASING THE MEMBERSHIP THEREOF.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 675 of the acts of 1955 is hereby amended by striking out the first paragraph, as amended by section 1 of chapter 457 of the acts of 1961, and inserting in place thereof the following paragraph: — To promote the construction of schoolhouses in the commonwealth by the establishment of reasonable structural standards, there is hereby established for twelve years in the department of public safety, but not under the control of the commissioner, a board of schoolhouse structural standards, which shall consist of the commissioner of public safety, the chief of inspections of said department and the administrator of the school building assistance commission, ex officio, with the same powers and duties as other members of the board, and eight members to be appointed by the governor. Of the appointive members four shall have had ten years' experience in the building construction industry, and of said four members two shall be registered architects, one a registered civil or structural engineer, and one a registered mechanical engineer. The governor shall from time to time designate one member of said board as chairman.

SECTION 2. Section 2 of said chapter 675, as most recently amended by section 2 of said chapter 457, is hereby further amended by striking out, in line 4, the word "nine" and inserting in place thereof the word: —

twelve, — so as to read as follows: — *Section 2.* The regulations issued under section fifty-four of chapter one hundred and forty-three of the General Laws shall, in so far as they pertain to schoolhouses, be issued for a period of twelve years by the board of schoolhouse structural standards, any provisions of said section to the contrary notwithstanding.

SECTION 3. Chapter 596 of the acts of 1960 is hereby amended by striking out section 4, as amended by section 3 of said chapter 457, and inserting in place thereof the following section: — *Section 4.* Section one shall become inoperative on November thirteenth, nineteen hundred and sixty-seven, and section three shall thereupon take effect.

Approved June 16, 1964.

Chap. 547. AN ACT RELATIVE TO THE ENFORCEMENT OF LAWS RELATING TO MOTORBOATS AND OTHER VESSELS.

Be it enacted, etc., as follows:

Section 12 of chapter 90B of the General Laws, as appearing in section 2 of chapter 275 of the acts of 1960, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The provisions of this chapter and of all rules and regulations made under authority thereof shall be enforced by the director or his authorized agents, by harbor masters and assistant harbor masters, by police officers assigned to harbor patrol, by fish and game wardens, by members of the state police, by enforcement officers of the department of natural resources and by city, town and metropolitan district commission police officers assigned to patrol waters of the commonwealth.

Approved June 16, 1964.

Chap. 548. AN ACT PROVIDING FOR THE PAYMENT OF INTEREST ON JUDGMENTS AGAINST THE COMMONWEALTH AND ON SETTLEMENTS IN EMINENT DOMAIN CASES.

Be it enacted, etc., as follows:

SECTION 1. Section 22 of chapter 79 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: — Judgment shall be entered and execution issued as in actions at law; and when the commonwealth is liable for damages the amount found due shall be certified and paid under section three A of chapter two hundred and fifty-eight.

SECTION 2. Said chapter 79 is hereby further amended by striking out section 37, as most recently amended by section 1 of chapter 793 of the acts of 1963, and inserting in place thereof the following section: — *Section 37.* 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 that an award shall not bear interest after it is payable unless the body politic or corporate liable therefor fails upon demand to pay the same to the person entitled thereto. Interest shall be added by the clerk of the court to the damages expressed in a verdict, finding, or order for judgment on an auditor's report. A judgment, whether against

the commonwealth or any other body politic or corporate, shall bear interest at the rate of six per cent per annum from the date of the entry of such judgment to and including the last day of the month prior to the month in which satisfaction thereof is paid.

SECTION 3. Section 39 of said chapter 79, as most recently amended by section 5 of chapter 626 of the acts of 1959, is hereby further amended by adding at the end the following sentence: — After approval of such settlement by the board of officers who made the taking for which damages are sought, or after acceptance of an offer of such settlement by the person seeking such damages, whichever occurs later, the amount of such settlement shall bear interest at the rate of six per cent per annum from the date of such settlement to and including the last day of the month prior to the month in which payment thereof is made or tendered.

SECTION 4. Chapter 258 of the General Laws is hereby amended by inserting after section 3 the following section: —

Section 3A. If final judgment is entered in favor of the petitioner against the commonwealth for damages in cases arising under chapter seventy-nine, the clerk of the superior court for the county where such judgment is entered shall, within seven days after the final disposition of the case, transmit a certified copy of the docket entries and a certificate of such judgment showing the amount due from the commonwealth, to the comptroller who shall notify the governor. The governor shall draw his warrant for such amount on the state treasurer, who shall pay the same, with such interest as is authorized by the third sentence of section thirty-seven of chapter seventy-nine, from any appropriation made for the purpose by the general court.

SECTION 5. This act shall take effect on January first, nineteen hundred and sixty-five and shall not apply to interest on judgments entered or settlements arrived at prior to said date. *Approved June 16, 1964.*

Chap. 549. AN ACT INCREASING THE LEISURE TIME ACTIVITIES ALLOWANCE UNDER THE OLD AGE ASSISTANCE LAW.

Be it enacted, etc., as follows:

Section 1 of chapter 118A of the General Laws is hereby amended by striking out the third paragraph, as most recently amended by chapter 550 of the acts of 1963, and inserting in place thereof the following paragraph: —

Each local board of public welfare shall include in the budget of each recipient an item, to be known as "Leisure Time Activities", under which there shall be paid to each recipient the sum of six dollars monthly in addition to the budgetary requirements or any other assistance granted under the provisions of this section, and an item, to be known as "Transportation Allowance", under which there shall be paid to each recipient who is not an inmate of a nursing home or institution the sum of five dollars monthly.

Approved June 16, 1964.

Chap. 550. AN ACT RELATIVE TO MOSQUITO CONTROL.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 5 of chapter 252 of the General Laws, as appearing in the Tercentenary Edition, is hereby

amended by striking out the second sentence and inserting in place thereof the following sentence: — The board shall fix the compensation of said commissioners, which shall not exceed ten dollars for each day of actual service, and shall allow them necessary traveling expenses incurred in the performance of their duties.

SECTION 2. Section 5B of said chapter 252, as so appearing, is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence: — Unless the county commissioners shall, within two weeks thereafter, determine that the proposed abatement is not required for the promotion of the public health, safety or convenience, the abatement may proceed. *Approved June 16, 1964.*

Chap. 551. AN ACT AUTHORIZING CERTAIN JUSTICES AND JUDGES TO INCLUDE ACTUAL SERVICE AS A SPECIAL JUSTICE IN THE COMPUTATION OF THE TIME SERVED BY THEM FOR RETIREMENT PURPOSES.

Be it enacted, etc., as follows:

Section 65A of chapter 32 of the General Laws, as most recently amended by section 1 of chapter 341 of the acts of 1958, is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

A chief justice, justice, associate justice, judge or associate judge of any such court or courts appointed to any judicial office on or before July thirty-first, nineteen hundred and fifty-six, who, after having served in any such office or offices at least ten years continuously, notwithstanding that this continuous service may involve one or more appointments made subsequent to July thirty-first, nineteen hundred and fifty-six, and having attained the age of seventy years, shall resign his office, shall thereupon be entitled to receive a pension for life at an annual rate equal to three-fourths of the annual rate of salary payable to him at the time of such resignation, to be paid from the same source and in the same manner as the salaries of like judicial officers of his court are paid. For the purposes of this paragraph a year of previous service as a special justice shall be computed by dividing the number of days of actual sittings in such capacity by three hundred, whether or not such sittings occurred in one calendar or fiscal year.

Approved June 16, 1964.

Chap. 552. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO RECONSTRUCT THE DAM IN THIRD POND, A GREAT POND IN THE TOWN OF TEMPLETON.

Be it enacted, etc., as follows:

The department of public works, acting through its division of waterways, is hereby authorized and directed to reconstruct the dam in Third pond, a great pond in the town of Templeton. For the purposes of this act, said department may expend such sums as may be appropriated therefor.

Approved June 16, 1964.

Chap. 553. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO EXTEND THE BICYCLE PATH FROM THE TOWN OF NANTUCKET TO THE VILLAGE OF SIASCONSET.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to construct and extend the bicycle path in the town of Nantucket to the village of Siasconset. For such purpose said department shall expend such sums as may be appropriated therefor. *Approved June 16, 1964.*

Chap. 554. AN ACT REQUIRING CITIES AND TOWNS TO PROVIDE TRANSPORTATION FOR RETARDED AND HANDICAPPED CHILDREN TO AND FROM SCHOOL.

Be it enacted, etc., as follows:

Section 46B of chapter 71 of the General Laws, as most recently amended by chapter 649 of the acts of 1960, is hereby further amended by striking out, in line 7, the word "may" and inserting in place thereof the word: — shall. *Approved June 16, 1964.*

Chap. 555. AN ACT GRANTING A REAL ESTATE TAX EXEMPTION TO ERNEST CASTRO, A PARAPLEGIC VETERAN.

Be it enacted, etc., as follows:

Notwithstanding the provisions of clause twenty-second B of section five of chapter fifty-nine of the General Laws, real estate of Ernest Castro of Moss Hill Road in the town of Russell, a paraplegic veteran, to the amount of eight thousand dollars shall be exempt from local taxation; provided, that such real estate is occupied by him as his domicile; and provided, further, that if said property be greater than a single family house, then only that value of so much of said house as is occupied by said person as his domicile shall be exempted.

Two thousand dollars of this exemption shall be borne by the city or town, the balance, up to six thousand dollars, shall be borne by the commonwealth, and the state treasurer shall annually reimburse the city or town for the amount of the tax which otherwise would have been collected on account of this balance. *Approved June 16, 1964.*

Chap. 556. AN ACT AUTHORIZING THE CITY OF WORCESTER TO PAY A RETROACTIVE INCREASE IN ACCIDENTAL DISABILITY RETIREMENT ALLOWANCES TO RETIRED MEMBERS OF THE POLICE AND FIRE DEPARTMENTS OF THE CITY OF WORCESTER.

Be it enacted, etc., as follows:

Notwithstanding any contrary provisions of law, the city of Worcester is authorized by a two thirds vote of the city council and with the approval of the city manager to pay retroactive to June first, nineteen hundred and sixty-three an increase in accidental disability retirement allowances to retired members of the police and fire departments of said city to an amount not exceeding one half of the rate of regular compensa-

tion paid to such members holding similar positions in the same grade or classification occupied by such former members of said departments at the time of their retirement.

Approved June 16, 1964.

Chap. 557. AN ACT FURTHER REGULATING THE ISSUANCE AND CONTENTS OF SEARCH WARRANTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 276 of the General Laws is hereby amended by striking out section 1, as most recently amended by section 1 of chapter 96 of the acts of 1963, and inserting in place thereof the following section: — *Section 1.* A court or justice 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 house, place, vessel or vehicle or in the possession of a person anywhere within the commonwealth and territorial waters thereof, if satisfied that there is probable cause for such belief, issue a warrant identifying the property and naming or describing the person or place to be searched and commanding the person seeking such warrant to search for the following property or articles:

First, property or articles stolen, embezzled or obtained by false pretenses, or otherwise obtained in the commission of a crime;

Second, property or articles which are intended for use, or which are or have been used, as a means or instrumentality of committing a crime, including, but not in limitation of the foregoing, any property or article worn, carried or otherwise used, changed or marked in the preparation for or perpetration of or concealment of a crime;

Third, property or articles the possession or control of which is unlawful, or which are possessed or controlled for an unlawful purpose; except property subject to search and seizure under sections forty-two through fifty-six, inclusive, of chapter one hundred and thirty-eight;

Fourth, the dead body of a human being.

The word "property", as used in this section shall include books, papers, documents, records and any other tangible objects.

Nothing in this section shall be construed to abrogate, impair or limit powers of search and seizure granted under other provisions of the General Laws or under the common law.

SECTION 2. Said chapter 276 is hereby further amended by striking out section 2, as amended by section 2 of said chapter 96, and inserting in place thereof the following section: — *Section 2.* Search warrants shall designate and describe the building, house, place, vessel or vehicle to be searched and shall particularly describe the property or articles to be searched for. They shall be substantially in the form prescribed in section two A of this chapter and shall be directed to the sheriff or his deputy or to a constable or police officer, commanding him to search in the daytime, or if the warrant so directs, in the nighttime, the building, house, place, vessel or 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.

SECTION 3. Said chapter 276 is hereby further amended by inserting after section 2 the following three sections: —

Section 2A. The warrant shall be in substantially the following form:

THE COMMONWEALTH OF MASSACHUSETTS.

(COUNTY), ss.

(NAME) COURT.

To the Sheriffs of our several counties, or their deputies, any State Police Officer, or any Constable or Police Officer of any city or town, within our said Commonwealth.

Proof by affidavit having been made this day before (name of person authorized to issue warrant) by (names of person or persons whose affidavits have been taken) that there is probable cause for believing that (certain property has been stolen, embezzled, or obtained by false pretenses; certain property is intended for use or has been used as the means of committing a crime; certain property has been concealed to prevent a crime from being discovered; certain property is unlawfully possessed or kept or concealed for an unlawful purpose).

We therefore command you in the daytime (or at any time of the day or night) to make an immediate search of (identify premises) (occupied by A. B.) and (of the person of A. B.) and of any person present who may be found to have such property in his possession or under his control or to whom such property may have been delivered, for the following property:

(description of property)

and if you find any such property or any part thereof to bring it and the persons in whose possession it is found before (court having jurisdiction) at (name of court and location).

Dated at (city or town) this day of, 19

Clerk.

Section 2B. A person seeking a search warrant shall appear personally before a court or justice authorized to issue search warrants in criminal cases and shall give an affidavit in substantially the form hereinafter prescribed. Such affidavit shall contain the facts, information, and circumstances upon which such person relies to establish sufficient grounds for the issuance of the warrant. The person issuing the warrant shall retain the affidavit and shall deliver it within three days after the issuance of the warrant to the court to which the warrant is returnable. Upon the return of said warrant, the affidavit shall be attached to it and shall be filed therewith, and it shall not be a public document until the warrant is returned.

The affidavit in support of the application for a search warrant shall be in substantially the following form:

THE COMMONWEALTH OF MASSACHUSETTS.

(COUNTY), ss.

(NAME) COURT.

....., 19

I, (name of applicant) being duly sworn, depose and say:

1. I am (describe position, assignment, office, etc.).

2. I have information, based upon (describe source, facts indicating reliability of source and nature of information; if based on personal knowledge and belief, so state).

3. Based upon the foregoing reliable information (and upon my personal knowledge) there is probable cause to believe that the property hereinafter described (has been stolen, or is being concealed, etc.) and may be found (in the possession of A. B. or any other person) at premises (identify).

4. The property for which I seek the issuance of a search warrant is the following: (here describe the property as particularly as possible).

Wherefore, I respectfully request that the court issue a warrant and order of seizure, authorizing the search of (identify premises and the persons to be searched) and directing that if such property or evidence or any part thereof be found that it

be seized and brought before the court; together with such other and further relief that the court may deem proper.

.....
Name.

Then personally appeared the above-named and made oath that the foregoing affidavit by him subscribed is true.

Before me,

.....
Notary Public.

Section 2C. Search warrants issued pursuant to section two hundred and thirteen of chapter ninety-four, sections twenty and twenty-five of chapter one hundred and ten, section ten of chapter one hundred and thirty, sections twenty-three and fifty-two of chapter one hundred and thirty-one shall be issued in the manner provided in sections two, two A and two B, in so far as they are applicable.

SECTION 4. Said chapter 276 is hereby further amended by striking out section 3, as most recently amended by section 3 of chapter 660 of the acts of 1957, and inserting in place thereof the following section: — *Section 3.* If an officer in the execution of a search warrant finds property or articles therein described, he shall seize and safely keep them, under the direction of the court or justice, so long as necessary to permit them to be produced or used as evidence on any trial. As soon as may be, thereafter, all property seized under clause one of section one shall be restored to the owners thereof; and all other property seized in execution of a search warrant shall be disposed of as the court or justice orders and may be forfeited and either sold or destroyed as the public interest requires in the discretion of the court or justice, except:

(a) Diseased animals or carcasses thereof, or any tainted, diseased, corrupt, decayed or unwholesome meat, fish, vegetables, produce, fruit or provisions of any kind or the meat of any calf killed when less than two weeks old, or any product thereof kept or concealed with intent to kill, sell or offer the same for sale for food, shall be destroyed or disposed of in accordance with section one hundred and forty-six of chapter ninety-four by the board of health or by an officer designated by the court or justice; and diseased animals found to have been kept or concealed in a particular building, place or enclosure shall be destroyed or disposed of by the division of livestock disease control of the department of agriculture without compensation to the owners thereof.

(b) Narcotics seized under clause three of section one shall be disposed of pursuant to the provisions of section two hundred and fourteen of chapter ninety-four.

(c) Rifles, shotguns, pistols, knives and other dangerous weapons which have been found to have been kept, concealed or used unlawfully or for an unlawful purpose shall be forfeited to the commonwealth and delivered forthwith to the commissioner of public safety for destruction or preservation in the discretion of the commissioner of public safety.

(d) Money seized under clause three shall be forfeited and paid over to the state treasurer.

(e) Any property, the forfeiture and disposition of which is specified in any general or special law, shall be disposed of in accordance therewith.

SECTION 5. Said chapter 276 is hereby further amended by striking out section 3A, as amended by chapter 328 of the acts of 1962, and

inserting in place thereof the following section: — *Section 3A.* Every officer to whom a warrant to search is issued shall return the same to the court by which it was issued as soon as it has been served and in any event not later than seven days from the date of issuance thereof, with a return of his doings thereon; provided, however, that a justice of the superior court may at any time receive complaints and issue search warrants returnable in seven days before a district court named in such warrant and in that event the officer shall make his return to such district court as directed.

SECTION 6. Said chapter 276 is hereby further amended by striking out section 7, as most recently amended by section 4 of chapter 660 of the acts of 1957, and inserting in place thereof the following section: — *Section 7.* If upon trial the property is adjudged forfeited, it shall forthwith be disposed of as provided by law. So much thereof as is ordered to be sold by the court or justice shall be sold by the sheriff and the proceeds paid to the county. All moneys seized shall be paid over forthwith to the state treasurer. The court or justice may order any article not found to have been unlawfully used, kept or concealed or intended for unlawful use, or any article unlawfully used without the knowledge of its owner, lessor or mortgagee to be delivered to the party legally entitled to its possession.

SECTION 7. Chapter 271 of the General Laws is hereby amended by striking out section 5A, added by chapter 483 of the acts of 1951, and inserting in place thereof the following section: — *Section 5A.* Whoever manufactures, transports, sells, offers for sale, stores, displays, repairs, reconditions, possesses or uses any gambling device or parts for use therein shall be punished by a fine of not more than five hundred dollars. As used in this section, the term "gambling device" means any so called "slot machine" or any other machine or mechanical device an essential part of which is a drum or reel with insignia thereon, and which, when operated, may deal, as a result of the application of an element of chance, any money or property; or by the operation of which a person may become entitled to receive, as the result of the application of an element of chance, any money or property; or any sub-assembly or essential part intended to be used in connection with any such machine or mechanical device. Any gambling device or parts for use therein manufactured, transported, sold, offered for sale, stored, displayed, repaired, reconditioned, possessed or used in violation of this section shall be seized and be forfeited to the commonwealth and disposed of in the manner provided under the provisions of chapter two hundred and seventy-six. In respect to their constitutionality, the provisions of this section are hereby declared to be separable. *Approved June 16, 1964.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, June 23, 1964.

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 557 of the Acts of 1964 entitled "An Act Further Regulating the Issuance and Contents of Search Warrants." and the enactment of which received my approval on June 16, 1964, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act would defeat its purpose inasmuch as the public interest and the effective administration of justice require the full and positive force of this law now and therefore this act should become effective immediately.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, June 23, 1964.

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 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 fifty-seven of the acts of nineteen hundred and sixty-four.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 558. AN ACT REGULATING THE ADMISSION OF MINORS TO CERTAIN BOWLING ALLEYS.

Be it enacted, etc., as follows:

Section 179 of chapter 140 of the General Laws, as amended by chapter 434 of the acts of 1948, is hereby further amended by inserting after the word "alley", in line 5, the words: — in which alcoholic beverages are sold.

Approved June 16, 1964.

Chap. 559. AN ACT RELATIVE TO THE PLACING OF QUESTIONS AUTHORIZING HORSE OR DOG RACING IN COUNTIES ON THE OFFICIAL BALLOT AT BIENNIAL STATE ELECTIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 14 of chapter 128A of the General Laws, as most recently amended by section 2 of chapter 138 of the acts of 1947, is hereby further amended by striking out, in line 8, the word "The" and inserting in place thereof the words: — Except as hereinafter provided, the, — and by adding at the end the following paragraph: —

The state secretary shall not cause any subdivision of the foregoing question to be placed on the ballot at any biennial state election in any county in which the voters in response to such subdivision have voted in the affirmative four consecutive times or in the negative four consecutive times, unless there has been filed with said secretary not later than the sixtieth day before the election at which such subdivision is to be submitted, petitions, the forms of which may be obtained from

said secretary, signed by registered voters of such county the total of which are equal in number to at least ten per cent of the total number of registered voters in said county. Such petitions shall be subject to the provisions of chapter fifty-three relative to initiative petitions.

SECTION 2. Section 14B of said chapter 128A, inserted by chapter 389 of the acts of 1953, is hereby amended by striking out, in line 2, the word "The" and inserting in place thereof the words: — Except as hereinafter provided, the, — and by adding at the end the following paragraph: —

The state secretary shall not cause the foregoing question to be placed on the ballot at any biennial state election if the voters in said county in response to said question have voted in the affirmative four consecutive times or in the negative four consecutive times, unless there has been filed with said secretary not later than the sixtieth day before the election at which the question is to be submitted, petitions, the forms of which may be obtained from said secretary, signed by registered voters of said county the total of which are equal in number to at least ten per cent of the total number of registered voters in said county. Such petitions shall be subject to the provisions of chapter fifty-three relative to initiative petitions.

SECTION 3. Section 14C of said chapter 128A, inserted by chapter 406 of the acts of 1955, is hereby amended by striking out, in line 1, the word "The" and inserting in place thereof the words: — Except as hereinafter provided, the, — and by adding at the end the following paragraph: —

The state secretary shall not cause the foregoing question to be placed on the ballot at any biennial state election if the voters in said county in response to said question have voted in the affirmative four consecutive times or in the negative four consecutive times, unless there has been filed with said secretary not later than the sixtieth day before the election at which the question is to be submitted, petitions, the forms of which may be obtained from said secretary, signed by registered voters of said county the total of which are equal in number to at least ten per cent of the total number of registered voters in said county. Such petitions shall be subject to the provisions of chapter fifty-three relative to initiative petitions.

Approved June 17, 1964.

Chap. 560. AN ACT AUTHORIZING THE CITY OF BOSTON TO CONTRACT WITH THE BOSTON REDEVELOPMENT AUTHORITY FOR THE CONVEYANCE TO SAID AUTHORITY OF THE SITE OF THE SUFFOLK COUNTY JAIL ON CHARLES STREET AND AUTHORIZING SAID CITY TO BORROW MONEY FOR THE CONSTRUCTION OF A NEW JAIL.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of general or special law, the mayor of the city of Boston, without further authority than that contained in this act, may, in the name and behalf of said city, enter into a contract with the Boston Redevelopment Authority wherein said city shall agree that, whenever the estate on Charles street in said city now used as a jail shall cease to be so used, said city shall convey to said authority as part of an urban renewal or land

assembly and redevelopment project all right, title and interest of said city in and to said estate for such price as shall be mutually agreed upon in such contract. The mayor of said city shall have the power, without further authority than that contained in this act, to perform said contract by conveying in the name and behalf of said city the right, title and interest aforesaid and to execute and deliver any deed or other instrument necessary to effectuate such conveyance.

SECTION 2. For the purpose of constructing and originally equipping and furnishing a new jail, said city may: — (a) accept and expend such grants or gifts of funds from any source, including the federal government, as may be made for such purpose; (b) borrow, and refund, on temporary loans issued from time to time, after a contract is made pursuant to section one of this act, in anticipation of the price to be paid under said contract sums not exceeding, in the aggregate, said price; and (c) borrow from time to time not exceeding, in the aggregate, five hundred thousand dollars, and issue and sell serial bonds and notes of the city therefor, which shall be registered or with interest coupons attached as the collector-treasurer of the city may deem best, and shall bear on their face the words: — City of Boston, Jail Loan, Act of 1964. Each issue under clause (c) shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Debt incurred from time to time under this section 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 collector-treasurer 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 clause (c), 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 3. This act shall take effect upon its passage.

Approved June 18, 1964.

Chap. 561. AN ACT ABOLISHING THE BOARD OF COMMISSIONERS OF THE MASSACHUSETTS MARITIME ACADEMY AND PLACING SAID ACADEMY WITHIN THE DIVISION OF STATE COLLEGES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to abolish forthwith the board of commissioners of the Massachusetts Maritime Academy and placing said academy within the division of state colleges before the month of July in the current year the start of said academy's school year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The board of commissioners of the Massachusetts Maritime Academy is hereby abolished.

SECTION 2. Section 19 of chapter 15 of the General Laws, as most

recently amended by section 1 of chapter 543 of the acts of 1960, is hereby further amended by striking out, in lines 2 and 3, the words "the board of commissioners of the Massachusetts Maritime Academy,".

SECTION 3. Said chapter 15 is hereby further amended by striking out section 20A, inserted by section 3 of chapter 642 of the acts of 1963, and inserting in place thereof 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, including the Massachusetts college of art and the Massachusetts Maritime Academy.

SECTION 4. The caption preceding section twenty-two of said chapter fifteen is hereby stricken out and sections twenty-two and twenty-three of said chapter fifteen are hereby repealed.

SECTION 5. Section 25 of said chapter 15, as amended by section 19 of chapter 403 of the acts of 1960, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence: — Said board shall consist of the commissioner of education, the president of the University of Massachusetts, the president of the Massachusetts Higher Education Assistance Corporation, a member to be elected annually by the presidents of the state colleges, including the Massachusetts college of art and the Massachusetts Maritime Academy, and seven members, at least two of whom shall be presidents of private colleges in the commonwealth, to be appointed by the governor, with the advice and consent of the council.

SECTION 6. Section 27 of said chapter 15 is hereby amended by striking out the first sentence, as amended by section 20 of said chapter 403, and inserting in place thereof the following sentence: — There is hereby established in the department, but not subject to its control, a Massachusetts board of regional community colleges, hereinafter called the board, which shall consist of fifteen members, including the commissioner of education, the president of the University of Massachusetts, a president of a state college elected annually by the presidents of the state colleges, including the Massachusetts college of art and the Massachusetts Maritime Academy, a president of a Massachusetts technical institute elected by the presidents of such technical institutes, and eleven members appointed by the governor with the advice and consent of the council, at least one of whom shall be the president of a private college, university, or junior college in the commonwealth.

SECTION 7. Section 1 of chapter 73 of the General Laws, as most recently amended by section 5 of chapter 642 of the acts of 1963, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — 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, the Massachusetts college of art and the Massachusetts Maritime Academy, and of boarding houses connected therewith, and may direct the expenditure of money appropriated for their maintenance.

SECTION 8. Said section 1 of said chapter 73 is hereby further amended by adding at the end the following three paragraphs: —

The board of trustees of the state colleges shall provide and maintain the Massachusetts Maritime Academy as a nautical college for the instruction of students in the science and practice of navigation, seamanship and marine engineering, accommodations therefor on board a proper vessel at its present location and at such land facilities, including the present facilities, as the said trustees shall designate, books, stationery, apparatus and supplies needed in the work thereof, and shall appoint and may remove necessary instructors and other employees, determine their compensation, fix the terms upon which students shall be received and instructed therein and discharged therefrom, make all regulations necessary for its management and provide from time to time for cruises. Said trustees shall establish an annual service fee for each midshipman, other than out-of-state students, in an amount not less than one hundred and fifty dollars annually for each such midshipman.

The trustees may receive from the federal government, and use for the accommodation of the Maritime Academy, vessels detailed by the secretary of the navy.

In addition to the advances authorized by section twenty-three of chapter twenty-nine, the state treasurer shall, upon requests by the trustees to the comptroller, make an advance for cruises of not exceeding ten thousand dollars for six months to the commanding officer of the vessel detailed therefor who shall give bond in the sum of ten thousand dollars, with sureties approved by the governor and council, for its proper disbursement. Said advance shall be accounted for by properly approved vouchers within thirty days after the termination of said cruise.

SECTION 9. Section 1B of said chapter 73 is hereby amended by striking out the first sentence, as amended by section 7 of said chapter 642, and inserting in place thereof the following sentence: — The board of trustees may fix the amount of student activity fee to be paid by each student at any of the state colleges, the Massachusetts college of art and the Massachusetts Maritime Academy.

SECTION 10. Section 4B of said chapter 73 is hereby amended by striking out the first sentence, as amended by section 11 of said chapter 642, and inserting in place thereof the following sentence: — The board of trustees, in electing a teacher in a state college, the Massachusetts college of art or the Massachusetts Maritime Academy who has served as such for the three previous consecutive school years, shall employ him to serve at its discretion, and notwithstanding any contrary provision of general or special laws, he shall not be dismissed from such employment except for just cause and for reasons specifically given him in writing by the said board.

SECTION 11. Section 7 of said chapter 73, as most recently amended by section 13 of chapter 642 of the acts of 1963, is hereby further amended by striking out the last sentence and inserting in place thereof the following two sentences: — The trustees may grant the degree of Bachelor of Science to any person satisfactorily completing the prescribed course of instruction at the Massachusetts Maritime Academy. The trustees may also grant such other appropriate baccalaureate degrees at such state colleges, said Massachusetts college of art and said Massachusetts Maritime Academy as it may determine and prescribe.

SECTION 12. Section 10 of said chapter 73, inserted by section 15 of said chapter 642, is hereby amended by striking out the second sentence

and inserting in place thereof the following sentence: — The words “state college”, as used in this section and in sections eleven to eighteen, inclusive, shall include the Massachusetts college of art and the Massachusetts Maritime Academy.

SECTION 13. The caption preceding section forty-nine of chapter seventy-four of the General Laws is hereby stricken out and sections forty-nine, forty-nine A, fifty, fifty-one and fifty-three of said chapter seventy-four are hereby repealed.

Approved June 18, 1964.

Chap. 562. AN ACT PROVIDING FOR THE ESTABLISHMENT OF UNIVERSITY OF MASSACHUSETTS FACILITIES IN OR IN THE VICINITY OF THE CITY OF BOSTON.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide forthwith urgently needed facilities for students residing in or near the city of Boston to attend 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 2 of chapter 75 of the General Laws is hereby amended by inserting after the fourth sentence, as appearing in section 1 of chapter 648 of the acts of 1962, the following sentence: — A branch of the university shall be established at such place in or in the vicinity of the city of Boston as the trustees may deem conducive to the accomplishment of the aforesaid purposes and shall be there maintained so long as the trustees may deem necessary or desirable.

SECTION 2. There is hereby appropriated from the General Fund, subject to the provisions of law regulating the disbursement of public funds and the approval thereof appropriated for the University of Massachusetts in chapter three hundred and thirty-seven of the acts of nineteen hundred and sixty-four, for the purposes hereinafter set forth the following sum:

Item

1350-39	<p>For the formulation and establishment of an educational program of the University of Massachusetts in or in the vicinity of the city of Boston; for the employment of necessary personnel in that connection; for consulting services in selection of a site and plans and specifications for facilities; for the acquisition by purchase or otherwise, of land and buildings and for the lease, rental, renovation, remodelling and construction of land and buildings; and for necessary supplies, furnishings and equipment; to be expended with any federal funds available for the purpose; provided that the employment of personnel, retaining of consulting services, leasing of facilities and purchases, and acquisitions hereunder shall be without recourse to any other state board, bureau, department or commission, but otherwise subject to the provisions of the first sentence of section thirteen of chapter seventy-five of the General Laws; provided, further, that any such lease of real property shall be subject to the approval of the governor and council; and provided, further, that no payment shall be made for the purchase of land or buildings until an independent appraisal of the value of the property has been made, on behalf of the commonwealth, by a qualified, disinterested appraiser</p>	\$200,000.00
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Approved June 18, 1964.

Chap. 563. AN ACT ABOLISHING THE METROPOLITAN TRANSIT AUTHORITY, ESTABLISHING THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY, AND PROVIDING FOR THE ACQUISITION AND MAINTENANCE OF MASS TRANSPORTATION FACILITIES AND SERVICES WHICH SHALL BE COORDINATED WITH HIGHWAY SYSTEMS AND URBAN DEVELOPMENT PLANS THROUGHOUT THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Chapter 16 of the General Laws is hereby amended by inserting after section 3 the following section:—

Section 3A. There shall be in the department a bureau of transportation planning and development which shall be under the supervision and control of the commission. With the approval of the governor, the commission shall appoint, and with like approval may remove, an officer to be known as the director of transportation planning and development, who shall be the executive and administrative head of the bureau. He shall be a person with professional skill and experience in the field of transportation planning and shall not be subject to chapter thirty-one or to section nine A of chapter thirty.

Said bureau shall serve as the principal source of transportation planning in the commonwealth, and in so serving shall conduct research, surveys, demonstration projects and studies in co-operation with the federal government, other governmental agencies, and appropriate private organizations and be responsible for the continual preparation of comprehensive and co-ordinated transportation plans and programs for submission to and adoption by the commission and for such review or consideration by other governmental agencies as may be required by law or deemed appropriate by the commission. Said plans and programs shall be prepared in co-ordination with comprehensive urban development plans and in co-operation with the said other agencies so far as practicable.

SECTION 2. Chapter 58 of the General Laws is hereby amended by inserting after section 25A the following section:—

Section 25B. The state tax commission shall, as hereinafter provided, certify to the state treasurer for payment, from that portion of the proceeds of the excise on cigarettes as authorized by paragraph (b) of section twenty-eight of chapter sixty-four C, the following:—

(a) From time to time, when required, the contract assistance to the Massachusetts Bay Transportation Authority provided under section twenty-eight of chapter one hundred and sixty-one A;

(b) From time to time, when required, reimbursements to cities and towns comprising transportation areas as provided under section one hundred and fifty-two A of chapter one hundred and sixty-one, and to the Woods Hole, Martha's Vineyard and Nantucket Steamship Authority, as provided under section nine A of chapter seven hundred and one of the acts of nineteen hundred and sixty, as amended;

(c) On or before April fifteenth of each year, the amount determined by the commission to be payable in accordance with this paragraph (c) to the Massachusetts Bay Transportation Authority, to each transportation area established under chapter one hundred and sixty-one and to each common carrier of passengers by motor vehicle granted a certificate of public convenience and necessity pursuant to section

seven of chapter one hundred and fifty-nine A, such amount to be the sum of the following: — (1) the motor vehicle excises paid by such authority, transportation area or company under the provisions of chapter sixty A during the last preceding calendar year with respect to motor vehicles required to be registered by it under chapter ninety and operated under a certificate of public convenience and necessity granted pursuant to section seven of chapter one hundred and fifty-nine A; (2) the fuel and special fuels excises paid by such authority, transportation area or company under the provisions of chapters sixty-four A and sixty-four E during the last preceding calendar year with respect to fuel and special fuels consumed in its operation of motor vehicles upon or over the highways of the commonwealth over routes established or operated by such authority or over routes operated under a certificate of public convenience and necessity granted pursuant to section seven of chapter one hundred and fifty-nine A and not otherwise reimbursable under said chapters sixty-four A and sixty-four E. The number of gallons of fuel or special fuels so consumed shall not exceed the number of miles that such motor vehicles have been operated during the last preceding calendar year over the routes, other than on any turnpike constructed by the Massachusetts Turnpike Authority, authorized by said authority or under said certificate, divided by five.

On or before February fifteenth of each year such authority, transportation area or company shall by sworn statement submit to the commission such information as in the judgment of the commission is necessary in order to determine the amount to which such authority, transportation area or company is entitled in accordance with paragraph (c); provided if such authority, transportation area or company fails to furnish such information on or before the said date, the commission may refuse to certify such amount to the state treasurer. Said amount shall be subject to verification and adjustment by the commission and any adjustment shall correspondingly reduce or increase, as the case may be, the amount for the year in which the adjustment is made. For this purpose, the commission may at any time examine the accounts, books, documents and other papers of such authority, transportation area or company, take testimony and proofs under oath, issue summonses and require the attendance and testimony of witnesses and the production of accounts, books, documents and other papers. Such summonses shall be served in the same manner as summonses for witnesses in criminal cases issued on behalf of the commonwealth, and all provisions of law relative to summonses in such cases shall, so far as applicable, apply to summonses issued hereunder. Any justice of the supreme judicial court or of the superior court may, upon application of the commission, compel the attendance of witnesses, the production of accounts, books, documents and other papers, and the giving of testimony before the commission in the same manner and to the same extent as before the said courts.

(d) On or before November twentieth of each year, the amount certified by the commissioner of education to be payable to any city or town as a transportation allowance under the provisions of section seven B of chapter seventy-one.

SECTION 3. Section 12 of chapter 63 of the General Laws is hereby amended by adding after clause (z) the following clause: —

(aa) Bonds, notes or other evidences of indebtedness issued by the Massachusetts Bay Transportation Authority.

SECTION 4. Every manufacturer, wholesaler, vending machine operator, unclassified acquirer and retailer, as defined in section one of chapter sixty-four C of the General Laws, who has any cigarettes on hand for sale shall make and file with the commissioner of corporations and taxation within twenty days thereafter a return subscribed under penalties of perjury showing a complete inventory of such cigarettes and shall, at the time he is required to file such return, pay an additional excise at the rate of one mill per cigarette on all cigarettes upon which an excise of only three mills has previously been paid. All provisions of said chapter sixty-four C relative to the assessment, collection, payment, abatement, verification and administration of taxes, including penalties, shall, so far as pertinent, be applicable to the excise imposed by this section.

SECTION 5. Section 6 of chapter 64C of the General Laws, as most recently amended by section 7 of chapter 774 of the acts of 1960, is hereby further amended by striking out the second, third and fourth sentences and inserting in place thereof the following three sentences: — Such licensee shall, at the time of filing such return, pay to the commissioner an excise equal to four mills for each cigarette so sold during the calendar month covered by the return; provided that cigarettes with respect to which the excise under this chapter has once been imposed and has not been refunded, if paid, shall not be subject upon a subsequent sale to the excise imposed by this chapter. Every such licensee, provided he has complied with all the requirements of this chapter and all pertinent rules and regulations of the state tax commission promulgated hereunder, may withhold and retain from each payment required to be made by him under the foregoing provisions of this section as compensation for services rendered in compliance with this chapter, a percentage of such payment computed in accordance with the following table: —

Chain store operators, three eighths of one per cent.

Vending machine operators, three fourths of one per cent.

Wholesalers, one and one half per cent.

Each unclassified acquirer shall, upon importation or acquisition of cigarettes into or within the commonwealth, file with the commissioner a return under penalties of perjury, on a form to be furnished by the commissioner, stating the number of cigarettes imported or acquired and such other information as the commissioner shall require, and shall, at the time of filing such return, pay to the commissioner an excise equal to four mills for each cigarette so imported or acquired and held for sale or consumption, and cigarettes, with respect to which such excise has been imposed and has not been refunded if paid, shall not be subject, when subsequently sold, to any further excise under this chapter.

SECTION 6. Said chapter 64C is hereby further amended by adding after section 27 the following section: —

Section 28. All sums received under this chapter shall be paid into the treasury of the commonwealth and shall be credited as follows: —

(a) Three mills of the excise imposed by section six and a proportionate amount of all sums received as penalties, forfeitures, interest, costs of suits and fines shall be credited to the General Fund and shall be used solely toward meeting the debt service obligations of the General Fund.

(b) One mill of the excise imposed by section six and a proportionate amount of all sums received as penalties, forfeitures, interest, costs of suits and fines shall be credited to the General Fund and used solely toward meeting the requirements of section twenty-five B of chapter fifty-eight; provided that there shall be deducted therefrom an amount sufficient to reimburse the commonwealth for the expenses incurred in the administration of this chapter, including any amounts abated or refunded under section seven of this chapter or section twenty-seven of chapter fifty-eight, together with any interest or costs paid on account of such abatements or refunds.

SECTION 7. Section six of chapter seven hundred and seventy-four of the acts of nineteen hundred and sixty is hereby repealed.

SECTION 8. Chapter 71 of the General Laws is hereby amended by inserting after section 7A the following section: —

Section 7B. To provide for the reimbursement of part of the cost not reimbursable under section seven A incurred directly by a school department or indirectly by a city or town on account of an assessment made to meet the cost of maintaining a public transportation system used for the transportation of pupils in a city or town using public transportation facilities licensed under the provisions of sections one and seven of chapter one hundred and fifty-nine A or operated under the provisions of chapter one hundred and sixty-one A for the transporting of pupils to and from school who reside more than one and one half miles from the school they attend as determined by the commissioner, or, if the determination of the number of pupils residing more than one and one half miles from the school of attendance is impracticable, the commissioner shall make such determination according to the following formula: From the net average membership in the public and private schools, determined as provided in section five of chapter seventy, the commissioner shall estimate the number of pupils who reside more than one and one half miles from the school they attend, which number shall not exceed ten per cent of said net average membership.

The commissioner shall, on or before November first of each year, certify to the state tax commission a transportation allowance payable to such city or town for the preceding school year, the amount of such allowance to be determined by him by multiplying the number of pupils or the estimated number of pupils residing more than one and one half miles from the school by the average cost per pupil in the city or town for transporting all such pupils; provided that such cost shall not exceed twenty cents per pupil per day.

Funds received by each city or town shall be used to pay the cost of providing public transportation or to reimburse a city or town for payments on account of any assessment made upon it to meet the cost of maintaining a public transportation system, provided that notwithstanding the provisions of this section, no amount shall be approved as a reimbursement by the commissioner as herein provided in excess of the amount to be paid by such a city or town for said public transportation.

SECTION 9. Section 12 of chapter 159 of the General Laws is hereby amended by inserting after the word "commonwealth", in line 5, as appearing in the Tercentenary Edition, the words: — and in the exercise thereof, the department shall take cognizance of all applicable transportation plans and programs adopted by the public works commission pursuant to section three A of chapter sixteen.

SECTION 10. Section 143 of chapter 161 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "therein", in line 4, the words: — and for the operation of bus and other services for mass transportation of passengers.

SECTION 11. Said chapter 161 is hereby further amended by striking out section 147, as so appearing, and inserting in place thereof the following section: — *Section 147.* The board of trustees of a transportation area shall have full power to operate the street railway property leased or acquired thereby, or any equipment or facility otherwise acquired, or to lease or sublease the same, and to enter into contracts with private companies for the operation of mass transportation services within the transportation area, all such powers being subject to such conditions as may be approved by the department, and may appoint and remove and fix the compensation of such officers, managers and assistants as may be necessary. The board shall have the power to apply for and receive aid of any kind under the provisions of any federal or state law.

If, upon the establishment of a transportation area, the board of trustees shall acquire any private company previously operating within its area, the employees of such company, other than its board of directors, shall become employees of the transportation area and no employee of such company becoming an employee of the transportation area in accordance with this section shall, by reason of transfer to employment by the transportation area, without his consent be removed, lowered in rank or compensation or suspended, except for just cause and for reasons specifically given to him in writing twenty-four hours after such removal, suspension, transfer or lowering in rank or compensation; nor shall any such employee, by reason of such transfer, without his consent be in any worse position in respect to workmen's compensation, pension, superannuation, sickness or any other benefits or allowances granted by his previous employer to himself, his widow, family or personal representatives than he enjoyed under any person, firm or corporation under whom he held his employment immediately prior to his transfer to the employment of the transportation area; provided that the trustees may abolish any office or post of any existing executive officer if in the opinion of the trustees the same is an unreasonable addition to the staff of the transportation area.

SECTION 12. Section 150 of said chapter 161, as so appearing, is hereby amended by inserting after the word "railway", in line 3, the words: — and the bus or other mass transportation route.

SECTION 13. Section 151 of said chapter 161, as so appearing, is hereby amended by adding the following sentence: — Any sum received by the trustees in aid of the operation of the transportation area under any federal or state law shall be credited before reckoning a profit or a deficit.

SECTION 14. Section 152 of said chapter 161, as so appearing, is hereby amended by inserting after the word "property", in line 1, the words: — or other equipment or facility.

SECTION 15. Said chapter 161 is hereby further amended by inserting after section 152 the following section: —

Section 152A. The commonwealth, acting by and through the executive office for administration and finance, may enter into a contract or contracts with the trustees of a transportation area created under the provisions of sections one hundred and forty-three through one hundred

and fifty-eight of this chapter whereby the commonwealth agrees to reimburse the cities and towns comprising the area for an amount equal to ninety per cent of the annual debt service on any bonds issued pursuant to section one hundred and fifty-two of this chapter in respect to any equipment or facility for mass transportation purposes acquired by the trustees after the effective date of this act, less the amount received by any such city or town from surplus as provided under section one hundred and fifty-one of this chapter in any year.

SECTION 16. Said chapter 161 is hereby further amended by striking out section 159, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 159.* Sections one hundred and forty-three to one hundred and fifty-eight, inclusive, shall not apply to any territory comprising the Massachusetts Bay Transportation Authority.

SECTION 17. Chapter 701 of the acts of 1960 is hereby amended by inserting after section 9 the following section: —

Section 9A. Notwithstanding any other provisions of this act, the authority is hereby authorized to enter into a contract or contracts with the commonwealth, and the commonwealth, acting by and through the executive office for administration and finance, may enter into a contract or contracts with the authority whereby the commonwealth agrees to reimburse the authority for an amount equal to ninety per cent of the debt service on any bonds issued in respect to any vessels, equipment or facility for mass transportation purposes acquired by the authority after the establishment of the Massachusetts Bay Transportation Authority, less the amounts available from revenues or any reserve fund or sinking fund for such debt service. Such contract shall also provide that in the event that the reserve fund provided in section nine in any year shall exceed the amount established therefor, then the amount of excess paid the commonwealth for distribution to the towns shall first be reduced by any amount previously advanced by the commonwealth for the purposes of this section and not otherwise repaid to it. Such sum shall be returned to the cigarette tax fund for mass transportation purposes, as set forth in paragraph (b) of section twenty-eight of chapter sixty-four C of the General Laws.

SECTION 18. The General Laws are hereby amended by inserting after chapter 161 the following chapter: —

CHAPTER 161A.

MASSACHUSETTS BAY TRANSPORTATION AUTHORITY.

Section 1. Wherever used in this chapter, unless the context otherwise requires, the following words or terms shall have the following meanings: —

“Authority”, the Massachusetts Bay Transportation Authority created by section two of this chapter.

“Commuters”, all persons whose place of work is in the city of Boston or the city of Cambridge and whose residence is in one of the fourteen cities or towns or one of the sixty-four cities or towns, regardless of the means of transport of such persons to and from their places of work.

"Net cost of service", the difference between (a) all income received by the authority, including but not limited to revenues and receipts from operations, advertising, parking, sale of capital assets in the ordinary course of business, and gifts and grants for current purposes, and (b) all current expenses incurred by the authority, including but not limited to expenses for operations, wages, contracts for service by others, maintenance, debt service (including any debts, liabilities and obligations assumed under the provisions of law and including any applicable sinking fund requirements), taxes and rentals, and all other expenses which the authority determines not to capitalize, when such expenses exceed such income. Expenditures from the proceeds of bonds or bond anticipation notes shall not be included in current expenses.

"Net saving", any excess of the income items included in the definition of the net cost of service over the expense items included in that computation.

"Equipment", all rolling stock, and other conveyances, vehicles, rails, signal and control systems, lighting and power distribution systems, fences, station equipment, fare collection equipment, incidental apparatus and other tangible personal property, whether or not affixed to realty, required or convenient for the mass movement of persons.

"Fourteen cities and towns", the cities and towns of Arlington, Belmont, Boston, Brookline, Cambridge, Chelsea, Everett, Malden, Medford, Milton, Newton, Revere, Somerville and Watertown.

"Express service", all mass transportation service provided by or under the control of the authority, whether by ownership, lease, contract or otherwise, over rights of way with fully controlled access and restricted to the use of such service exclusively or on a shared basis with other mass transportation service, including but not limited to rapid transit service, the Highland Branch and Mattapan high-speed services and express bus, monorail and other similar services, and such term shall also mean all commuter railroad passenger service provided by or under the control of the authority.

"Local service", all mass transportation service provided by or under the control of the authority, other than express service.

"Mass transportation facilities", all real property (including land, improvements, terminals, stations, garages, yards, shops and structures appurtenant thereto), and all easements, air rights, licenses, permits and franchises, used in connection with the mass movement of persons.

"Sixty-four cities and towns", the cities and towns of Ashland, Bedford, Beverly, Braintree, Burlington, Canton, Cohasset, Concord, Danvers, Dedham, Dover, Duxbury, Framingham, Hamilton, Hanover, Hingham, Holbrook, Hull, Lexington, Lincoln, Lynn, Lynnfield, Manchester, Marblehead, Marshfield, Medfield, Melrose, Middleton, Millis, Nahant, Natick, Needham, Norfolk, North Reading, Norwell, Norwood, Peabody, Pembroke, Quincy, Randolph, Reading, Rockland, Salem, Saugus, Scituate, Sharon, Sherborn, Stoneham, Sudbury, Swampscott, Topsfield, Wakefield, Walpole, Waltham, Wayland, Wellesley, Wrenham, Weston, Westwood, Weymouth, Wilmington, Winchester, Winthrop and Woburn, and such other municipalities as may be added in accordance with section sixteen to the area constituting the authority.

Section 2. The territory within and the inhabitants of the fourteen cities and towns and the sixty-four cities and towns are hereby made a

body politic and corporate and a political subdivision of the commonwealth under the name of Massachusetts Bay Transportation Authority. The authority shall have power to hold property, to sue and be sued in law and equity and to prosecute and defend all actions relating to its property and affairs. The authority shall be liable for its debts and obligations, but the property of the authority shall not be subject to attachment nor levied upon by execution or otherwise. Process may be served upon the treasurer of the authority or, in the absence of the treasurer, upon any member of the board of directors of the authority.

Section 3. In addition to all powers otherwise granted to the authority by law, the authority shall have the following powers, in each case to be exercised by the directors of the authority unless otherwise specifically provided:

(a) To adopt and use a corporate seal and designate the custodian thereof.

(b) To establish within its area a principal office and such other offices as may be deemed necessary.

(c) To hold, operate and manage the mass transportation facilities and equipment acquired by the authority.

(d) To appoint and employ officers, agents and employees to serve at the pleasure of the directors (except as may otherwise be provided in collective bargaining agreements), and to fix their compensation and conditions of employment; provided, however, that (i) the appointment and employment of the general manager shall be subject to the approval of the advisory board, and (ii) the authority may bind itself by contract to employ a general manager and not more than five other senior officers but no such contract shall be for a period of more than five years.

(e) To make, and from time to time revise and repeal, by-laws, rules, regulations and resolutions.

(f) To enter into agreements with other parties, including, without limiting the generality of the foregoing, government agencies, municipalities, authorities, private transportation companies, railroads, and other concerns, providing (i) for construction, operation and use of any mass transportation facility and equipment held or later acquired by the authority; (ii) for joint or co-operative operation of any mass transportation facility and equipment with another party; (iii) for operation and use of any mass transportation facility and equipment for the account of the authority, for the account of another party or for their joint account; or (iv) for the acquisition of any mass transportation facility and equipment of another party where the whole or any part of the operations of such other party takes place within the area constituting the authority. Any such other party is hereby given power and authority to enter into any such agreements, subject to such provisions of law as may be applicable. Any agreement with a private company under any provision of this chapter which is to be financed from the proceeds of bonds or bond anticipation notes and which provides for the rendering of transportation service by such company and for financial assistance to such company by subsidy, lease or otherwise, shall include such standards for such service as the authority may deem appropriate and shall not bind the authority for a period of longer than one year from its effective date, but this shall not prohibit agreements for longer than one year if the authority's obliga-

tions thereunder are subject to annual renewal or annual cancellation by the authority. Such agreements may provide for cash payments for services rendered, but not more than will permit any private company a reasonable return.

(g) To establish at or near its terminals and stations such off-street parking facilities and access roads as may be deemed necessary and desirable. The authority may charge such fees for the use of such facilities as it may deem desirable, or it may allow the use of such facilities free.

(h) To accept gifts, grants and loans from agencies of local, state and federal governments, or from private agencies or persons, and to accede to such conditions and obligations as may be imposed as a prerequisite to any such gift, grant or loan.

(i) To provide mass transportation service, whether directly, jointly or under contract, on an exclusive basis, except as provided in paragraph (k) of section five, in the area constituting the authority and without being subject to the jurisdiction and control of the department of public utilities in any manner except as to safety of equipment and operations; provided that schedules and routes shall not be considered matters of safety subject to the jurisdiction and control of said department.

(j) To operate mass transportation facilities and equipment, directly or under contract in areas outside the area constituting the authority; but only pursuant to (i) an agreement with or purchase of a private mass transportation company, part of whose operations were, at the time the authority was established, within the area constituting the authority or (ii) an agreement with a transportation area or a municipality for service between the area of the authority and that of such transportation area or municipality, where no private company is otherwise providing such service.

(k) To provide for construction, extension, modification or improvement of the mass transportation facilities in the area constituting the authority; provided that any such construction, extension, modification or improvement shall be consistent with its program for public mass transportation hereinafter referred to, as approved by the advisory board, unless specifically authorized by legislation. Subject to the approval of the advisory board, the authority may also undertake any modification or improvement of existing facilities which it finds necessary prior to the adoption of its program for public mass transportation.

(l) To conduct research, surveys, experimentation, evaluation, design and development, in co-operation with other government agencies and private organizations when appropriate, with regard to the mass transportation needs of the area, and to the facilities, equipment and services necessary to meet such needs.

(m) To grant such easements over any real property held by the authority as will not in the judgment of the authority unduly interfere with the operation of any of its mass transportation facilities.

(n) To sell, lease or otherwise contract for advertising in or on the facilities of the authority.

(o) To take real property by eminent domain in accordance with the provisions of chapter seventy-nine or chapter eighty A; provided that land devoted to any public use other than mass transportation may be taken by the authority only (i) if any substantial interference with such public use is temporary or any permanent interference therewith is not

substantial, or both, or (ii) in the case of takings not authorized by clause (i), upon providing equivalent land for such public use. Interference with the public use of a street or public utility line shall not be considered to be substantial unless the interference with the traffic or utility system of which it is a part is substantial.

(p) To issue bonds, notes and other evidences of indebtedness as hereinafter provided.

(q) Consistent with the constitution and laws of the commonwealth, the authority shall have such other powers, including the power to buy, sell, lease, pledge and otherwise deal with real and personal property, as may be necessary for or incident to carrying out the foregoing powers and the accomplishment of the purposes of this chapter.

Section 4. (a) In addition to the powers granted to the authority under section three and all other powers granted by law, the authority shall have the power to establish on a self-liquidating basis one or more separate units of mass transportation facilities and equipment to furnish, in each instance, express service or local service between specified terminal points and over a fixed route or routes. In establishing such separate units, the authority may enter into one or more unit lease arrangements with such persons, firms and corporations as the authority shall select and franchise. Each such unit lease arrangement shall provide for the following:

(i) Acquisition by the authority of real property, including easements and rights of way, necessary or desirable for the operation of such units of mass transportation facilities and equipment, parking and other related auxiliary services and facilities, by purchase or exercise of the authority's power of eminent domain under paragraph (o) of section three;

(ii) design, construction and acquisition of mass transportation facilities and equipment; and

(iii) operation of the mass transportation facilities and equipment so designed, constructed and acquired by a lessee of said facilities and equipment (1) for a period not in excess of forty years, (2) at a rental or lease charge at least sufficient to discharge the authority's financial obligations incurred in connection with said unit of facilities and equipment under the authority's powers as hereinafter set forth in paragraph (b), and (3) upon such provisions and conditions as to fares and other matters relating to the conduct and operation of said mass transportation facilities and equipment as the authority and lessee shall agree.

(iv) power in the authority to cancel or terminate said unit lease arrangement at stated times which shall be not less frequent than once in each calendar year.

(b) To meet the expenditures necessary in carrying out the provisions of this section, the authority may issue bonds in accordance with the provisions of clause (4) of the first paragraph of section twenty-three, and such bonds shall provide, in addition to other provisions allowed under this chapter, that all payments of principal and interest shall be made solely from (a) the rental or lease charges received by the authority under its lease with the lessee of mass transportation facilities and equipment as aforesaid, which said lease may be assigned by the authority to secure the obligations of said bonds; or (b) in the event the authority terminates said lease, from the income derived from operation of said mass transportation facilities and equipment; provided that

bonds issued for the purposes of this section shall not be included in the computation of the bonds to which the limitations on amount contained in section twenty-three shall apply.

Section 5. The authority shall be subject to the following limitations, conditions, obligations and duties:

(a) The authority shall have the duty to develop, finance and operate the mass transportation facilities and equipment in the public interest, consistent with the purposes and provisions of this chapter, and to achieve maximum effectiveness in complementing other forms of transportation in order to promote the general economic and social well-being of the area and of the commonwealth.

(b) No real estate shall be sold unless notice of the intent to sell such real estate shall have been given to the advisory board not less than thirty days prior to the date of sale and unless the sale shall have been advertised at least once a week for three successive weeks prior to the date of sale in a newspaper of general circulation in the city or town in which the real property to be sold is located. Such real property shall be sold to the highest bidder therefor, unless the authority shall find that sound reasons in the public interest require otherwise.

(c) Any concession in or lease of property for a term of more than one year shall be awarded to the highest responsible and eligible bidder therefor unless the authority shall find that sound reasons in the public interest require otherwise.

(d) Excluding any loss suffered in the operation of commuter railroad service and the Highland Branch and Mattapan high speed services while operated and equipped with streetcars, the authority shall operate its express service, so far as practicable, in such a manner that no net cost of service exclusive of debt service shall arise on account of such express service in any year. In addition the authority shall operate all its services in such manner as to produce the highest return consistent with the authority's obligations under subsection (a).

(e) No change in fares shall be effective unless submitted to the advisory board and approved by it, except that changes in fares required in order to satisfy the provisions of the first sentence of subsection (d) shall be reported to, but need not be approved by, the advisory board.

(f) No substantial change in mass transportation service in the area constituting the authority shall be made unless notice thereof shall have been given to the advisory board at least thirty days prior to the change.

(g) The authority shall prepare and from time to time revise its program for mass transportation within the area constituting the authority. Such program shall be based upon transportation plans and programs adopted by the public works commission pursuant to section three A of chapter sixteen, shall be prepared in consultation with the department of commerce and development, the metropolitan area planning council, and such other agencies of the commonwealth or of the federal government as may be concerned with the said program, and shall be subject to the approval of the advisory board; provided, however, that if within thirty days following such approval any such agency shall advise the authority in writing that the program is not based on the transportation plans and programs adopted by the said commission, the program shall be subject to the approval of the governor. The said program shall include a long-range plan for the construction, reconstruc-

tion or alteration of facilities for mass transportation within the area constituting the authority together with a schedule for the implementation of such construction plan and comprehensive financial estimates of costs and revenues, and shall, so far as practicable, meet the criteria established by any federal law authorizing federal assistance to preserve, maintain, assist, improve, extend or build local, metropolitan or regional mass transportation facilities or systems.

✓ (h) The authority shall as soon as practicable in nineteen hundred and sixty-five and thereafter on or before April first of each year render to the governor, the advisory board, and the general court, a report of its operations for the preceding calendar year, including therein a description of the organization of the authority, its recommendations for legislation, and its comprehensive program for mass transportation as most recently revised.

(i) All current expenses of the authority shall be in accordance with an itemized budget prepared and submitted by the authority to the advisory board not later than November first of each year for the ensuing calendar year. Within thirty days after such submission, the advisory board shall approve said budget as submitted or subject to such itemized reductions therein as the advisory board shall deem appropriate. The budget shall govern the current expenses of the authority during such calendar year. No such expenses may be incurred in excess of those shown in the budget, but the budget may from time to time be amended by the preparation and submission by the authority to the advisory board of supplements thereto. The advisory board shall within thirty days after submission to it approve or reduce any such supplementary budget as provided above.

(j) Any agreement entered into by the authority with a municipality outside of the area of the authority for service to such municipality directly by the authority, or through agreement with a private company, shall provide for reimbursement by such municipality to the authority only for the net additional expense of such service as determined by the authority. Such agreements may be for such terms, not exceeding five years, as the parties may determine, except as provided in paragraph (f) of section three. They shall not be subject to the provisions of section four of chapter forty or section thirty-one of chapter forty-four. Municipalities may appropriate from taxes or from any available funds to meet their obligations under any such contracts.

(k) Any private company lawfully providing mass transportation service in the area constituting the authority at the time the authority is established may continue so to operate the same route or routes and levels of service as theretofore, and may conduct such further operations as the authority may permit in the future with or without a contract; provided that the authority shall in all respects have the same powers and duties in respect to such private carriers as are provided by law for the department of public utilities except as to safety of equipment and operations, schedules and routes not being, however, considered safety of equipment and operations for the purposes of this paragraph; and provided, further, that whenever the authority desires to add new routes for service in any area, it shall give preference in the operation of such routes to the private carrier then serving such area unless the authority concludes that such carrier has not demonstrated an ability to render such service according to the standards of the authority, that such

service can be operated directly by the authority at substantially lesser expense to the authority and the public than if operated by such private carrier, or that for substantial and compelling reasons in the public interest operation by such private carrier is not feasible.

Section 6. The affairs of the authority shall be managed by a board of five directors, hereinafter in this chapter called the directors, who shall be appointed by the governor of whom two shall be appointed with the approval of the council; one with the approval of the advisory board; one with the approval of the fourteen cities and towns; and one with the approval of the sixty-four cities and towns. The approval of the fourteen cities and towns and of the sixty-four cities and towns, respectively, shall be determined by a majority vote of their mayors (or city managers in the case of Plans D and E cities) and chairmen of selectmen with the vote of each city and town counted as on the advisory board pursuant to section seven; provided that the vote of at least four municipalities shall be required to constitute the majority of the fourteen cities and towns. One of the appointees of the governor shall be experienced in transportation, one a member of organized labor who shall be a member of a national or international labor organization, and one experienced in administration and finance. No more than three of the five directors shall be members of the same political party. Each director appointed hereunder shall hold office until the qualification of his successor. Upon the expiration of the term of any member his successor shall be appointed in like manner for a term of five years. From time to time the governor shall designate one of the directors as chairman. Any director may be removed for cause by the governor, and any vacancy in the office of a director shall be filled, for the unexpired term, by appointment of the governor with the approval applicable to such vacancy. Section three of chapter twelve shall not apply to said board of directors. The chairman of the board of directors shall receive a salary of ten thousand dollars, and each of the other directors a salary of seven thousand five hundred dollars.

Section 7. There shall be an advisory board to the authority consisting of the city manager in the case of a Plan D or E city or the mayor of each other city, and the chairman of the board of selectmen of each town, constituting the authority. Each mayor or city manager and each chairman may, by writing filed ^{with} the authority, from time to time appoint a designee to act for him on the advisory board or to act for him ^{or her} in exercising the powers of the sixty-four cities and towns or of the fourteen cities and towns under section six. Each city and each town shall have one vote on the advisory board plus additional votes and fractions thereof determined by multiplying one and one half times the total number of cities and towns in the authority by a fraction of which the numerator shall be the total amount of all assessments made by the state treasurer to such city or town under this chapter and the denominator shall be the total amount of all assessments made by the state treasurer to all such cities and towns. The total vote of each city and town shall each year beginning in nineteen hundred and sixty-six be determined by the authority and delivered in writing to the advisory board thirty days after the state treasurer has sent his warrants for payments to the cities and towns. The determination of votes shall be based upon the most recent annual assessment.} Until the determination

of vote by the authority in nineteen hundred and sixty-six, each city and town shall have the following number of votes:

<i>Cities and Towns.</i>	<i>Number of Votes.</i>	<i>Cities and Towns.</i>	<i>Number of Votes.</i>
Arlington.....	3.11	Natick.....	1.09
Ashland.....	1.01	Needham.....	1.17
Bedford.....	1.03	Newton.....	2.40
Belmont.....	2.31	Norfolk.....	1.01
Beverly.....	1.07	North Reading.....	1.03
Boston.....	73.29	Norwell.....	1.02
Braintree.....	1.24	Norwood.....	1.09
Brookline.....	5.17	Peabody.....	1.05
Burlington.....	1.06	Pembroke.....	1.01
Cambridge.....	10.56	Quincy.....	1.57
Canton.....	1.08	Randolph.....	1.13
Chelsea.....	3.01	Reading.....	1.09
Cohasset.....	1.03	Revere.....	2.94
Concord.....	1.04	Rockland.....	1.04
Danvers.....	1.02	Salem.....	1.05
Dedham.....	1.18	Saugus.....	1.09
Dover.....	1.01	Scituate.....	1.04
Duxbury.....	1.01	Sharon.....	1.07
Everett.....	3.68	Sherborn.....	1.01
Framingham.....	1.09	Somerville.....	6.51
Hamilton.....	1.01	Stoneham.....	1.09
Hanover.....	1.02	Sudbury.....	1.01
Hingham.....	1.07	Swampscott.....	1.05
Holbrook.....	1.06	Topsfield.....	1.01
Hull.....	1.04	Wakefield.....	1.09
Lexington.....	1.14	Walpole.....	1.03
Lincoln.....	1.02	Waltham.....	1.14
Lynn.....	1.19	Watertown.....	2.42
Lynnfield.....	1.03	Wayland.....	1.04
Malden.....	4.37	Wellesley.....	1.14
Manchester.....	1.01	Wenham.....	1.01
Marblehead.....	1.07	Weston.....	1.04
Marshfield.....	1.03	Westwood.....	1.07
Medfield.....	1.01	Weymouth.....	1.24
Medford.....	4.48	Wilmington.....	1.05
Melrose.....	1.18	Winchester.....	1.13
Middleton.....	1.01	Winthrop.....	1.20
Millis.....	1.01	Woburn.....	1.12
Milton.....	1.94		
Nahant.....	1.02	Total.....	195.00

Whenever the approval of the advisory board or of the sixty-four cities and towns or of the fourteen cities and towns is required for any appointment or action by the governor or the authority, such approval shall be deemed to have been granted unless, within thirty days of submission of the appointment or action, the advisory board or the sixty-four cities and towns or the fourteen cities and towns has or have communicated its or their disapproval to the governor or to the authority in writing, or in case of action on a proposed budget, the advisory board's qualified approval.

Any notice or submission hereunder to the advisory board or to the sixty-four cities and towns or to the fourteen cities and towns shall be given in such manner as the governor or authority deems reasonable.

Except as otherwise provided by vote of the advisory board or of the sixty-four cities and towns or of the fourteen cities and towns, respectively, a meeting may be called by the representative or representatives

of cities and towns having five per cent or more of the votes of the advisory board or sixty-four cities and towns or fourteen cities and towns, as the case may be. The first meeting of the advisory board, which shall be immediately followed by the first meetings of the sixty-four cities and towns and of the fourteen cities and towns, shall be held as soon as practicable upon the call of the governor. The advisory board shall act by a majority vote, except that it may delegate its power of approval to an executive committee formed and elected pursuant to duly adopted by-laws of the board and constituting among its members at least one half of the total vote of the board, and may, at any time, revoke such delegation; provided that no such executive committee shall be empowered to approve the governor's appointments to the board of directors.

Section 8. In any year, commencing with the calendar year nineteen hundred and sixty-six, if the commonwealth shall be called upon to pay any amount on account of the net cost of express service during the previous calendar year, whether provided by ownership, lease, contract or otherwise, seventy-five per cent of such net cost of service of such previous calendar year shall be assessed upon all cities and towns comprising the authority's territory in the proportion which the number of commuters in each said city or town bears to the total number of commuters in all of said cities or towns; provided, however, that there shall not be assessed under this paragraph that part of the net cost of service which represents the debt service on any obligation of the Metropolitan Transit Authority issued for express service purposes or any obligation of the Massachusetts Bay Transportation Authority issued to refinance the same. The number of commuters shall be determined in accordance with the latest decennial census made by the United States Department of Commerce. If said census shall not provide the necessary data for determining the number of commuters, the authority shall determine the number of commuters by some accurate and otherwise appropriate method. (Twenty-five per cent of such net cost of service of such previous calendar year shall be assessed upon those cities and towns of the authority which had one or more express service stations as of the first day of July of such previous calendar year. Such assessments shall be in the proportion which the number of riders boarding at all express service stations in such city or town bears to the number of riders boarding at all express service stations in the area constituting the authority. (The number of riders shall be determined by a rider count taken during the year nineteen hundred and sixty-five. Subsequent rider counts shall be made from time to time by the authority so as to maintain as much accuracy as possible with respect to changes in such service and in no event less frequently than every two years.)

If the commonwealth shall be called upon to pay, otherwise than under section twenty-eight, any amount on account of that part of the net cost of service which represents the debt service of any obligation of the Metropolitan Transit Authority issued for express service purposes or any obligation of the Massachusetts Bay Transportation Authority issued to refinance the same, the cost of such debt service shall be assessed upon the fourteen cities and towns in proportion to the assessment of each such city or town in the same year under the provisions of the foregoing paragraph.

The aggregate amount to be assessed under this section in any year shall, to the extent of such debt service, be deemed to represent pro rata the debt service referred to in the foregoing paragraph and other debt service of the authority for express purposes.

✓ *Section 9.* In any year commencing with the calendar year nineteen hundred and sixty-six and ending with the calendar year nineteen hundred and seventy-five, if the commonwealth shall be called upon to pay any amount on account of the net cost of local service provided in the fourteen cities and towns during the previous calendar year, whether provided by ownership, lease, contract or otherwise, such cities and towns shall be assessed for such net cost of service on the basis of a combination of two percentages, one, hereinafter called "A", based upon the prior method of assessment, and the other, hereinafter called "B", based upon the proportion which the net loss attributable to all routes of such service in each such city or town bears to the net loss attributable to all such routes in all such cities and towns, as follows:

<i>Calendar Year During Which Net Cost of Local Service Occurs.</i>	<i>"A" Percentage of Assessment Based Upon Prior Method of Assessment.</i>	<i>"B" Percentage of Assessment Based Upon Loss Attributable to Routes.</i>
1965.....	95%	5%
1966.....	90%	10%
1967.....	85%	15%
1968.....	80%	20%
1969.....	75%	25%
1970.....	70%	30%
1971.....	65%	35%
1972.....	60%	40%
1973.....	55%	45%
1974.....	50%	50%

The loss attributable to each such route in each such city or town shall be determined by the authority in accordance with sound accounting practice on the basis of the difference between the revenues from such route in such city or town and the cost of providing such route therein.

✓ *Section 10.* In any year commencing with the calendar year nineteen hundred and seventy-six, if the commonwealth shall be called upon to pay any amount on account of the net cost of local service provided in the fourteen cities and towns for the previous calendar year, whether provided by ownership, lease, contract or otherwise, fifty per cent of such net cost of service shall be assessed upon such cities and towns in the proportion which the population of each said city or town bears to the total population of all such cities or towns, and fifty per cent of such net cost of service shall be assessed upon such cities and towns in the proportion which the net loss attributable to all routes of such service in each such city or town bears to the net loss attributable to all such routes in all such cities and towns. Population shall mean population as determined by the last preceding national census. The loss attributable to each such route in each such city or town shall be determined in the same manner as provided in section nine.

✓ *Section 11.* In any year commencing with the calendar year nineteen hundred and sixty-six, if the commonwealth shall be called upon to

pay any amount on account of the net cost of local service for the previous calendar year provided in the sixty-four cities or towns, whether provided by ownership, lease, contract or otherwise, fifty per cent of such cost of service shall be assessed upon such cities and towns in the proportion which the population of each said city or town bears to the total population of all such cities or towns, and fifty per cent of such net cost of service shall be assessed upon any such city and town in the proportion which the net loss attributable to all routes of such service in such city or town bears to the net loss attributable to all such routes in all such cities and towns. Population shall mean population as determined by the last preceding national census.

The loss attributable to each such route in each such city or town shall be determined in the same manner as provided in section nine.

Section 12. If as of the last day of December in any year there was any net cost of service, the authority shall notify the state treasurer of the amount of such net cost of service, whether from express service or local service, and all other facts required by the treasurer in order to proceed in accordance with the provisions of this chapter to assess such net cost. Upon notification of the amount of such net cost the commonwealth shall pay over to the authority said amount.

In order to meet any payment required of the commonwealth under this section, the state treasurer may borrow at any time, in anticipation of the assessments to be levied upon the cities and towns constituting the authority, such sums of money as may be necessary to make said payments and to pay any interest or other charges incurred in borrowing such money and he shall repay any sum so borrowed as soon after said assessments are paid as is expedient, but in any event before the close of the year in which the same were borrowed. Such interest and other charges shall be included in the assessments in proportion to the respective assessments on the cities and towns constituting the authority.

Pending any payment from the state treasurer to the authority and at any other time when the authority, in the opinion of the directors, has not sufficient cash to make the payments required of it in the course of its duties as such payments become due, the authority may temporarily borrow money and issue notes of the authority therefor.

All assessments made under this chapter shall be made as provided in section twenty of chapter fifty-nine.

The entire net cost of service shall be attributed by the authority to express service or local service. Any net saving from express service shall be applied pro rata to reduce the net costs of local service. Any net saving from local service in the sixty-four or the fourteen cities and towns shall be applied first to reduce the net cost of express service and, second, to reduce the net cost of other local service. All remaining net savings after such application shall be applied to reimbursing the commonwealth, first, for any contract assistance which it may have paid to the authority under the provisions of section twenty-eight and, second, for any other amounts which it may have paid under the provisions of this section and section thirteen, or otherwise paid on account of the net cost of service, and the commonwealth shall thereupon distribute the latter among the cities and towns constituting the authority up to and in proportion to the amounts they were respectively assessed in the previous calendar year for express or local service or both, without any separation as between assessments for local and express service.

All remaining net savings shall be similarly distributed up to and in proportion to the amounts assessed in earlier calendar years, proceeding in inverse chronological order.

✓ *Section 13.* If during any calendar year the authority, in the opinion of the directors, has not sufficient cash to make the payments required of it in the course of its duties, the authority may, from time to time during such year, certify to the state treasurer an amount which together with all amounts previously paid in such year to the authority under this section shall not exceed the net cost of service as estimated by the authority for that portion of such year which has expired up to the date of such certification; and the commonwealth shall thereupon pay over to the authority the amount so certified. If payments made by the commonwealth during any calendar year on account of the net cost of service of such year exceed the net cost of service as of the last day of such year, such excess shall be repaid to the commonwealth by the authority at the time the authority notifies the state treasurer of the amount of such net cost or, if there is no such net cost, at the time the authority ascertains that fact. Any amounts which the commonwealth pays or is required to pay to the authority under this section during any calendar year and any amount paid as contract assistance under section twenty-eight, except contract assistance under clause (B) of the first paragraph of said section twenty-eight, any amounts paid by the commonwealth under its guarantee of bond anticipation notes of the authority, and any payments by the commonwealth of debt service due after the creation of the authority pursuant to paragraph (l) of section eight A of chapter five hundred and forty-four of the acts of nineteen hundred and forty-seven or section seven of chapter six hundred and forty-nine of the acts of nineteen hundred and forty-nine, shall be treated as payments on account of the amount which the commonwealth shall be called upon to pay under the preceding section with respect to net cost of service as of the last day of such calendar year. Any payment which is treated as a payment on account of the net cost of service shall not be treated as an income item in computing the net cost of service.

If at any time any principal or interest is due or about to come due on any bond or note issued or assumed by the authority, other than any principal or interest on any bond anticipation note guaranteed by the commonwealth, and funds to pay the same are not available, the directors shall certify to the state treasurer the amount required to meet such obligations and the commonwealth shall thereupon pay over to the authority the amount so certified. If the commonwealth shall not make such payment within a reasonable time or shall not pay when required any applicable contract assistance under section twenty-eight, the authority or any holder of an unpaid bond or note issued or assumed by the authority, acting in the name and on behalf of the authority, shall have the right to require the commonwealth to pay the authority the amount remaining unpaid, which right shall be enforceable as a claim against the commonwealth. The authority or any such holder of an unpaid bond or note may file a petition in the superior court for Suffolk county to enforce such claim or intervene in any such proceeding already commenced and the provisions of chapter two hundred and fifty-eight shall apply to such petition in so far as it relates to the enforcement of a claim against the commonwealth. Any such holder who

shall have filed such a petition may apply for an order of said court requiring the authority to apply funds received by the authority on its claim against the commonwealth to the payment of the petitioner's unpaid bond or note, and said court if it finds such amount to be due him shall issue such an order.

[Any payment by the commonwealth on account of the net cost of service may be included in the amounts to be borrowed by the state treasurer under section twelve, any such borrowing to take place in the calendar year in which the assessments under section twelve are to be made.)

Section 14. (a) If the authority shall operate or contract for the operation of a mass transportation service or route which is not substantially similar to a service or route previously operated by the authority or the Metropolitan Transit Authority and which is in competition with a pre-existing mass transportation service or route provided by a private company, and if such competition causes substantial economic damage to such company, the company may file a claim for relief with the authority within six months of the commencement of such new operation. The claim for relief shall state all of the facts relevant to the claimed competition and to the alleged damage suffered therefrom. Thereupon the authority shall make a prompt and full investigation of the claim. During its investigation and any subsequent arbitration the authority shall have access to the books and records of the company, including but not limited to copies of all federal and state tax returns of such company for prior years. Within one hundred and twenty calendar days after the filing of the claim for relief the authority shall issue a report setting forth its findings with respect to said claim, together with a detailed statement of the facts as to the respective patronage, revenues and costs on the allegedly competing routes and, if deemed appropriate, an offer of relief. Such offer may include a proposal that the authority purchase all or a portion of the assets of such company, or that the authority grant to such company a contract pursuant to the provisions of section three, or it may propose such other plan or alternative plans of relief as it shall deem reasonable and in the public interest. Within ninety calendar days of receipt of such report the company shall accept or reject any offer or offers of the authority or it shall make one or more counter-offers. The authority shall accept or reject any counter-offers within thirty calendar days of receipt. The authority may modify or revoke any such offer and the company may modify or revoke any such counter-offer at any time before acceptance or rejection.

(b) If the authority shall decline to make any offer to the company, or if all offers or counter-offers shall be rejected, or if the authority or the company shall fail to act with respect to such offers or counter-offers within the time prescribed herein, the matter shall be referred to a board of arbitration for final and binding adjudication. Unless the parties shall agree in writing to some other method of constituting the board of arbitration, of selecting its members and of providing for the rules of procedure by which it shall be governed, the board shall be appointed and its proceedings regulated in accordance with the provisions of the applicable sections of chapter two hundred and fifty-one. The function of the board of arbitration shall be to determine whether the operations of the authority in competition with those of the company during the period com-

plained of have constituted a proximate cause of substantial damage to the company; to identify and designate the portion of the company's operations so damaged, such designation to include a complete list of the physical assets of the company, real and personal, fairly allocable to such portion; and to fix the fair value of such portion of the company's operations as of the time that such competition commenced. In determining such fair value the board of arbitration shall follow generally accepted accounting principles and shall place particular emphasis on capitalization of the average net income of the company for prior years, excluding, however, from such average net income any amounts received by such company under the provisions of section twenty-five B of chapter fifty-eight, and upon an appraisal of the listed physical assets of the company valued at their cost basis less depreciation in a manner consistent with the valuation and depreciation methods employed by the company in filing federal and state income tax returns for such prior years. Under no method of valuation shall any value be placed upon franchises or good will. Within thirty calendar days after the award of the board of arbitration the company shall sell, and the authority shall purchase, the physical assets listed by the board, and the authority shall pay to the company the fair value of the portion of the company's operations as found by the board. The cost to the authority of any acquisition under this section shall be paid from the proceeds of bonds or bond anticipation notes issued as hereinafter provided. An award under this section shall be subject to the availability of such bond or note proceeds and any sale hereunder may be postponed by the agreement of the parties pending the availability of such funds.

(c) The procedure set forth in this section shall constitute the exclusive remedy of a private mass transportation company against the authority for relief from the effects of the authority's operations or activities, and no action or suit shall be brought against the authority on account of alleged damage suffered except to enforce compliance with the provisions of this section. Nothing herein shall prohibit the authority and the company from entering into an agreement in settlement of the claim for relief at any time, notwithstanding the rejection of an offer or counter-offer, the pendency of arbitration proceedings or the existence of an award. All time requirements set forth herein may be extended by the written agreement of the authority and the company. It is the intent of this section to encourage co-operation between the authority and private companies so as to provide fair and reasonable relief as speedily as possible in case of damaging competition.

Section 15. If any city or town within the authority is assessed in accordance with sections nine, ten or eleven on account of local service, the said city or town may place upon the official ballot at any biennial or regular or special city election or annual or special town election next following the last day of April of the year next following the year on account of which such assessment has been made the question of whether all such local service in such city or town should be discontinued, said question to be phrased as follows:—

"Shall the local mass transportation service in this (city, town) be discontinued?"

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

Such question shall not be placed upon the official ballot (a) unless the city council or town meeting shall have voted that such question be so placed, or a petition signed by not less than five per cent

of the registered voters of the city or town, certified as such by the registrars of voters thereof, shall have been filed with the city or town clerk, at least sixty days before the date for any such election; or (b) if the city or town is the terminus of any local service route at an express service station and other cities or towns are on the said route, or the said route extends beyond the borders of the city or town to a city or town further from the terminus. Forms for such petitions shall be made available without cost by the city or town clerk and each form shall bear the following heading: "The undersigned registered voters of the (city or town) hereby petition for the placement upon the official ballot of the question whether the local mass transportation service in this (city, town) shall be discontinued".

The votes upon such a question shall be counted and returned to the city or town clerk in the same manner as votes for candidates in municipal elections. Said clerk shall forthwith notify the authority of the result of the vote. If a majority of the votes cast upon the question shall be in the affirmative, the authority shall forthwith take all steps necessary and appropriate for the discontinuance of such local service in the city or town.

If the city council or town meeting of more than one city or town within the authority shall vote to have such question placed on the official ballot, or a petition signed as provided in this section shall be filed with more than one city or town clerk, and if such combination of cities or towns, if regarded as a single municipality, would not be prohibited from placing the question on the official ballot by virtue of clause (b) contained in the second sentence of this section, such question shall be placed upon the official ballot of each such city or town. The votes upon such questions shall be counted and returned to each city or town clerk in the same manner as votes for candidates in municipal elections. The city or town clerks for each said city or town shall forthwith notify the authority of the result of its vote. If a majority of the votes cast upon the vote in each such city or town shall be in the affirmative, the authority shall discontinue such local service in each of such cities or towns.

Any local service discontinued in accordance with this section shall not be reinstated by the authority for a period of at least two years from the date of discontinuance.

Section 16. Any city or town contiguous to the area constituting the authority, may place upon the official ballot at any biennial or regular or special city election or annual or special town election the following question: "Shall this (city, town) be added to the Massachusetts Bay Transportation Authority?"

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

; provided, however, that such question shall not be placed upon the official ballot unless the city council or town meeting shall have voted to have such question so placed or unless a petition signed by not less than five per cent of the registered voters of the city or town, certified as such by the registrars of voters thereof, shall have been filed with the city or town clerk, at least ninety days before the date of any such election. Forms for such petitions shall be made available without cost by the city or town clerk and each form shall bear the following heading: "The undersigned registered voters of the (city, town) hereby petition for the placement upon the official ballot of the question whether this (city, town) shall be added to the Massachusetts Bay Transportation Area". The votes upon such question shall be counted and re-

turned to the city or town clerk in the same manner as votes for candidates in municipal elections. Said clerk shall forthwith notify the authority of the results of the vote. If a majority of the votes cast upon the question shall be in the affirmative, the city or town shall be deemed to be added to the authority effective on the first day of January next following the notification by the clerk.

If the city council or town meeting of more than one city or town shall vote to have such question placed on the official ballot, or if a petition signed as provided in this section shall be filed with more than one city or town clerk, and if such combination of cities or towns, if regarded as a single municipality, would be contiguous to the area constituting the authority, such question shall be placed upon the official ballot in each such city or town. The votes upon such questions shall be counted and returned to each city or town clerk in the same manner as votes for candidates in municipal elections. The city or town clerks for each said city or town shall forthwith notify the authority of the result of its vote. If a majority of the votes cast upon the vote in each city or town shall be in the affirmative, each said city or town shall be deemed to be within the authority effective on the first day of January next following the notifications by the clerks.

Where any city or town is added to the authority effective on a first day of January in accordance with this section, such city or town shall not share in the assessments made on account of the prior year under sections eight through twelve.

Section 17. The department of the state auditor shall annually make an audit of the accounts of the authority and make a report thereon to the directors, the governor and the general court. In making said audits, said department of the state auditor may call upon any of the departments, commissions, officers and agencies of the commonwealth for such information as may be needed in the course of making such audits. The state auditor may employ such auditors, accountants and other assistants as he deems necessary for carrying out said duties, and chapter thirty-one and the rules made thereunder shall not apply to such employees. The commonwealth shall be reimbursed by the authority for the cost of the audit.

Section 18. The authority and all its real and personal property shall be exempt from taxation and from betterments and special assessments; and the authority shall not be required to pay any tax, excise or assessment to or for the commonwealth or any of its political subdivisions; nor shall the authority be required to pay any fee or charge for any permit or license issued to it by the commonwealth, by any department, board or officer thereof, or by any political subdivision of the commonwealth, or by any department, board or officer of such political subdivision; and, so far as constitutionally permissible, the authority shall be exempt from tolls for the use of highways, bridges and tunnels. The authority shall be required to pay fees, duties, excise or license taxes for the registration, operation or use of its vehicles on public highways and for fuels used for propelling such vehicles in the same manner and to the same extent as cities and towns of the commonwealth in general pay such fees, duties, excise or license taxes. Bonds and notes issued by the authority, 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 19. The directors shall have authority to bargain collectively with labor organizations representing employees of the authority and to enter into agreements with such organizations relative to wages, salaries, hours, working conditions, health benefits, pensions and retirement allowances of such employees. The employees of the authority shall submit all grievances and disputes pursuant to arbitration provisions in agreements existing at the time of the creation of the authority or subsequently entered into with the authority, or, in the absence of such provisions, to the state board of conciliation and arbitration, or other board or body having similar powers and duties. The provisions of general or special laws relative to rates of wages, hours of employment and working conditions of public employees and relating to contracts for public works, shall not apply to the authority nor to the employees thereof, nor to employees of contractors with the authority but the authority and its employees shall be governed with respect to hours of employment, rates of wages, salaries, hours, working conditions, health benefits, pensions and retirement allowances of its employees and with respect to contracts for construction, maintenance and repair by the laws relating to street railway companies.

Section 20. Notwithstanding any contrary provision of law, whenever there exists a continued interruption, stoppage or slowdown of transportation of passengers on any vehicle or line of the authority or a strike causing the same, and which is in violation of an injunction, a temporary injunction, a restraining order, or other order of a court of competent jurisdiction, and which threatens the availability of essential services of transportation to such an extent as to endanger the health, safety or welfare of the community, the governor may declare that an emergency exists. During such emergency he may take possession of, and operate in whole or in part, the lines and facilities of the authority in order to safeguard the public health, safety and welfare. Such power and authority may be exercised through any department or agency of the commonwealth or through any person or persons and with the assistance of such public or private instrumentalities as may be designated by him. Such lines and facilities shall be operated for the account of the authority. The powers hereby granted to the governor shall expire forty-five days after his proclamation that a state of emergency exists.

Section 21. The authority shall be liable for the acts and negligence of the directors and of the servants and employees of the authority in the management and operation of the authority and of the properties owned, leased and operated by it to the same extent as though the authority were a street railway company, but the directors shall not be personally liable except for malfeasance in office.

The authority shall be liable in tort to passengers, and to persons in the exercise of due care who are not passengers or in the employment of the authority, for personal injury and for death and for damages to property in the same manner as though it were a street railway company; provided that any action for such personal injury or property damage shall be commenced only within two years next after the date of such injury or damage and in case of death only within two years next after the date of the injury which caused the death.

The directors shall have charge of and supervise the investigation, settlement and defense of all such claims and of all other suits or actions

relating to the property or arising out of the construction, maintenance or operation of the authority.

Section 22. In the event of any conflict between the regulatory powers and duties of the department of public utilities and the regulatory powers and duties of the authority within its area, the department of public utilities shall resolve such dispute and exercise such powers as it deems required in the particular instance.

Section 23. 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 any one or more of the following purposes:

(1) To acquire, design and construct mass transportation facilities for express service and to provide equipment therefor (except for rolling stock, garages, yards and shops);

(2) Subject to the limitations contained in paragraph (f) of section three, to finance agreements with railroads to provide passenger service to and from Boston extending no later than December thirty-first, nineteen hundred and sixty-seven;

(3) (a) To design and acquire, for itself or for lease to any eligible private company, by purchase or otherwise mass transportation facilities and equipment to be used to provide local service and (b) to provide relief to any private company, whether by agreement or arbitration award, under the provisions of section fourteen;

(4) To pay any capital costs of the authority including but not limited to costs of rolling stock, garages, yards and shops, whether or not bonds for any such purpose may also be issued under any other provision of this section.

Bonds may be issued for any costs of the foregoing incurred either before or after the issue of the bonds. Bonds issued under any of the foregoing clauses may be issued in sufficient amount to pay the expenses of issue and to establish such reserves as may be required by any applicable trust agreement or bond resolution.

Not more than five million dollars of bonds shall be issued under paragraph (2) of this section, exclusive of any additional amount of bonds issued to establish reserves as provided above. Not more than eighty million dollars of bonds shall be issued whose debt service is not assisted by contract under section twenty-eight exclusive of refunding bonds.

The bonds of each issue shall be dated, shall bear interest at such rates, shall mature at such time or times not exceeding forty years from their date or dates as may be determined by the authority, and may be made redeemable before maturity at the option of the authority, at such price or prices and under such terms and conditions as may be fixed by the authority prior to the issue of the bonds. The authority shall determine the form of the bonds, including any interest coupons to be attached thereto, and the manner of execution of the bonds, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within the commonwealth. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until such delivery. All bonds issued under the provisions of this chapter shall have and are hereby declared to have all the qualities and incidents of negotiable in-

struments under the Uniform Commercial Code. The bonds may be issued in coupon or in registered form, or both, as the authority may determine, and provision may be made for the registration of any coupon bonds as to principal alone, and also as to both principal and interest, for the reconversion into coupon bonds of any bonds registered as to both principal and interest and for the exchange of coupon and registered bonds. The authority may sell such bonds in such manner, either at public or private sale, and for such price as it may determine to be for the best interests of the authority.

The proceeds of such bonds shall be disbursed in such manner and under such restrictions, if any, as the authority may provide. The authority may also provide for the replacement of any bonds which shall become mutilated or shall be destroyed or lost. Bonds and bond anticipation notes may be issued under the provisions of this chapter without obtaining the consent of any department, division, commission, board, bureau or agency of the commonwealth, and without any other proceedings or the happening of any other conditions or things than those proceedings, conditions or things which are specifically required by this chapter. Provisions of this chapter relating to the preparation, adoption or approval of plans, programs, projects, budgets and expenditures shall not affect the issue of bonds and bond anticipation notes and the bonds and bond anticipation notes may be issued either before or after such preparation, adoption or approval.

In addition to the foregoing, the authority is hereby authorized to provide by resolution for the issue of refunding bonds of the authority for the purpose of refunding any principal, interest and sinking fund requirements on any indebtedness that is outstanding and issued on the effective date of this chapter and assumed by the authority pursuant to law, including payment of any redemption premium thereon, any interest accrued or to accrue to the date of redemption of such indebtedness, and any expenses of issue of the refunding bonds. The issue of such bonds, the maturities and other details thereof, and the duties of the authority in respect to the same, shall be governed by the provisions of this chapter in so far as the same may be applicable.

While any bonds or notes issued or assumed by the authority remain outstanding, the powers, duties and existence of the authority and the provisions for payments by the commonwealth to the authority shall not be diminished or impaired in any way that will affect adversely the interests and rights of the holders of such bonds or notes. This section shall constitute specific authorization as required by paragraph (k) of section three for the construction of projects of the kind described in paragraph (1), for which not more than fifty-five million dollars of bond proceeds may be expended.

Section 24. In the discretion of the authority such bonds or refunding bonds shall be secured by a trust agreement by and between the authority and a corporate trustee, which may be any trust company or bank having the powers of a trust company within the commonwealth. Either the resolution providing for the issue of bonds or such trust agreement may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including covenants setting forth the duties of the authority in relation to the acquisition, improvement, maintenance, operation, repair and insurance of property, and the custody, safeguard-

ing and application of all moneys and may pledge or assign the revenues to be received, but shall not convey or mortgage any property.

It shall be lawful for any bank or trust company incorporated under the laws of the commonwealth to act as depository of the proceeds of bonds or of revenues and to furnish such indemnifying bonds or to pledge such securities as may be required by the authority. Such trust agreements or bond resolution may set forth the rights and remedies of the bondholders and of the trustee, and may restrict the individual right of action by bondholders. In addition to the foregoing, such trust agreement or bond resolution may contain such other provisions, including a provision for a sinking fund, as the authority may deem reasonable and proper for the security of the bondholders. All expenses incurred in carrying out the provisions of such trust agreement or bond resolution may be treated as current expenses of the authority.

Section 25. Bonds and refunding bonds issued under this chapter are hereby made securities in which all public officers and public bodies of the commonwealth and its political subdivisions, all insurance companies, trust companies in their commercial departments, banking associations, investment companies, executors, trustees and other fiduciaries, and all other persons whatsoever who are now or may hereafter be authorized to invest in bonds or other obligations of a similar nature may properly and legally invest funds, including capital in their control or belonging to them, and such bonds are hereby made obligations which may properly and legally be made eligible for the investment of savings deposits and the income thereof in the manner provided by paragraph 2 of section fifty of chapter one hundred and sixty-eight. Such revenue bonds are hereby made securities which may properly and legally be deposited with and received by any state or municipal officer or any agency or political subdivision of the commonwealth for any purpose for which the deposit of bonds or other obligations of the commonwealth now or may hereafter be authorized by law.

Section 26. Any holder of bonds or refunding bonds issued under the provisions of this chapter or of any of the coupons appertaining thereto, and the trustee under the trust agreement, if any, except to the extent the rights herein given may be restricted by such resolution or trust agreement, may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights under the laws of the commonwealth or granted hereunder or under such resolution or trust agreement, and may enforce and compel the performance of all duties required by this chapter or by such resolution or trust agreement to be performed by the authority or by any officer thereof.

Section 27. The authority is 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. The notes shall be payable within three years from their dates or by June thirtieth, nineteen hundred and seventy, whichever is later, but the principal of and interest on notes issued for a shorter period may be renewed or paid from time to time by the issue of other notes hereunder maturing within the required time from the date of the original loan being refunded. When bonds are issued for the purposes for which the notes were issued, the proceeds of the bonds shall be used to repay the notes, except that interest on the notes may be financed as a current expense to the extent deemed appropriate by the authority. The notes

may be secured by a trust agreement or by the provisions of a resolution, as in the case of bonds. Bond anticipation notes may be issued either before or after the authorization of the bonds being anticipated. If any bond anticipation note is paid otherwise than from the proceeds of bonds or renewal notes, such payment shall be included in the measure of the net cost of service. But, if bonds or renewal notes are later issued to provide for such payment, there shall be a corresponding offset against the net cost of service.

Section 28. The commonwealth, acting by and through the executive office for administration and finance, may enter into a contract or contracts with the authority providing that a portion of the net cost of service shall be paid by the commonwealth, and shall not be assessed upon the cities and towns constituting the authority. [The portion of the net cost of service not to be so assessed, hereinafter called contract assistance, is limited to (A) the annual debt service on ninety per cent of the bonds issued under paragraph (1) of section twenty-three, and the annual debt service on fifty per cent of the bonds issued under paragraph (3) of said section twenty-three, but not in the aggregate exceeding under this clause (A) the debt service on one hundred and forty-five million dollars of bonds, and (B) not more than a total of five million dollars to be paid to the authority for not more than one half of the cost to the authority of agreements with railroads authorized by paragraph (2) of section twenty-three, and (C) not more than three million dollars annually, not more than seven hundred and fifty thousand dollars in the year nineteen hundred and sixty-four, to pay interest, principal and sinking fund requirements due upon indebtedness assumed by the authority for or on account of bonds, notes and other evidences of indebtedness issued to finance or refinance the construction or purchase of express service mass transportation facilities and indebtedness issued by the authority to refinance the same; provided that all facilities, title to which was transferred to the Metropolitan Transit Authority, pursuant to paragraph (d) of section eight A of chapter five hundred and forty-four of the acts of nineteen hundred and forty-seven shall be considered to be express service mass transportation facilities for the purpose of this clause (C); and provided, further, that no amount shall be expended under this clause (C) to pay any interest, principal or sinking fund requirements on any bonds, notes or other evidences of indebtedness issued to finance or refinance the purchase or construction of rolling stock, garages, yards and shops. For all purposes of this chapter, any moneys due and payable to the commonwealth by the authority as rent for the Cambridge subway shall be considered as debt service on bonds outstanding and may be paid by the commonwealth under clause (C), or otherwise paid or refunded in accordance with this chapter. The proceeds of bonds receiving contract assistance under clause (A) above may not be expended for projects in an aggregate amount exceeding fifty-five million dollars for the purposes of paragraph (1) of section twenty-three or exceeding sixty million dollars for all purposes until a program for public mass transportation has been adopted pursuant to this chapter. Any such program shall provide for the use of such proceeds.

Any debt service or indebtedness issued by the authority, for which contract assistance is provided, shall mature serially beginning not later than ten years after the date of issue and ending not later than forty

years after the date of the bonds, each annual installment of principal being no less than one half as large as the largest installment of principal on account of the same loan or, in the alternative, no annual installment of principal and interest combined being less than any later installment of principal and interest combined.

Any debt service, for which contract assistance is paid under clause (A) or (C) above, shall be excluded from the computation of assessments under sections eight, nine, ten and eleven and from the computation of net savings to reduce net costs of service pursuant to section twelve. The bonds whose debt service is to receive contract assistance shall be selected in a manner which is consistent with the purposes for which the assistance is granted and which allocates the benefits of the assistance equitably.

Contracts shall provide for payment of debt service by the commonwealth when due, except to the extent that the authority shall have previously notified the state treasurer that the revenues of the authority are sufficient for the purpose.

Bonds whose debt service receives contract assistance may be consolidated and issued with bonds whose debt service is not so assisted, but need not mature in proportion to one another.

The executive office for administration and finance and the authority shall adopt rules and regulations governing the procedures for applying for assistance to private companies under paragraph (3) of section twenty-three and governing the use of such assistance. Such rules and regulations shall include provisions (a) requiring any private company which receives such assistance to agree to limit its profits and its expenses for salaries and overhead so as to make available as much of its earnings as possible for repayment to the authority of such assistance; (b) requiring such repayment; (c) enabling the authority and the executive office for administration and finance to examine and audit the books and records of such company for the purpose of establishing and enforcing such limitation and repayment; and (d) requiring the authority to transfer to the commonwealth the commonwealth's share of such repayment.

Any contract under this section shall include such provisions as the executive office for administration and finance deems necessary and desirable to assure the efficient operation of the authority and the minimum burden on the commonwealth and on the cities and towns within the authority.

Pursuant to a contract under this section the executive office for administration and finance may provide for the guarantee by the commonwealth of temporary notes issued by the authority in anticipation of bonds. Such guarantees shall be executed by the state treasurer.

Section 29. The authority is authorized and directed from time to time to take all necessary action to secure any federal assistance which is or may become available to the commonwealth or any of its subdivisions for any of the purposes of this chapter. If any federal law, administrative regulation or practice requires any action relating to such federal assistance to be taken by any department or instrumentality of the commonwealth other than the authority, such other department or instrumentality is authorized and directed to take all such action, including without limitation filing applications for assistance, supervising the expenditure of federal grants or loans and making any determinations and certifications necessary or appropriate to the foregoing, and the authority

is authorized and directed to take all action necessary to permit such other department or instrumentality to comply with all federal requirements. It is the intent of this section that the provisions of any federal law, administrative regulation or practice governing federal assistance for the purposes of this chapter shall, to the extent necessary to enable the commonwealth or its subdivisions to receive such assistance and not constitutionally prohibited, override any inconsistent provisions of this chapter.

SECTION 19. Section nine A of chapter thirty and chapter thirty-one of the General Laws shall not apply to any officers and employees of any authority created by chapter one hundred and sixty-one A of the General Laws, inserted by section eighteen of this act, excepting those employees of the Metropolitan Transit Authority to whom said chapter thirty-one was applicable on the effective date of this act.

Chapter thirty-two of the General Laws shall not apply to any retirement or pension system of the Massachusetts Bay Transportation Authority, but the directors shall continue payment of pensions and retirement allowances under and in accordance with the present pension plan and authorizations of the board of trustees of the Metropolitan Transit Authority, as from time to time modified by the directors.

SECTION 20. The Metropolitan Transit Authority is hereby abolished; all mass transportation facilities, as defined in section one of chapter one hundred and sixty-one A of the General Laws, inserted by section eighteen of this act, and all other property, real and personal, owned, controlled by or in the custody of the Metropolitan Transit Authority is hereby transferred to the ownership, control and custody of the Massachusetts Bay Transportation Authority created by section two of said chapter one hundred and sixty-one A; and all debts, liabilities and obligations of the Metropolitan Transit Authority are hereby transferred to, assumed by and imposed upon the Massachusetts Bay Transportation Authority; provided that the obligation to pay interest, principal and sinking fund requirements on all bonds and long-term notes of the Metropolitan Transit Authority, which shall be deemed to include rent to the commonwealth for the Cambridge subway, and on all indebtedness of the Massachusetts Bay Transportation Authority issued to refinance the same shall, to the extent of the net cost of service and except for any amount covered by contracts for financial assistance made under the provisions of section twenty-eight of said chapter one hundred and sixty-one A, be assessed upon the fourteen cities and towns, as defined in section one of said chapter one hundred and sixty-one A, in the manner provided by sections eight, nine and ten of said chapter.

Notwithstanding any provision of existing law, whether or not such provision is expressly repealed by this act, any assessment on account of any debt, liability or obligation of the Metropolitan Transit Authority which is assumed by the Massachusetts Bay Transportation Authority shall be governed by the provisions of chapter one hundred and sixty-one A of the General Laws, except as provided below and in the last sentence of section twenty-two of this act.

Where the commonwealth is required by paragraph (1) of section eight A of chapter five hundred and forty-four of the acts of nineteen hundred and forty-seven or by section seven of chapter six hundred and forty-nine of the acts of nineteen hundred and forty-nine to pay any debt service of the year in which such payment is to be made and where such require-

ment is not superseded by the provisions for contract assistance in said chapter one hundred and sixty-one A, the amounts so paid or to be paid by the commonwealth shall be assessed in accordance with said existing sections but shall be credited against the assessments made under said chapter one hundred and sixty-one A in subsequent years until fully recovered. Assessments under the foregoing sentence in the current year shall not be reduced to reflect contract assistance.

SECTION 21. All officers and employees of the Metropolitan Transit Authority, except the board of trustees, shall become officers and employees of the Massachusetts Bay Transportation Authority, established by section two of chapter one hundred and sixty-one A of the General Laws, and shall be subject to the supervision, control and removal by or under the authority of the directors of said Massachusetts Bay Transportation Authority.

No employee of the Metropolitan Transit Authority becoming an employee of the Massachusetts Bay Transportation Authority in accordance with this section shall, by reason of transfer to employment by the Massachusetts Bay Transportation Authority, without his consent be removed, lowered in rank or compensation or suspended, except for just cause and for reasons specifically given to him in writing twenty-four hours after such removal, suspension, transfer or lowering in rank or compensation; nor shall any such employee, by reason of such transfer, without his consent be in any worse position in respect to workmen's compensation, pension, superannuation, sickness or any other benefits or allowances granted by his previous employer to himself, his widow, family or personal representatives than he enjoyed under any person, firm or corporation under whom he held his employment immediately prior to his transfer to the employment of the Massachusetts Bay Transportation Authority; provided that the directors may abolish any office or post of any existing executive officer if in the opinion of the directors the same is an unreasonable addition to the staff of the authority.

Any person who loses his employment with any company providing mass transportation service on account of the operation of any mass transportation service, facilities or equipment by the Massachusetts Bay Transportation Authority or under contract with the Massachusetts Bay Transportation Authority which service is not substantially similar to one previously operated by the Massachusetts Bay Transportation Authority or the Metropolitan Transit Authority, shall have the right if exercised within ninety days of the date of such loss of employment, to similar employment with the Massachusetts Bay Transportation Authority, subject to negotiation between any labor organizations involved and the Massachusetts Bay Transportation Authority.

SECTION 22. All actions and proceedings duly pending before, all actions and proceedings duly pending against, and all actions and proceedings duly begun by the Metropolitan Transit Authority shall continue unabated and remain in full force and effect notwithstanding the passage of this act and may be completed before, against or by the Massachusetts Bay Transportation Authority created by section two of chapter one hundred and sixty-one A of the General Laws, inserted by section eighteen of this act. All orders, rules and regulations duly promulgated by the Metropolitan Transit Authority shall remain in full force and effect to the extent consistent with this act until superseded, revised or rescinded by the Massachusetts Bay Transportation Authority. All

contracts, including collective bargaining agreements, leases, obligations and rights of the Metropolitan Transit Authority shall continue in full force and effect in accordance with law and are hereby transferred to, assumed by and imposed upon the Massachusetts Bay Transportation Authority. All unexpended balances of moneys in accounts of, for or on behalf of the Metropolitan Transit Authority are hereby transferred to the Massachusetts Bay Transportation Authority.

The rights of the Metropolitan Transit Authority to payments from the commonwealth or others on account of operations or debt service or other expenses under existing laws shall pass to the Massachusetts Bay Transportation Authority hereunder and, notwithstanding any other provision of this act, existing laws shall continue in effect with regard to assessment of the same and other applicable means of raising the same.

SECTION 23. Sections one, two, three, four, four A, four B, paragraphs (f), (i) and (*i* $\frac{1}{2}$) of section eight A, sections nine, ten, ten A, ten B, ten C, eleven, twelve, thirteen, thirteen A, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, nineteen A, twenty, twenty-two, twenty-three, twenty-four and twenty-five of chapter five hundred and forty-four of the acts of nineteen hundred and forty-seven; chapters four hundred and fifty-two and five hundred and forty of the acts of nineteen hundred and sixty-one; and chapter six hundred and thirty-three of the acts of nineteen hundred and sixty-three are hereby repealed.

SECTION 24. Wherever, in any general or special law, there are used the words or terms which appear within quotation marks at the beginning of any paragraph set forth below in this section, or words or terms having the same connotation, said words or terms shall, unless the context otherwise requires, have the following meanings:

"Metropolitan Transit Authority" or "authority" shall mean the Massachusetts Bay Transportation Authority created by section two of chapter one hundred and sixty-one A of the General Laws, as appearing in section eighteen of this act.

"Trustees" or "board of trustees" of the Metropolitan Transit Authority shall mean directors or board of directors of the said Massachusetts Bay Transportation Authority.

"Advisory board" of the Metropolitan Transit Authority shall mean the advisory board of the said Massachusetts Bay Transportation Authority.

SECTION 25. No contract entered into by the commonwealth, acting by and through the executive office for administration and finance, under the provision of section one hundred and fifty-two A of chapter one hundred and sixty-one of the General Laws, inserted by section fifteen of this act or of section twenty-eight of chapter one hundred and sixty-one A of the General Laws, as inserted by section eighteen of this act, shall provide for any payment by the commonwealth prior to May first, nineteen hundred and sixty-five. No amount shall be determined by the state tax commission to be payable under the provisions of paragraph (c) of section twenty-five B of chapter fifty-eight of the General Laws, as inserted by section two of this act, for excises and taxes paid in any year prior to the calendar year nineteen hundred and sixty-five. No transportation allowance shall be certified by the commissioner of education to the state tax commission under the provisions of section seven B of chapter seventy-one of the General Laws, as inserted by section eight of this act, and no amount shall be determined by the state

tax commission to be payable under the provisions of paragraph (d) of said section twenty-five B of said chapter fifty-eight of the General Laws for any period prior to the school year ending in nineteen hundred and sixty-five.

For the purpose of chapter one hundred and sixty-one A of the General Laws, the net cost of all service of the Massachusetts Bay Transportation Authority during the calendar year nineteen hundred and sixty-four shall be deemed to have been incurred during the calendar year nineteen hundred and sixty-five.

SECTION 26. The current expenses of the Massachusetts Bay Transportation Authority during the period from the effective date of this section to the end of the year nineteen hundred and sixty-four shall be as determined by said Authority.

SECTION 27. In appointing the members of the board of directors of the Massachusetts Bay Transportation Authority as provided by section six of chapter one hundred and sixty-one A of the General Laws, as appearing in section eighteen of this act, the five members initially appointed by the governor to said board shall, notwithstanding any contrary provision of said section six, serve for terms ending on the thirtieth day of March in the years nineteen hundred and sixty-six, nineteen hundred and sixty-seven, nineteen hundred and sixty-eight, nineteen hundred and sixty-nine and nineteen hundred and seventy, respectively, as the governor may determine. A director appointed hereunder shall hold office until the qualification of his successor. Upon the expiration of the term of any such director his successor shall be appointed in like manner and for the term set forth in said section six of said chapter one hundred and sixty-one A.

SECTION 28. The provisions of this act are severable, and if any of its provisions shall be held unconstitutional or invalid by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

SECTION 29. Sections four, five, six, seven and eight of this act shall take effect on January first, nineteen hundred and sixty-five; provided, however, that the provisions of chapter sixty-four C of the General Laws in effect immediately prior to said date shall apply to the returns due for the month of December, nineteen hundred and sixty-four; sections nineteen to twenty-four, inclusive, shall take effect upon the appointment and qualification of the directors of the Massachusetts Bay Transportation Authority, created by section two of chapter one hundred and sixty-one A of the General Laws as appearing in section eighteen of this act; and all other sections of this act shall take effect as soon as they shall have the force of law conformably to the constitution.

Approved June 18, 1964.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, July 3, 1964.

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 563 of the Acts of 1964 entitled "An Act Abolishing the Metropolitan Transit Authority, Establishing the Massachusetts Bay Transportation Authority, and Providing for the Acquisition and Maintenance of Mass Transportation Facilities and Services Which shall be Co-ordinated with Highway Systems and Urban Development Plans Throughout the Commonwealth." and the enactment of which received my approval on June 18, 1964, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

The previously announced intention of the Middlesex and Boston Street Railway Company to cease operations, and its present operation on an interim basis; the announced intention of the Boston and Maine Railroad to discontinue commuter service into Boston on August 8, 1964; the pending petition of the trustees of the New York, New Haven and Hartford Railroad to the Department of Public Utilities to discontinue commuter service into Boston; and the necessity of prompt formulation of a transportation plan to take maximum advantage of federal aid under recently enacted federal urban mass transportation legislation.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, July 3, 1964.

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 five hundred and sixty-three of the acts of nineteen hundred and sixty-four.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 564. AN ACT ESTABLISHING A MUNICIPAL POLICE TRAINING COUNCIL AND REQUIRING POLICE OFFICERS IN CITIES AND IN CERTAIN TOWNS TO ATTEND A POLICE TRAINING SCHOOL.

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 "consumers' council", as appearing in section 1 of chapter 430 of the acts of 1964, the words: —, the municipal police training council.

SECTION 2. Said chapter 6 is hereby amended by inserting after section 115 under the caption MUNICIPAL POLICE TRAINING COUNCIL the four following sections:—

Section 116. There shall be a board, to be known as the municipal police training council, hereinafter called the council, to consist of the director of civil service, the commissioner of public safety, the commissioner of police of the city of Boston, or their respective designees, and five members to be appointed by the governor, with the advice and

consent of the council, three of whom shall be chiefs of police who shall be selected from a list of six nominees submitted by the board of directors of the Massachusetts Chiefs of Police Association, Inc., one of whom shall be a member of the Massachusetts Police Association who shall be selected from two nominees submitted by the board of directors of said association, and one of whom shall be an administrator of a city or town. The chairman of the council shall be designated from time to time by the governor. The members appointed by the governor shall serve for terms of two years. Upon the expiration of the term of a member his successor shall be appointed, in the same manner, for a like term.

Section 117. The council shall meet at least four times a year. Special meetings may be called by the chairman and shall be called by him at the request of the governor or upon the written request of five members of the council. The members shall serve without compensation but shall receive their necessary expenses incurred in the discharge of their official duties.

Section 118. Said council shall approve or disapprove municipal police training schools and shall make rules and regulations subject to the approval of the governor and council, for such schools, relating to courses of study, attendance requirements, equipment and facilities and qualifications of instructors.

Section 119. The council shall be provided with suitable offices in the state house or elsewhere. The council may, within the limits of the amount appropriated therefor, appoint an executive director, secretary and such clerks and assistants as it may require and may make such expenditures as may be necessary to execute effectively the functions of the council. Said executive director shall not be subject to chapter thirty-one.

SECTION 3. Chapter 41 of the General Laws is hereby amended by inserting after section 96A the following section: —

Section 96B. Every person who receives an appointment as a regular police officer on a permanent full-time basis in any city or in any town with over five thousand inhabitants shall within one year of the date of his appointment be assigned to and shall attend a police training school approved by the municipal police training council, and shall complete the prescribed courses of study.

Any police officer attending such school shall be paid his wages as police officer. He shall also receive such reasonable expenses as may be determined by the appointing authority.

SECTION 4. Of the members of the municipal police training council first appointed by the governor under section one hundred and sixteen of chapter six of the General Laws, inserted by section two of this act, two shall be appointed for one-year terms and three shall be appointed for two-year terms; provided that the terms of the three chiefs of police appointed as members shall not expire in the same year. Vacancies in said original appointments shall be filled in the same manner as the original appointments.

SECTION 5. Section three of this act shall take effect on January first, nineteen hundred and sixty-six.

Approved June 22, 1964.

Chap. 565. AN ACT VALIDATING THE PROCEEDINGS OF THE TOWN OF BURLINGTON AT ITS ANNUAL TOWN MEETING IN THE YEAR NINETEEN HUNDRED AND SIXTY-FOUR.

Be it enacted, etc., as follows:

SECTION 1. The proceedings of the town of Burlington at its annual town meeting held in the year nineteen hundred and sixty-four are hereby confirmed and made valid notwithstanding the failure to comply with the provisions of sections nine and ten of chapter thirty-nine of the General Laws.

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

Approved June 22, 1964.

Chap. 566. AN ACT VALIDATING THE CALL OF THE NINETEEN HUNDRED AND SIXTY-FOUR ANNUAL TOWN MEETING OF THE TOWN OF NATICK.

Be it enacted, etc., as follows:

SECTION 1. The call of the nineteen hundred and sixty-four annual town meeting of the town of Natick is validated in all respects, notwithstanding any defect in the issue, posting or publication of the warrant for said meeting under any law or under any by-law of the town.

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

Approved June 22, 1964.

Chap. 567. AN ACT AUTHORIZING THE CITY OF BOSTON TO BORROW ADDITIONAL FUNDS AND TO LEASE AIR RIGHTS FROM THE MASSACHUSETTS TURNPIKE AUTHORITY FOR THE ESTABLISHMENT OF OFF-STREET PARKING FACILITIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 474 of the acts of 1946 is hereby amended by inserting after section 5B, inserted by section 1 of chapter 450 of the acts of 1955, the following section: —

Section 5C. To provide, for the purposes of this act, funds in addition to the funds provided by sections five, five A and five B, the city may borrow, from time to time, not exceeding in the aggregate under this section twenty million dollars, and may issue and sell at public sale serial bonds or notes of the city therefor, which shall be registered or with interest coupons attached as the collector-treasurer of the city may deem best. Such bonds or notes shall bear on their face the words, City of Boston, Parking Facilities Loan, Act of 1964. Each issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Debt incurred from time to time under this section 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 collector-treasurer 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 1A. Section 1 of said chapter 474 is hereby amended by inserting after clause (a) the following clause: —

(a ½) The power to acquire air rights for the purposes of this act by lease from the Massachusetts Turnpike Authority under section fifteen A of chapter three hundred and fifty-four of the acts of nineteen hundred and fifty-two, as inserted by section one of chapter five hundred and five of the acts of nineteen hundred and sixty-three;

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

Approved June 22, 1964.

Chap. 568. AN ACT AUTHORIZING THE FORMATION OF A VOCATIONAL REGIONAL SCHOOL DISTRICT BY THE CITIES OF FITCHBURG AND GARDNER AND THE TOWNS OF ASHBURNHAM, ASHBY, HARVARD, LUNENBURG, PEPPERELL, PHILLIPSTON, HUBBARDSTON, TEMPLETON, TOWNSEND, WESTMINSTER AND WINCHENDON.

Be it enacted, etc., as follows:

SECTION 1. Each of the cities of Fitchburg and Gardner, by vote of its city council, and each of the towns of Ashburnham, Ashby, Harvard, Lunenburg, Pepperell, Phillipston, Hubbardston, Templeton, Townsend, Westminster and Winchendon, by vote in a town meeting, may create a special unpaid committee to be known as a vocational regional school district planning committee, to consist of three members from each such municipality, one of whom shall be a member of the school committee, to be appointed by the mayor or the moderator as the case may be. Each of said municipalities may appropriate at any time for the expenses of said committee 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. Any similar vocational regional school district planning committee, by whatever name it may be known, heretofore created by any of said municipalities, may carry out the functions of a vocational regional school district planning committee provided for under this act in lieu of a new committee. Any vote creating such a committee heretofore taken by the city council of said cities 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 vocational regional school district planning committee acting under this act may be filled by the mayor or moderator as the case may be. The vocational regional school district planning committees from any two or more of said municipalities may join together to form a vocational regional school district planning board. Such vocational regional school district planning board shall organize forthwith upon its formation by the election of a chairman and a secretary treasurer.

SECTION 2. It shall be the duty of the vocational 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 vocational-technical school

or schools to serve the needs of such district; to estimate the construction and operating costs thereof; to investigate the method of financing such vocational-technical 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 each of said cities and, at the same time or at a later time or times, to the selectmen of each of said towns.

SECTION 3. The said vocational regional school district planning board may recommend that there shall be established a vocational regional school district which may include all the municipalities represented by its membership, or any specified combination of such municipalities, including at least the cities of Fitchburg and Gardner and two of the towns. If the said vocational regional school district planning board so recommends, it shall submit a proposed agreement setting forth the following: —

(a) The number, composition, method of selection and terms of office of the members of the regional district school committee.

(b) The municipality or municipalities in which, or the general area within the regional school district where, the regional district school or schools are to be located.

(c) The method of apportioning the expenses of the regional school district, and the method of apportioning the costs of school construction, including any interest and retirement of principal of any bonds or other obligations issued by the district among the several municipalities comprising the district, and the time and manner of payment of the shares of said municipalities of any such expense.

(d) The method by which school transportation shall be provided.

(e) The terms by which any municipality may be admitted to or separated from the regional school district.

(f) The method by which the agreement may be amended.

(g) The detailed procedure for the preparation and adoption of an annual budget.

(h) Any other matters, not incompatible with law, which the said board may deem advisable.

Copies of such agreement shall be submitted to the emergency finance board established under section one of chapter forty-nine of the acts of nineteen hundred and thirty-three, and the department of education, and, subject to their approval, to the several municipalities which are recommended to be included in the district, for their acceptance.

The type of regional district school or schools shall be a vocational high school or schools consisting of grades nine through twelve, inclusive, which may include all phases of vocational education as prescribed in chapter seventy-four of the General Laws. The regional district school committee may also establish and maintain extended courses of instruction beyond the secondary level in accordance with the provisions of section thirty-seven A of said chapter seventy-four of the General Laws. When the district has been organized and its school or schools are 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.

SECTION 4. The agreement made under section three, or any amendment to such an agreement, may contain provisions authorizing any

member municipality to sell, lease or grant a license to use any school building and any land appurtenant thereto or used in connection therewith to the regional school district, and any such municipality may authorize such sale, lease or license accordingly, notwithstanding the provisions of section three of chapter forty of the General Laws or any other provisions of law to the contrary. In case of a sale, the price and time or times of payment and the method by which the municipalities other than the selling municipality shall be assessed for such payment shall be set forth in the agreement or amendment; but in no case shall payments be made which shall extend over a period in excess of twenty years. In the case of a lease or license to use the rental or license fee and terms of payment and assessment shall be set forth in the agreement or amendment. The lease or license to use may be for a term or period not in excess of twenty years, and may contain provisions for the extension of the lease or license to use for an additional term or period not in excess of twenty years, at the option of the regional district school committee.

SECTION 5. Upon receipt by any city council of a recommendation that a regional school district be established, and of a proposed agreement therefor submitted in accordance with the provisions of sections one to three, inclusive, of this act, said city council shall direct the city clerk to cause the question of accepting the provisions of this act to be placed on the ballot to be used at the next state election or at the next regular city election after such receipt, 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-four, providing for the establishment of a regional school district by the cities of Fitchburg and Gardner 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 each of the cities of Fitchburg and Gardner and a majority of the voters present and voting in at least two of said towns shall vote in the affirmative, this act shall become fully effective, and the proposed regional vocational school district comprising the cities and towns which accepted this act as herein provided, shall be deemed to be established forthwith in accordance with the terms of the agreement so adopted.

SECTION 6. The regional school district established under the provisions of section five shall be a body politic and corporate with all the powers and duties conferred by law upon school committees, and with the following additional powers and duties: —

(a) To adopt a name and a corporate seal, and the engraved or printed facsimile of such seal on a bond or note of the district shall have

the same validity and effect as though such seal were impressed thereon.

(b) To sue and be sued, but only to the same extent and upon the same conditions that a city or town may sue or be sued.

(c) To acquire property within the municipalities comprising the district under the provisions of chapter seventy-nine and section fourteen of chapter forty of the General Laws, for the purposes of the district, and to construct, reconstruct, add to, remodel, make extraordinary repairs to, equip, organize and operate a 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 each member 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 any member city expresses disapproval of the amount authorized by the district committee, or any member town expresses such disapproval by vote of a majority of the voters present and voting on the matter at a town meeting called for the purpose of expressing such disapproval, the said debt shall not be incurred and the district school committee shall prepare another proposal which may be the same as any prior proposal and an authorization to incur debt therefor.

(e) To issue bonds and notes in the name and upon the full faith and credit of said 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 any member city or by the selectmen of any member town.

(l) To employ an administrator who meets the qualifications for a director of a state aided vocational school as established by the division of vocational education of the department of education, and said administrator shall have all the powers and duties imposed upon school superintendents by law.

(m) To adopt an annual operating and maintenance budget, not later than December first.

SECTION 7. The powers, duties and liabilities of the regional school district shall be vested in and exercised by a regional district school committee organized in accordance with the agreement. The committee shall choose a chairman 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. It shall appoint a secretary and a treasurer who may be the same person, but who need not be members of said committee. The treasurer shall receive and take charge of all money belonging to the district, and shall pay any bill of the district which shall have been approved by the committee. The committee may appoint an assistant treasurer who need not be a member of the committee, and who shall, in the absence of the treasurer, perform his duties and shall have the powers and be subject to the requirements and penalties applicable to him. The treasurer and assistant treasurer may, by vote of said committee, be compensated for their services. The treasurer and assistant treasurer of said district shall be subject to the provisions of sections thirty-five, fifty-two and one hundred and nine A of chapter forty-one of the General Laws, to the extent applicable.

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 the regional school district an additional amount equal to fifteen per cent of the amount to which such municipality would be entitled if such regional school district had not been formed. No payment shall be made under 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 each city and to the chairman of the board of selectmen of each town and the chairman of the school committee of each municipality which is a member of the district. The director shall apportion the cost among the several municipalities which are members of the district on the basis provided by section three of this act, and submit the amounts of each apportionment to the state treasurer, who shall issue his warrant requiring the assessors of the municipalities which are members of the district to assess a tax to the amount of the expense, and such amounts shall be collected and paid to the state treasurer as provided by section twenty of chapter fifty-nine of the General Laws.

SECTION 12. 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 13. 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 section eighty-seven of chapter eight hundred and one of the acts of nineteen hundred and sixty-three.

SECTION 14. 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 15. If any provisions of this act, or the application of such provisions 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 16. This act shall take effect upon its passage.

Approved June 22, 1964.

Chap. 569. AN ACT VALIDATING CERTAIN ACTION TAKEN AT THE ANNUAL TOWN MEETING OF THE TOWN OF WALPOLE.

Be it enacted, etc., as follows:

SECTION 1. The vote raising and appropriating two million thirty-eight thousand dollars for constructing, originally equipping and furnishing a new junior high school which was passed by the town of Walpole at its annual town meeting in the current year under article twenty-four of the warrant is hereby validated and the town treasurer with the approval of the selectmen is authorized to issue two million twenty-nine thousand dollars in bonds or notes of the town pursuant to and subject to the provisions of chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, notwithstanding the fact that said vote referred to chapter forty-four of the General Laws as the authority for such borrowing.

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

Approved June 22, 1964.

Chap. 570. AN ACT RELATIVE TO THE APPOINTMENT OF COURT OFFICERS IN NORFOLK COUNTY AND PROVIDING UNIFORMS FOR SAID OFFICERS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 70 of chapter 221 of the General Laws, as appearing in chapter 697 of the acts of 1957, is hereby amended by inserting after the word "Middlesex", in line 2, the word:—, Norfolk.

SECTION 2. Said section 70 of said chapter 221 is hereby amended by inserting after the fifth paragraph, as amended by chapter 676 of the acts of 1958, the following paragraph:— For Norfolk, six for civil and criminal business, who shall, when required by the sheriff, attend the sessions of the supreme judicial or probate court when not in attendance on the superior court.

SECTION 3. Section 71 of said chapter 221 is hereby amended by striking out the second sentence, as amended by section 2 of chapter 228 of the acts of 1957, and inserting in place thereof the following sentence:— In Hampden, Norfolk and Worcester counties the sheriff may designate one court officer as chief court officer for attendance on the supreme judicial and superior courts.

SECTION 4. Section 72 of said chapter 221 is hereby amended by striking out the first sentence, as amended by section 3 of said chapter 228,

and inserting in place thereof the following sentence: — Officers appointed as court officers to attend upon the sessions of the supreme judicial or superior court in any county, including chief deputies and the chief court officer in Hampden, Norfolk and Worcester counties designated under section seventy-one, shall hold office during good behavior and until they are removed by the sheriff of the county for which they were appointed, for cause approved by the justices of the court for attendance upon which they were appointed.

SECTION 5. Said chapter 221 is hereby further amended by striking out section 77, as most recently amended by section 4 of said chapter 228, and inserting in place thereof the following section: — *Section 77.* Premiums on bonds of court officers and deputy sheriffs in attendance on the supreme judicial or superior court in Suffolk county and on the courts in Bristol, Hampden, Middlesex, Norfolk and Worcester counties shall be paid by their respective counties.

SECTION 6. Said chapter 221 is hereby further amended by striking out section 80, as most recently amended by section 5 of said chapter 228, and inserting in place thereof the following section: — *Section 80.* Court officers receiving stated salaries and deputy sheriffs in attendance upon the supreme judicial or superior court in Suffolk, Middlesex, Bristol, Hampden, Norfolk and Worcester counties shall, while on duty in said courts, wear uniforms which shall be designated by the sheriff of the county. Such uniforms for court officers aforesaid in attendance upon either court in Middlesex, Bristol, Hampden, Norfolk or Worcester county or upon the supreme judicial or superior court in Suffolk county shall be furnished at the expense of their respective counties.

Approved June 22, 1964.

Chap. 571. AN ACT PROVIDING FOR THE ESTABLISHMENT BY THE DEPARTMENT OF MENTAL HEALTH OF A TREATMENT CENTER FOR MENTALLY RETARDED AND MENTALLY ILL PERSONS IN BERKSHIRE COUNTY.

Be it enacted, etc., as follows:

SECTION 1. The department of mental health shall establish a community habilitation and day time treatment center in the city of Pittsfield for the purpose of providing diagnostic, evaluation, treatment, retraining services and other necessary services for persons suspected of, or afflicted with, mental retardation or mental illness. Said treatment center shall be available to persons residing in Berkshire county and shall offer comprehensive services. Said department shall provide appropriate facilities for short term inpatient and outpatient care of persons with acute mental illness or retardation, and may provide sheltered workshop facilities suitable for both retarded and for mentally ill persons and such services it deems necessary in collaboration with any other state agency which is concerned with the health, welfare, and safety of the citizens of the commonwealth.

SECTION 2. The commissioner of mental health may lease or rent the buildings or any part thereof occupied by said treatment center to any agency collaborating with said department in the care and treatment of the mentally ill or the mentally retarded, subject to the approval of the commissioner of administration.

SECTION 3. Said department shall, in addition to its service to the general public, co-operate with the school departments of the cities and towns in Berkshire county and with public and private social and welfare agencies in the examination, treatment and habilitation of patients referred to said treatment center by such public and private agencies.

SECTION 4. Said department may expend for the maintenance of said treatment center such sums as may be appropriated therefore and in addition may expend any federal, public, or private funds available for the purposes.

Approved June 22, 1964.

Chap. 572. AN ACT RELATIVE TO THE TERM OF THE OFFICE OF CHAIRMAN OF THE MASSACHUSETTS TURNPIKE AUTHORITY.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, the incumbent of the office of chairman of the Massachusetts Turnpike Authority on the effective date of this act shall serve as such until July first, nineteen hundred and seventy-two.

Approved June 22, 1964.

Chap. 573. AN ACT AUTHORIZING THE CITY OF BOSTON TO CONVEY THE WILLIAM EUSTIS PLAYGROUND TO THE METROPOLITAN DISTRICT COMMISSION AND DIRECTING SAID COMMISSION TO CONSTRUCT THEREON BASEBALL, FOOTBALL AND BASKETBALL FACILITIES WITH NIGHT LIGHTING.

Be it enacted, etc., as follows:

SECTION 1. Section two A of chapter seven hundred and ninety-nine of the acts of nineteen hundred and sixty-three is hereby repealed.

SECTION 2. Section 3 of said chapter 799 is hereby amended by striking out the last sentence.

SECTION 3. Notwithstanding any contrary provision 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 section four, William Eustis playground on Norfolk avenue in the Roxbury district of the city of Boston; provided, however, that such conveyance shall be made only with the assent of the parks and recreation commission of said city expressed by vote at a regular or special meeting.

SECTION 4. If William Eustis playground is conveyed to the metropolitan district commission by the city of Boston as provided in section three, said commission shall, subject to appropriation for the purpose, construct thereon baseball, football and basketball facilities, together with lighting facilities for night programs of said sports.

Approved June 22, 1964.

Chap. 574. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF PLYMOUTH COUNTY TO BORROW MONEY FOR ENLARGING AND MAKING CERTAIN ALTERATIONS IN THE JAIL AND HOUSE OF CORRECTION IN THE TOWN OF PLYMOUTH.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of improving the facilities at the jail and house of correction of the county of Plymouth located in the town of

Plymouth, the county commissioners of said county may enlarge and alter the physical structures thereof.

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 and ninety thousand dollars, and may issue bonds or notes of the county therefor which shall bear on their face the words, Plymouth County House of Correction Loan, Act of 1964. Each authorized issue shall constitute a separate loan and such loans shall be payable not more than ten years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

SECTION 3. The county treasurer of said county, with the approval of the county commissioners, may issue temporary notes of the county, payable in not more than one year from their dates, in anticipation of the issue of serial bonds or notes under this act, but the time within which such serial bonds or notes shall become due and payable shall not, by reason of such temporary notes, be extended beyond the time fixed by this act. Any notes issued in anticipation of the serial bonds or notes shall be paid from the proceeds thereof. *Approved June 22, 1964.*

Chap. 575. AN ACT PROVIDING FOR THE ESTABLISHMENT BY THE DEPARTMENT OF MENTAL HEALTH OF CERTAIN TREATMENT CENTERS IN THE CITY OF WALTHAM AND IN BARNSTABLE 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 Waltham and in Barnstable county, at sites to be selected by the department, for the purpose of providing diagnostic, evaluation and treatment services for mentally retarded and emotionally disturbed persons and to assist 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 contiguous areas. Said 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.

Said department may expend for the maintenance of such centers such sums as may be appropriated therefor. *Approved June 22, 1964.*

Chap. 576. AN ACT TO EXTEND THE COVERAGE OF THE STATE LABOR RELATIONS LAW TO INCLUDE HEALTH CARE FACILITIES AND CERTAIN NURSE EMPLOYEES THEREOF.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 150A of the General Laws, as appearing in section 2 of chapter 345 of the acts of 1938, is hereby amended by adding at the end the following paragraph: —

It is further declared to be the policy of the commonwealth, in the interests of preserving the continuity and improving the quality of health care within the commonwealth: (a) to promote collective bargaining between health care facilities and their nurse employees, except members of religious orders, irrespective of whether or not any such facility is operated for profit or as a public charity; (b) to protect the right of nurse employees of health care facilities, except members of religious orders, to organize and select collective bargaining representatives of their own choosing; (c) to prevent lockouts, strikes, slowdowns or withholding of goods and services in health care facilities, and (d) to provide for arbitration of disputes or grievances arising between health care facilities and their nurse employees if they cannot be adjusted through collective bargaining.

SECTION 2. Section 2 of said chapter 150A is hereby amended by striking out subsections (2) and (3), as so appearing, and inserting in place thereof the following subsections: —

(2) The term “employer” includes any person acting in the interest of an employer, directly or indirectly, and shall include any health care facility, but shall not include the commonwealth or political subdivision thereof, except in the case of a health care facility, or any labor organization, other than when acting as an employer, or anyone acting in the capacity of officer or agent of such labor organization.

(3) The term “employee” shall include any employee, and shall not be limited to the employees of a particular employer, unless the chapter explicitly states otherwise, and shall include any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice, and who has not obtained any other regular and substantially equivalent employment, and shall include any nurse employee of a health care facility, but shall not include any individual employed as an agricultural laborer, or in the domestic service of any family or person at his home, or any individual employed by his parent or spouse.

SECTION 3. Said section 2 of said chapter 150A is hereby further amended by adding after subsection (9), added by section 1 of chapter 615 of the acts of 1951, the following two subsections: —

(10) The term “health care facility” shall include any person, including the commonwealth or any political subdivision thereof, acting in the interest of an employer, directly or indirectly, and engaged, whether or not for profit or as a public charity, in the operation of a general, mental, chronic disease, tuberculosis, or other type of hospital, clinic or infirmary, of a convalescent or nursing home, of a visiting nurses association, of a public health agency, or of any related facility such as a laboratory, an outpatient department, a nurses’ home or a training facility.

(11) The term “nurse employee” means any registered nurse or

licensed practical nurse, except that it does not include any member of a religious order.

SECTION 4. Said chapter 150A is hereby further amended by inserting after section 4B the following section: —

Section 4C. It shall be an unfair labor practice: —

(1) For any health care facility to institute, declare or cause, or to attempt to institute, declare or cause, any lockout of any of its nurse employees; or

(2) For any nurse employee of a health care facility, or for a representative of any such employee, or for any other person, to engage in, induce or encourage any strike, work stoppage, slowdown or withholding of customary goods or services by such employees or other persons at such health care facility.

SECTION 5. Section 5 of said chapter 150A is hereby amended by striking out subsection (b), as most recently amended by section 4 of chapter 615 of the acts of 1951, and inserting in place thereof the following subsection: —

(b) The commission shall decide in each case whether, in order to insure to employees the full benefit of their right to self-organization and to collective bargaining and otherwise to effectuate the policies of this chapter, the unit appropriate for the purposes of collective bargaining shall be the employer unit, profession or craft unit, plant unit, or subdivision thereof, or a one-man unit where the commission deems such unit to be appropriate; provided that, in any case where the majority of employees of a particular profession or craft shall so decide, the commission shall designate such profession or craft as a unit appropriate for the purpose of collective bargaining; and provided, further, that, for purposes of this chapter, registered nurses and licensed practical nurses shall not be deemed to be members of the same particular profession.

SECTION 6. Subsection (c) of said section 5 of said chapter 150A is hereby amended by striking out the first sentence, as appearing in section 2 of chapter 345 of the acts of 1938, and inserting in place thereof the following sentence: — Whenever a question affecting industry, trade or health care arises concerning the representation of employees, the commission may investigate such controversy and certify to the parties, in writing, the name or names of the representatives who have been designated or selected.

SECTION 7. Section 6 of said chapter 150A is hereby amended by striking out subsection (a), as amended by section 5 of chapter 657, of the acts of 1947, and inserting in place thereof the following subsection: —

(a) The commission is empowered, as hereinafter provided, to prevent any person from engaging in any unfair labor practice listed in sections four, four A, four B and four C affecting industry, trade or health care. This power shall be exclusive, and shall not be affected by any other means of adjustment or prevention that has been or may be established by agreement, code, law, or otherwise.

SECTION 8. Said chapter 150A is hereby amended by striking out section 9, as amended by section 8 of said chapter 657, and inserting in place thereof the following section: — *Section 9.* Nothing in this chapter, except as provided in sections four A and four C, shall be construed so as to interfere with or impede or diminish in any way the right to strike.

SECTION 9. Said chapter 150A is hereby further amended by inserting after section 9 the following section: —

Section 9A. (a) In the event of the existence of a grievance or a dispute between a health care facility and an organization designated or selected as the exclusive representative of any nurse employee of such facility for the purposes of collective bargaining in accordance with section five, and if such grievance or dispute has not been settled by collective bargaining after reasonable effort so to do by either party, and if there is no collective bargaining agreement in force between the parties, or such an agreement is in force but it contains no provision to submit the current grievance or dispute, as the case may be, to arbitration, the procedures provided by chapter one hundred and fifty C shall be available, on application of an aggrieved party, to determine the controversy as though the parties had negotiated a collective bargaining agreement containing a provision as described in section one of said chapter one hundred and fifty C to submit to arbitration and such agreement were then in force; provided, however, that the procedures provided by said chapter one hundred and fifty C shall not be available to assist or require arbitration of any grievance or dispute involving a health care facility owned and operated by the commonwealth or a political subdivision thereof; and provided, further, that in the case of a grievance or a dispute involving any health care facility not owned and operated by the commonwealth or a political subdivision thereof it shall not be a ground for refusing to grant an order for arbitration under paragraph (a) of section two of said chapter one hundred and fifty C, or for granting an application for stay of an arbitration proceeding under paragraph (b) of said section, or for vacating an award under clause (5) of paragraph (a) of section eleven of said chapter one hundred and fifty C, that there is no agreement to arbitrate.

(b) As used in this section the word "grievance" shall mean any controversy or claim arising out of or relating to the interpretation, application or breach of the provisions of an existing collective bargaining agreement between a health care facility and any of its nurse employees or their representatives; the word "dispute" shall mean all other controversies, claims or disputes between a health care facility and any of its nurse employees, or their representatives, concerning rates of pay, hours or other terms or conditions of employment in such facility, including, but not limited to, controversies, claims or disputes arising in the course of negotiating, fixing, maintaining, changing or arranging any such terms or conditions.

SECTION 10. This act shall take effect on December thirty-first, nineteen hundred and sixty-four.

Approved June 22, 1964.

Chap. 577. AN ACT AUTHORIZING THE CITY OF MALDEN TO PAY A CERTAIN SUM OF MONEY TO CHARLES J. MARINO.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the city of Malden may appropriate and pay to Charles J. Marino of said city a sum not to exceed one thousand dollars as reimbursement for damages incurred by him as the result of the issuance of a building permit that was later voided.

SECTION 2. This act shall take effect upon its acceptance by the city of Malden.

Approved June 22, 1964.

Chap. 578. AN ACT AUTHORIZING THE CITY OF CHELSEA TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Chelsea is hereby authorized to appropriate a sum of money not exceeding five thousand five hundred and eighty dollars and seventeen cents 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-three 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 Chelsea.

Approved June 22, 1964.

Chap. 579. AN ACT RELATING TO PROCEEDINGS FOR THE TAKING OF REAL ESTATE AND INTERESTS THEREIN BY EMINENT DOMAIN.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 3 of chapter 79 of the General Laws is hereby amended by striking out the third, fourth and fifth sentences and inserting in place thereof the following sentence: — Upon the recording of an order of taking under this section, title to the fee of the property taken or to such other interest therein as has been designated in such order shall vest in the body politic or corporate on behalf of which the taking was made; and the right to damages for

such taking shall thereupon vest in the persons entitled thereto unless otherwise provided by law.

SECTION 2. Said chapter 79 is hereby further amended by striking out section 6, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 6.* When a taking is made on behalf of a body politic or corporate other than a corporation described in section seven, the board of officers by whom the order of taking is adopted shall, at the time of the adoption thereof, award the damages sustained by every person in his property by reason of such taking. Such award may be amended by said board of officers at any time prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor has become vested or for other good cause shown. Such damages shall be paid by such body politic or corporate unless other provision is made by law.

SECTION 3. Said chapter 79 is hereby further amended by inserting after section 7 the following seven sections: —

Section 7A. An award of damages made pursuant to section six or section seven shall not be made until at least one appraisal has been made in accordance with section twelve on behalf of the taking authority and filed therewith.

Section 7B. Immediately after the right to damages becomes vested, the board of officers who have made a taking under this chapter shall do all things and execute all documents necessary and within their lawful authority for the prompt payment of all damages awarded in the order of taking. In the event that authority to make or approve such payments, or to perform any act necessary thereto, is conferred by law upon any person other than said board of officers, such person shall do all things and execute all documents necessary and within his lawful authority for such prompt payment. Any check for the payment of such damages shall be issued either within sixty days after the right thereto becomes vested, or within fifteen days after demand therefor by any person entitled thereto is made, as said board of officers shall determine, and shall, except as provided in section seven D, be made immediately available to the persons entitled thereto at such time and place as may be designated by said board of officers.

Section 7C. Immediately after the right to damages becomes vested, the board of officers who have made a taking under this chapter shall give notice thereof to every person, including every mortgagee of record, whose property has been taken or who is otherwise entitled to damages on account of such taking. Such notice shall be in writing and shall describe in general terms the purpose and extent of the taking, and shall state the amount of damages, if any, awarded for such taking and the time and place at which he may obtain payment thereof, or, if no damages have been awarded, the time within which he may petition for an award of the same, and in either case the time within which he may request an offer under section eight A and the time within which he may petition the superior court to determine his damages under section fourteen. Such notice may be served by personal service, or by leaving an attested copy thereof at the last and usual place of abode of the person to be notified if he is a resident of the commonwealth, by any person authorized to serve civil process, or notice may be given to persons within or without the commonwealth, by registered mail or other

suitable means. Failure to give notice shall not affect the time within which a petition for damages may be filed, except as provided by section sixteen.

Section 7D. If the board of officers by whom a taking has been made is unable, upon reasonable investigation, to determine the name of any person entitled to damages awarded under section six, or if said board of officers determines that any person entitled to such damages is under a legal disability from receiving payment thereof, any check on account of such damages shall be made payable to the justices of the superior court for the benefit of the person or persons entitled thereto. If said board of officers determines that damages awarded under section six must be apportioned between two or more persons having an estate or interest in a single parcel of land, any check on account of such damages may be made payable to the justices of the superior court for the benefit of the persons entitled thereto. Said board of officers shall file, in the superior court of any county in which a petition under section fourteen may be brought, a petition for leave to deposit the amount of such damages in a savings bank or other like institutions, or in savings accounts in a trust company, or to invest the same in share accounts 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 benefit of the person entitled thereto, and the court may in its discretion, and after such notice as it may order, direct such amount to be so deposited or invested. Such deposit or investment shall be made in the name of the justices of the superior court for the time being and shall be subject to the order of said justices and of their successors in office as hereinafter provided. The board of officers making such deposit or investment shall file in the superior court a memorandum thereof, with the original certificates or other evidences of title thereto, which shall be allowed as a sufficient voucher for payment of such amount. When the person entitled to such amount or any portion thereof satisfies the court of his right to receive it, the court shall after such notice as it may order cause such amount or such portion thereof, or the proceeds of its investment, to be transferred to him. Amounts deposited or invested under this section shall be subject to the provisions of chapter two hundred A of the General Laws, relating to abandoned property, and the clerk of court shall, in so far as practicable, make such reports and give such notice concerning the same as are required respectively by sections seven and eight of said chapter two hundred A.

Section 7E. If any check issued in accordance with section seven B remains unclaimed by any person entitled thereto for a period of sixty or more days after notice to such person in accordance with section seven C, such check shall be withdrawn and a new check issued in like amount. Such new check shall be made payable to the justices of the superior court, and shall be deposited, held and disposed of in accordance with section seven D.

Section 7F. The board of officers shall, immediately upon giving notice in accordance with section seven C or upon filing a petition in accordance with section seven D, send a copy of such notice or such petition, as the case may be, to the collector of taxes of the city or town in which the land to which such notice or petition pertains is located.

Section 7G. A person who receives a payment in accordance with section seven B, or who withdraws an amount deposited in accordance

with section seven D, may accept the same without prejudice to or waiver of any right to claim a larger sum by proceeding before an appropriate tribunal. No interest shall be recovered except upon such amount of damages as shall, upon final adjudication, be in excess of the amount of such payment or amount deposited.

In the event that the amount of such payment or deposit 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 amount of such payment or deposit 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.

In the event that a payment is made to a person not entitled thereto the body politic or corporate may recover the same from such person in an action at law or by bill in equity, and the board of officers, upon recovery of such payment, shall dispose of the same in accordance with section seven B or section seven D, as said board of officers shall determine.

SECTION 4. Section eight of said chapter seventy-nine is hereby repealed.

SECTION 5. Said chapter 79 is hereby further amended by inserting after section 10 the following section: —

Section 10A. Compliance with the provisions of sections six, seven, seven A, seven B, seven C, seven D, eight A, nine, ten and thirty-six A may be enforced against any person having a duty of compliance therewith by writ of mandamus issued upon the petition of any person adversely affected by noncompliance therewith. The body politic or corporate on behalf of which the taking was made shall be joined in any such petition, and the petitioner may recover therefrom in the same proceeding damages sustained by reason of such noncompliance, with costs.

Notwithstanding the foregoing provisions, noncompliance with said sections six, seven, seven A, seven B, seven C, seven D, eight A, nine and ten shall not affect the validity of the proceedings under this chapter.

SECTION 6. Section 16 of said chapter 79 is hereby amended by striking out the second paragraph, as appearing in section 1 of chapter 797 of the acts of 1962.

SECTION 7. Said chapter 79 is hereby further amended by inserting after section 36 the following section: —

Section 36A. The body politic or corporate against which an award is made under section seven, nine or ten, or against which a judgment is entered under section fourteen, shall, within thirty days after all rights of appeal therefrom have been exhausted or waived, make payment in accordance with such award or judgment.

SECTION 8. This act shall take effect on November first, nineteen hundred and sixty-four.

Approved June 22, 1964.

Chap. 580. AN ACT EXTENDING THE DATES OF TERMINATION OF CERTAIN ACTS RELATING TO THE RIGHTS AND PRIVILEGES OF VETERANS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 708 of the acts of 1941 is hereby amended by striking out section 25, as most recently amended by section 1 of chapter 544 of the acts of 1962, and inserting in place thereof the following section: — *Section 25.* Service in the military or naval forces of the United States referred to in this act shall, except as otherwise provided thereby, mean such service occurring between January first, nineteen hundred and forty and July first, nineteen hundred and sixty-six; provided, however, that such service shall not be construed to include service for more than four years unless such further period of service in excess of four years was involuntary service required by the government of the United States.

SECTION 2. The third subparagraph of paragraph (h) of subdivision (1) of section 4 of chapter 32 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 2 of said chapter 544, and inserting in place thereof the following sentence: — Any member who served in the armed forces between January first, nineteen hundred and forty and July first, nineteen hundred and sixty-six, shall have such actual service credited to him as creditable service when reinstated or re-employed in his former position or in a similar position within two years of his discharge or release from such service; provided, however, that such service shall not be construed to include service for more than four years unless such further period of service in excess of four years was involuntary service required by the government of the United States.

SECTION 3. Said chapter 32 is hereby further amended by striking out section 58A, as most recently amended by chapter 604 of the acts of 1962, and inserting in place thereof the following section: — *Section 58A.* A veteran eligible to retirement under section fifty-six, fifty-seven or fifty-eight, who was employed in the service of the commonwealth, or any county, city, town or district thereof, prior to his entry into wartime service as defined in section twenty-one of chapter thirty-one, and upon whose discharge or release therefrom was reinstated or re-employed within two years in his former position or in a similar position, shall have credited to him as creditable service the period of his wartime service until the date of his discharge or release from such service, which shall include credit for any actual service in the armed forces between January first, nineteen hundred and forty and July first, nineteen hundred and sixty-six; provided, however, that such service shall not be construed to include service for more than four years unless such further period of service in excess of four years was involuntary service required by the government of the United States.

Any such veteran who was employed in the service of the commonwealth or any county, city, town or district thereof and who was a member of a reserve component of the armed forces which was called to active duty by order of the president of the United States shall have credited to him as creditable service the period of such active duty performed between October first, nineteen hundred and sixty-one and July first, nineteen hundred and sixty-four, provided that upon the termina-

tion of such active duty or his discharge or release therefrom he was reinstated or re-employed within two years in his former position or a similar position.

SECTION 4. This act shall take effect as of July first, nineteen hundred and sixty-four.

Approved June 22, 1964.

Chap. 581. AN ACT AUTHORIZING THE DIRECTOR OF PERSONNEL AND STANDARDIZATION TO ESTABLISH IN-SERVICE TRAINING PROGRAMS FOR ENGINEERING EMPLOYEES OF CITIES AND TOWNS.

Be it enacted, etc., as follows:

SECTION 1. Section 28A of chapter 7 of the General Laws is hereby amended by adding at the end the following paragraph: —

Said director may enter into agreements with mayors of cities or, in cities having city managers, with city managers, and with boards of selectmen in towns, for in-service training programs for engineering employees of such cities and towns; provided that such agreements shall require that at least fifty per cent of the cost of such training shall be paid for by each respective city or town.

SECTION 2. Section 5 of chapter 40 of the General Laws is hereby amended by inserting after clause (56), inserted by section 3 of chapter 697 of the acts of 1963, the following clause: —

(57) For the necessary expenses of implementing an in-service training program for engineering employees.

Approved June 23, 1964.

Chap. 582. AN ACT RELATIVE TO THE ADMINISTRATION OF THE SOUTHEASTERN MASSACHUSETTS TECHNOLOGICAL INSTITUTE.

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 Southeastern Massachusetts Technological Institute beginning with the fiscal year nineteen hundred and sixty-five, 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 75B of the General Laws is hereby amended by striking out sections 1 to 20, inclusive, and inserting in place thereof the following seventeen sections: —

Section 1. The Southeastern Massachusetts Technological Institute shall continue as a state institution of higher learning and shall continue to be governed solely by the board of trustees established under section twenty-one A of chapter fifteen. In addition to the authority, responsibility, powers and duties specifically conferred by this chapter, the board of trustees shall have all authority, responsibility, rights, privileges, powers and duties customarily and traditionally exercised by governing boards of institutions of higher learning. In exercising such authority, responsibility, powers and duties, said board shall not in the management of the affairs of the institute be subject to, or superseded in any such authority by, any other state board, bureau, department or commission, except as herein provided.

Section 2. The institute shall be a major center for research, graduate and professional education, and for dissemination of knowledge. To this end, the trustees shall maintain high educational standards at the institute and shall have complete authority to establish, locate, support, consolidate and abolish classes, courses, curricula, departments, divisions, schools or colleges of the institute whenever and wherever required in meeting the needs of the commonwealth in the fields of public higher education.

Section 3. The trustees may delegate their authority or any portion thereof to the president or any officers of the institute whenever in their judgment such delegation may be necessary or desirable.

Section 4. 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 section eight, shall be audited annually by the state auditor.

Section 5. The trustees shall prepare and submit a detailed budget in such form and manner as the governor and the general court may direct.

Section 6. 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 appropriation 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 the 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 7. 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 8. The trustees shall administer property held in accordance with special trusts, and shall also administer grants or devises of land and gifts or bequests of personal property made to the commonwealth for the use of the institute, and shall 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 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 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 purpose 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, including the operation of the institute stores, student union, dramatics, debating, musical clubs, band, athletics and other like activities, shall be retained by the trustees in a trust fund or trust funds and shall be expended as the trustees shall direct in furthering the activities from which the receipts were derived.

Section 9. 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 10. As used in this section the following words shall have the following meanings, unless the context otherwise requires:

"Professional staff", all officers of the university and all persons, except those whose duties are clerical, custodial, security, labor, maintenance and the like, employed for teaching, research, administration, extension, enforcement, control laws and regulatory services, technical and specialized academic support staff, and such related activities as shall be determined by the trustees of the 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 trustees shall elect the president and such other officers and members of the professional staff 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 appropri-

tion of the general court or from other sources. The classification, title, salary range within the general salary schedule, and descriptive job specifications for each position shall be determined by the trustees for each member of the professional staff and copies thereof shall be placed on file with the governor, budget commissioner, director of personnel and standardization, and the joint committee on ways and means. A notification of each personnel action taken shall be filed by the president or other officers of the 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. Annually there shall be filed by the president or other officers of the institute designated by him, with the governor, budget commissioner and 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 rate of pay. The trustees may, without prior approval and within limits of appropriations, engage designers, lecturers, students, other professional personnel, and non-employees services, at such rates and for such periods of time as they may determine necessary for the development and the operation of the institute. The non-professional personnel of the institute shall continue as state employees under the provisions of said 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 thirty, provided, however, that the institute shall have the authority without prior approval and within the limits of appropriation 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. The trustees shall establish and make public a policy on faculty tenure which provides for removal for just cause, hearing upon dismissal, and judicial review.

Section 11. The trustees shall annually as of the end of the fiscal year cause the president to make and publish a report for the institute that shall be available to the public, copies of which shall be filed with the governor, state secretary and the general court. Special reports and bulletins may be issued from time to time as determined by the trustees.

Section 12. Employees of the institute shall be exempt from civil service laws.

Section 13. The trustees may, in the name of and for the commonwealth, lease to any professor, instructor, teacher or employee of said institute, or to any society, association or fraternity established thereat,

land of said institute owned by the commonwealth, for the erection and maintenance of suitable dwellings thereon, at the sole expense of the lessee and for the lessee's use and occupancy. Not more than one-half an acre shall be so leased to any one such person or organization. Such leases shall contain such written terms, conditions, restrictions and reservations as the parties agree upon. The trustees may also lease dwellings on the campus site to the previous owners thereof for a term of one year, which lease may be renewed for further terms of one year at the option of the trustees and previous landowners shall pay a reasonable rental therefor as determined by the trustees.

Section 14. No lease under section thirteen shall become operative until approved by the governor and council.

Section 15. The lessee and his assignees shall be liable to taxation upon any building erected on land leased under section fourteen to the extent of its value as determined by the assessors of the town wherein the land lies.

Section 16. The trustees shall have complete authority in determining the institute's travel policy. Such power shall include the right to determine who among the institute personnel should travel within and without the commonwealth at state expense and where such personnel shall travel.

Section 17. 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 penalty 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 through 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 violations 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 a scholarship trust fund of the institute for scholarship purposes.

SECTION 2. The classification, title and salary of each member of the professional staff of the Southeastern Massachusetts Technological Institute in existence on the day prior to the effective date of this act shall remain in effect until changed by the trustees as herein provided, except that nothing in this act shall be construed to prevent the payment of annual increments or steps in the salary schedule to which the individual shall by reason of length of service be entitled within the grade currently held as of the effective date of this act.

SECTION 3. 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 4. This act shall take effect on July first, nineteen hundred and sixty-four.

Approved June 23, 1964.

Chap. 583. AN ACT VALIDATING THE ACTION TAKEN BY THE COUNTY COMMISSIONERS OF THE COUNTY OF ESSEX IN VOTING TO ACCEPT AN ACT AUTHORIZING THE CONSTRUCTION OF A SCIENCE AND CLASSROOM BUILDING AT THE ESSEX AGRICULTURAL AND TECHNICAL INSTITUTE.

Be it enacted, etc., as follows:

SECTION 1. The proceedings taken on October fifteenth, nineteen hundred and sixty-three by the county commissioners of the county of Essex in voting to accept the provisions of chapter five hundred and sixteen of the acts of nineteen hundred and sixty-three and all action otherwise legally taken subsequently pursuant to the provisions of said chapter five hundred and sixteen are in all respects validated and confirmed, notwithstanding the inability of one of said county commissioners to attend the meeting at which the proceedings to accept said chapter five hundred and sixteen were taken and the failure of the other two county commissioners and the clerk of the courts for said county to appoint a person to act as commissioner at said meeting.

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

Approved June 23, 1964.

Chap. 584. AN ACT VALIDATING THE ESTABLISHMENT OF THE REGIONAL SCHOOL DISTRICT FOR VOCATIONAL EDUCATION CONSISTING OF 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 proceedings, heretofore taken by the city of Brockton and by the towns of East Bridgewater, Easton, Foxborough, Mansfield, Norton, Sharon, Stoughton and West Bridgewater, relating to the establishment under chapter four hundred and eighty-nine of the acts of nineteen hundred and sixty-three of the regional school district for vocational education consisting of said city and said towns are hereby validated, and said district is hereby declared to be, and at all times since its establishment to have been, a duly constituted and established district with all the rights, powers and duties prescribed by said chapter four hundred and eighty-nine, and by the regional vocational school district agreement approved by said city and said towns in said proceedings.

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

Approved June 23, 1964.

Chap. 585. AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO APPROPRIATE CERTAIN FUNDS PREVIOUSLY RAISED BY BOND ISSUE, FOR THE CONSTRUCTION OF FILTER BEDS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section twenty of chapter forty-four of the General Laws, the city of Springfield may, for the purpose of the construction of filter beds, by a two-thirds vote of all the members of the city council, appropriate sums, not exceeding two

hundred and ninety-seven thousand eight hundred eighty-nine dollars and sixty-six cents, in the aggregate, from the proceeds of a loan issued July first, nineteen hundred and sixty, under authority of chapter three hundred and twenty of the acts of nineteen hundred and sixty, which proceeds are not presently necessary for the purposes specified in the authorization of said loan.

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

Approved June 23, 1964.

Chap. 586. AN ACT AUTHORIZING THE DEPARTMENT OF NATURAL RESOURCES TO SELL OR EXCHANGE CERTAIN LAND ACQUIRED FOR THE PURPOSE OF ENLARGING WALDEN POND STATE RESERVATION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize the department of natural resources to sell or exchange forthwith certain land acquired for the purpose of enlarging Walden Pond State Reservation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter 726 of the acts of 1960 is hereby amended by adding at the end the following sentence: — Said department may, with the approval of the governor and council, sell or exchange any land acquired under this act which in the judgment of the commissioner of natural resources can no longer be advantageously used for the purpose of enlarging Walden Pond State Reservation.

Approved June 23, 1964.

Chap. 587. AN ACT TO INCORPORATE THE GREATER HAVERHILL FOUNDATION, INCORPORATED.

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 Greater Haverhill Foundation, Incorporated, 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.

“Executive committee”, the executive committee established under section nine.

SECTION 2. John J. Fahey, George E. McGregor, Kenneth G. Fowle, Lawrence J. Ewing, George Karelitz, Albert D. Marble, Frank Regan, Charlton F. Johnson, George W. Foss, Joseph S. Durso, G. Henry Bixby, W. Clifford McDonald, Ray Pike, Jr., Frederick E. Malcolm, Robert Brest, Wallace F. Hubley, Jason S. Cohen, Harold B. Rogers, Max Wolf, Theodore L. Schiavoni, Anthony J. Durso, Lawrence J. Durso, Robert W. Costello, William P. Boland, Leslie F. George,

Edgerton W. Law, Louis H. Hamel, Jr., James F. Waldron, A. Bruce MacGregor, Clinton F. Goodwin, Austin B. Wason, Charles E. Curtis, Nicholas C. Johnson, W. Stanley Soroka, Stanwood D. Evans, William J. Letoile, G. Hartley Cranton, Fred D. McGregor, Jr., John P. Russo, Robert T. Lambert, Harold S. Wright, Jr., Richard A. Breault, William R. Shepherd, Vinson Grad, Mark Mavrofrides, Howard C. Nichols, Joseph F. O'Toole, their associates, successors, and assigns, are hereby constituted a body corporate under the name of Greater Haverhill Foundation, Incorporated. The corporation shall be subject to and have the powers and privileges conferred by the provisions of chapter one hundred and fifty-five, sections eighteen, twenty-six, twenty-seven, thirty-one, thirty-three and thirty-four of chapter one hundred and fifty-six, and section two of chapter one hundred and eighty of the General Laws, except so far as said provisions are inconsistent with or otherwise restricted or limited by the provisions of this act.

SECTION 3. The principal office of the corporation shall be located in the city of Haverhill. 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 the city of Haverhill and its vicinity, and the citizens thereof; to encourage and assist, through loans, investments or other business transactions, the location of new business and industry in the city of Haverhill and its vicinity; to rehabilitate and assist existing business and industry; and so to stimulate and assist in the expansion of all kinds of business activity which will tend to promote the business development and maintain the economic stability of the city of Haverhill and its vicinity, provide maximum opportunities for employment, encourage thrift, and improve the standard of living of its citizens; and similarly to endeavor to increase and diversify industry and employment.

In furtherance of such purposes and in addition to the powers conferred on business corporations by the provisions of the General Laws specified in section two, the corporation shall, subject to the restrictions and limitations hereinafter 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 lend money on bonds secured by mortgage on real or personal property.

(c) To erect, construct, alter, maintain and improve industrial or civic buildings or buildings used for civic or charitable purposes of every description on any lands of the corporation or upon other lands, and to rebuild, alter and improve industrial, civic or charitable buildings or buildings used for civic or charitable purposes thereon.

(d) To purchase, subscribe to, acquire, hold and to sell, assign, mortgage, hypothecate or otherwise dispose of the shares of the capital stock or preferred stock, bonds and other evidences of indebtedness of any corporation, domestic or foreign; and to issue in exchange for such stock, bonds and other evidences of indebtedness, its own stock, bonds and other obligations, and while owners or holders thereof to exercise

all the rights of powers of ownership including the right to vote thereon for any purpose.

(e) To buy, acquire, hold, use, employ, develop, mortgage, convey, lease and dispose of patent rights, letters patent, copyrights, trade names, labels, processes, devices, inventions, trademarks, formulae, goodwill and other rights, and to pay therefor in cash or property or to issue in exchange therefor stocks, bonds and other obligations.

(f) To enter into any arrangement for union of interest, co-operation, joint adventure, reciprocal concession, or otherwise, with any person or company engaged in or about to engage in any business or transaction in the city of Haverhill or its vicinity, which the corporation is authorized to engage in and to lend money with security to guarantee the contracts or otherwise assist any person, persons, or company or corporation when necessary for the accomplishment of the purposes herein provided for.

(g) To receive stocks, bonds, donations, gifts and to otherwise raise money for the above outlined purposes.

(h) To elect, appoint and employ officers, agents and employees; to make contracts and incur liabilities for any of the purposes of the corporation.

(i) To borrow money from any financial institution, and to issue therefor its bonds, debentures, notes, stock or other evidences of indebtedness, whether secured or unsecured, and to secure the same by mortgage, pledge, deed of trust or other lien on its property, franchises, rights and privileges of every kind and nature or any part thereof or interest therein.

(j) To co-operate with and avail itself of the facilities and programs of the Small Business Administration of the United States, the Massachusetts Business Development Corporation, the department of commerce of the commonwealth and any other federal, state or local government agency; and to co-operate with and assist, and otherwise encourage any industrial organization in the city of Haverhill and its vicinity, in the promotion, assistance and development of 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. The authorized capital stock of the corporation shall consist of one million shares of common capital stock with a par value of five dollars each, which shares shall be divided into Class A and Class B.

Class A. — An individual, corporation, estate or trust, company or partnership, shall be entitled to hold or own not more than five hundred shares of Class A common capital stock, and such individual, corporation, estate or trust, company or partnership, may purchase the same from the corporation from time to time as long as the above amount of five hundred shares is not exceeded and the corporation has in its treasury or as authorized but unissued Class A common capital stock available for sale. Such stock may also be purchased from other individuals, corporations, estates, trusts, companies or partnerships, provided the amount purchased shall not exceed five hundred shares, in the aggregate. If such individual, corporation, estate, trust, company or partnership holds, in the aggregate, more than five hundred shares, it shall be required to turn in the excess of five hundred shares to the corporation

and to receive back therefor in exchange Class B common stock on a share for share basis. The holder of each share of Class A common capital stock shall be entitled to one vote for each such share not in excess of five hundred shares.

Class B. — An individual, corporation, estate or trust, company or partnership, shall not be limited as to holdings or purchases in Class B common capital stock and shall be entitled to purchase the same from the corporation from time to time so long as the latter has in its treasury or as authorized but unissued Class B common capital stock available for sale. Such stock may also be purchased from other individuals, corporations, estates, trusts, companies or partnerships. Class B common capital stock shall be non-voting.

None of the earnings of the corporation shall accrue to or be paid to the stockholders of common capital stock as dividends or profits.

SECTION 6. Notwithstanding any rule at common law or any such other provision of any general or special law, or any provision in their respective charters, agreements of association, articles of organization, or trust indentures, all domestic corporations organized for the purpose of carrying on business within this commonwealth, including without implied limitation any electric or gas company as defined in section one of chapter one hundred and sixty-four of the General Laws, railroad corporations as defined in section one of chapter one hundred and sixty of said General Laws, financial institutions, and trustees, are hereby authorized to acquire, purchase, hold, sell, assign, transfer, or otherwise dispose of any stocks, bonds, securities, or other evidences of indebtedness of the corporation and to make contributions to said corporation, and if owners of such stock to exercise all the rights, powers and privileges of ownership, including the right to vote thereon, all without the approval of any regulatory authority of the commonwealth; provided that in so acquiring the capital stock of the corporation or in making contributions thereto, no financial institution shall expend, in the aggregate, in any one year an amount greater than one half of one per cent of its total or gross earnings or income for the next preceding fiscal year; and provided, further, that such contributions may be made over a period not to exceed five years.

Any contribution made under this section to the corporation shall be in addition to any contributions authorized by section sixty-eight of chapter one hundred and sixty-eight of the General Laws, section thirty-five of chapter one hundred and seventy of the General Laws, and by other provisions of general or special law.

SECTION 7. The stockholders shall have the following powers of the corporation: — (a) To determine the number of and elect directors as provided in section nine; (b) to make, amend and repeal by-laws; (c) to amend this charter as provided in section eight; (d) to dissolve the corporation as provided in section sixteen; (e) to exercise such other powers of the corporation as may be conferred on the stockholders by the by-laws.

SECTION 8. This charter may be amended by the votes of the stockholders, and such amendments shall require approval by the affirmative vote of two thirds of the votes to which the stockholders shall be entitled; provided that no amendment of this charter which is inconsistent with the general purposes expressed herein or which eliminates or curtails the right of the commissioner of commerce to examine the corpora-

tion or the obligation of the corporation to make reports as provided in section eleven, shall be made without amendment of this act; and provided, further, that no amendment of this charter which affects a stockholder's voting right, shall be made without the consent of each stockholder affected by such amendment.

Within thirty days after any meeting at which amendments of this charter have been adopted, articles of amendment sworn to by the president, treasurer and a majority of the directors, setting forth such amendment and the adoption thereof, shall be submitted to the commissioner of commerce who shall examine them, and if he finds that they conform to the requirements of this act, he shall so certify and endorse his approval thereon. Thereupon the articles of amendment shall be filed in the office of the secretary of the commonwealth, and no such amendment shall take effect until such articles of amendment shall have been filed as aforesaid.

Prior to or within sixty days after the effective date of any legislative amendment to this chapter, the approval of such amendment shall be voted on by the stockholders of the corporation at a meeting duly called for the purpose. If such amendment is not approved by the affirmative vote of two thirds of the votes to which the stockholders shall be entitled, any stockholder who has voted against the approval of such amendment, if entitled to vote, or, if not entitled to vote, has registered his disapproval in writing with the corporation at or before said meeting, may, within thirty days after said meeting, make a written demand upon the corporation for payment for his stock and the corporation shall repurchase said shares out of available funds.

SECTION 9. The business and affairs of the corporation shall be managed and conducted by a board of directors of not less than three nor more than fifteen members, a president, a first vice-president and a second vice-president, a treasurer and a clerk, who shall be the executive committee.

The executive committee may exercise all the powers of the corporation except such as are conferred by law or by the by-laws of the corporation upon the stockholders, and shall choose and appoint all the agents and officers of the corporation and fill all vacancies.

Directors and officers shall not be responsible for losses unless the same shall have been occasioned by the willful misconduct of such directors and officers.

SECTION 10. The corporation shall not deposit any of its funds in any banking institution unless such institution has been designated as a depository by a vote of a majority of the directors present at an authorized meeting of the board of directors, exclusive of any director who is an officer or director of the depository so designated.

The corporation shall not receive money on deposit.

SECTION 11. The corporation shall be subject to the examination of the commissioner of commerce, and shall make reports of its condition not less than annually to said commissioner, who in turn shall make copies of such reports available to the commissioner of insurance and to the commissioner of banks, and the corporation shall also furnish such other information as may from time to time be required by the commissioner of commerce.

SECTION 12. The first meeting of the corporation shall be called by a notice signed by three or more of the incorporators, stating the time,

place and purpose of the meeting, a copy of which notice shall be mailed, or delivered, to each incorporator at least five days before the day appointed for the meeting. Said first meeting may be held without such notice upon agreement in writing to that effect signed by all the incorporators. There shall be recorded in the minutes of the meeting a copy of said notice or of such unanimous agreement of the incorporators.

At such first meeting, the incorporators shall organize by the choice, by ballot, of a temporary clerk, who shall be sworn, by the adoption of by-laws and by the election by ballot of directors, of a treasurer, of a clerk, and such other officers as the by-laws require to be elected by the stockholders. The temporary clerk shall make and attest a record of the proceedings, until the clerk has been chosen and sworn, including a record of such choice and qualification. The incorporators may take action upon such other matters within the powers of the corporation as they may see fit. Ten of the incorporators shall be a quorum for the transaction of business.

Whenever the certificate required by section thirteen of chapter one hundred and fifty-five of the General Laws has been filed in the office of the secretary of the commonwealth, said secretary shall issue and deliver to the incorporators a certified copy of this act under the seal of the commonwealth, and said corporation shall then be authorized to commence business, and stock thereof to the extent herein or hereafter duly authorized may from time to time be issued.

SECTION 13. The corporation shall not be subject to any of the provisions of chapter sixty-three of the General Laws, nor to any taxes based upon or measured by income which may be enacted by the commonwealth. The securities, evidences of indebtedness and shares of capital stock issued by the corporation, and income therefrom, shall at all times be free from taxation within the commonwealth.

Any stockholder, or holder of any securities, evidences of indebtedness or shares of the capital stock of the corporation who realizes a loss from the sale, redemption, or other disposition of any securities, evidences of indebtedness, or shares of the capital stock of the corporation, including any such loss realized on a partial or complete liquidation of the corporation, and who is not entitled to deduct such loss in computing any of such stockholder's, or holder's taxes to the commonwealth, shall be entitled to credit against any taxes subsequently becoming due to the commonwealth from such stockholders or other holders, a percentage of such loss equivalent to the highest rate of tax assessed for the year in which the loss occurs upon mercantile and business corporations as referred to in section two of chapter sixty-three of the General Laws.

SECTION 14. The provisions of chapter one hundred and ten A of the General Laws shall not apply to the shares of the capital stock, bonds, debentures, notes, evidences of indebtedness, or any other securities of this corporation.

SECTION 15. The period of duration of the corporation shall be fifty years, subject, however, to the right of the stockholders to dissolve the corporation prior to the expiration of said period as provided in section sixteen.

SECTION 16. The corporation may upon the affirmative vote of two thirds of the votes of the stockholders petition for its dissolution by order of the supreme judicial or superior court, in the manner provided in section fifty of chapter one hundred and fifty-five of the General Laws.

Upon any dissolution of the corporation all assets, over and above the amount paid into the corporation by the stockholders for their shares of stock, shall be paid over to a non-sectarian charitable organization selected by the executive committee and approved by vote of the stockholders, the state secretary, and the commissioner of public welfare.

SECTION 17. If the corporation shall fail to commence business within three years from the effective date of this act, then this act shall become null and void.

SECTION 18. Under no circumstances is the credit of the commonwealth or any political division thereof pledged herein.

SECTION 19. The provisions of this act are severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not impair any of the remaining provisions.

Approved June 23, 1964.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, June 24, 1964.

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 587 of the Acts of 1964 entitled "An Act to Incorporate the Greater Haverhill Foundation, Incorporated." and the enactment of which received my approval on June 23, 1964, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act would defeat its purpose as this corporation was formed to attain new economic gains for the City of Haverhill. This act should therefore become effective immediately.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, June 25, 1964.

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 five hundred and eighty-seven of the acts of nineteen hundred and sixty-four.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 588. AN ACT DESIGNATING THE METROPOLITAN DISTRICT COMMISSION ICE SKATING RINK TO BE CONSTRUCTED ON THE GARVEY PLAYGROUND, SO CALLED, IN THE DORCHESTER DISTRICT OF THE CITY OF BOSTON AS THE PRIVATE FIRST CLASS ROBERT M. DEVINE SKATING RINK.

Be it enacted, etc., as follows:

The ice skating rink to be constructed by the metropolitan district commission on the Garvey Playground, so called, in the Dorchester district of the city of Boston, shall, upon completion, be known and designated as the Private First Class Robert M. Devine skating rink, in memory of Robert M. Devine, who, while a member of the armed forces of the United States, was killed in action during the Korean conflict. A suitable marker bearing said designation shall be erected and maintained thereat by said commission.

Approved June 23, 1964.

Chap. 589. AN ACT AUTHORIZING THE CITY OF SALEM TO CONVEY CERTAIN PARK LAND TO THE DEPARTMENT OF NATURAL RESOURCES.

Be it enacted, etc., as follows:

SECTION 1. The city of Salem is hereby authorized to convey to the department of natural resources for a nominal consideration a certain parcel of land held by said city for park purposes, bounded and described as follows:—

Beginning at the westerly corner thereof at land of the South Essex Sewerage District on Fort Avenue;

thence running northeasterly by Fort Avenue, as now constructed, about 534 feet;

thence running on a curve to the right, by Winter Island Road about 74 feet;

thence running southeasterly, on several courses, by Winter Island Road about 897 feet;

thence running southwesterly, by land of owner unknown, 101.16 feet;

thence running southwesterly, but more southerly, by land of owner unknown, 152.96 feet;

thence running southwesterly, but more southerly, by land of owner unknown, 85.24 feet;

thence running southwesterly, but more westerly, by land of owner unknown, 88.65 feet;

thence running southwesterly, but more westerly, by land of owner unknown, 160.61 feet;

thence running southwesterly, but more southerly, by land of owner unknown, 185.58 feet, to land of the U. S. Coast Guard;

thence running northwesterly by Cat Cove, parallel with the existing dam, about 505 feet;

thence running by mean high water line, in a general northwesterly direction about 380 feet to land of the South Essex Sewerage District;

thence running northwesterly, but more northerly, by land of the South Essex Sewerage District about 405 feet to Fort Avenue, as now constructed, and the point of beginning.

The above described parcel contains about 16.90 acres, and is shown on a plan entitled "Land of Smith Pool, Fort Ave., Salem, Mass., Scale 1 in. = 50 ft., Dec. 1963, As compiled from record plans."

The commissioner of natural resources is hereby authorized to accept such conveyance on behalf of the commonwealth.

SECTION 2. The mayor of the city of Salem may, with the approval of the park commission and the city council of said city, execute such instruments as may be necessary to so convey said land.

Approved June 23, 1964.

Chap. 590. AN ACT ESTABLISHING FEES FOR REGISTRATION OF FEDERAL CERTIFICATES OF AIRCRAFT AND PILOTS WITH THE MASSACHUSETTS AERONAUTICS COMMISSION.

Be it enacted, etc., as follows:

Chapter 90 of the General Laws is hereby amended by striking out section 49, as appearing in section 3 of chapter 393 of the acts of 1939, and inserting in place thereof the following section: — *Section 49.* All resident airmen, and owners and operators, or owners or operators, of all aircraft shall register the federal certificates of said airmen and of aircraft in such manner as the commission may by regulation prescribe.

(a) Subject to the limitations of paragraphs (c) and (e), every person who pilots an aircraft within the commonwealth shall register his federal airman's certificate with the commission and shall renew such registration each two-year period thereafter in which he pilots an aircraft within the commonwealth. The commission may charge for each such registration and for each renewal thereof, a fee not exceeding five dollars for each two-year period.

(b) Subject to the limitations of said paragraphs (c) and (e), every person who operates an aircraft shall register the federal aircraft certificate of said aircraft with the commission during each period in which the aircraft is operated within the commonwealth. The commission may charge for each such registration, and for each renewal thereof, fees as follows: — Aircraft weighing less than two thousand pounds, thirty-two dollars; two thousand and one to thirty-five hundred pounds, fifty-two dollars; thirty-five hundred and one to twelve thousand five hundred pounds, seventy-six dollars; over twelve thousand five hundred pounds, one hundred dollars. For the purpose of the above the weight considered will be the gross weight as published by the manufacturer. Such fees shall be in lieu of all personal property taxes on aircraft authorized by any law, ordinance or by-law. Registration certificates issued after expiration of the first six months of the biennial registration period, as prescribed by the commission, shall be issued at the rate of seventy-five per cent of the biennial fee. Those issued after twelve months shall be charged fifty per cent; those issued after eighteen months twenty-five per cent.

(c) Possession of the appropriate effective federal certificate, permit, rating or license relating to competency of the pilot or ownership and airworthiness of the aircraft, as the case may be, and the payment of the appropriate fee as set forth in this section, shall be the only requisites for registration of a pilot or an aircraft.

(d) Aircraft registration fees shall be reimbursed to persons who sur-

render their certificates before the date of expiration in accordance with the following schedule: —

Before the first six months of the period, seventy-five per cent of said fee;

Before the first twelve months of the period, fifty per cent;

Before the first eighteen months of the period, twenty-five per cent.

(e) The provisions of this section shall not apply to:

(1) an aircraft owned by, and used exclusively in the service of, any government, including the government of the United States or of any state thereof, or political subdivision thereof, which is not engaged in carrying persons or property for commercial purposes;

(2) an aircraft registered under the laws of a foreign country;

(3) an aircraft owned by a non-resident and based in another state;

(4) an aircraft engaged principally in federally certificated scheduled airline operation;

(5) a person piloting an aircraft engaged principally in federally certificated scheduled airline operation;

(6) a person piloting an aircraft owned by, and used exclusively in the service of, any government, including the government of the United States or of any state thereof, or political subdivision thereof, which is not engaged in carrying persons or property for commercial purposes;

(7) a person piloting an aircraft registered under the laws of a foreign country;

(8) a non-resident piloting aircraft within the commonwealth;

(9) a person operating model aircraft;

(10) a person piloting an aircraft equipped with fully functioning dual controls when a properly certificated pilot is in full charge of one set of said controls and such flight is solely for instruction or for the demonstration of said aircraft to a bona fide prospective purchaser.

Approved June 23, 1964.

Chap. 591. AN ACT RELATIVE TO THE GRANTING OF MEDICAL ASSISTANCE FOR THE AGED.

Be it enacted, etc., as follows:

Chapter 118A of the General Laws is hereby amended by striking out sections 18 and 19, as appearing in section 8 of chapter 781 of the acts of 1960, and inserting in place thereof the following two sections: —

Section 18. A person entitled to medical assistance for the aged shall receive such assistance on the basis of need. The amount of such assistance shall be determined in accordance with standards approved by the department after consideration of the degree to which a person's income and resources are insufficient to meet the cost of necessary medical care. When a person is granted medical assistance for the aged, the first one hundred and fifty dollars of any monthly income shall be retained by the person for his maintenance and the excess shall be used towards meeting his medical needs. In the case of a person and his or her spouse, the combined total monthly income of two hundred and twenty-five dollars shall be retained for their maintenance and the excess shall be used towards meeting medical needs.

Ownership by a person of bank deposits, securities, cash on hand or similar assets of two thousand dollars or less or ownership by a person

and his or her spouse of bank deposits, securities, cash on hand or similar assets of a combined total of three thousand dollars or less shall not disqualify such person. The cash surrender value of life insurance shall not be included in determining assets.

Section 19. Each person in a licensed nursing home, chronic hospital or public medical institution who has no income or a monthly income of less than fifteen dollars shall be paid an amount for personal needs which together with any income will provide to the person fifteen dollars, such payment to be made monthly in advance.

When a person is granted medical assistance for the aged in a licensed nursing home, chronic hospital or public medical institution, the first fifteen dollars of any monthly income shall be retained by the person for his personal needs and the excess shall be used towards meeting his medical needs.

When a person is granted medical assistance for the aged in a licensed nursing home, chronic hospital or public medical institution and has a spouse who lives outside of an institution, such married couple may retain up to two hundred and twenty-five dollars of their combined total monthly income for the maintenance of such spouse, and any excess shall be used towards meeting medical needs; provided, further, that any allowance for personal needs aforementioned shall be available in addition to said income exemption in the manner provided.

Approved June 23, 1964.

Chap. 592. AN ACT DEFINING THE TERM "MOBILE HOME" AND INCLUDING THE TERM "TRAILER COACH" IN SAID DEFINITION.

Be it enacted, etc., as follows:

SECTION 1. Section 27 of chapter 140 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 134 of the acts of 1954, and inserting in place thereof the following sentence: — Every innholder, and every lodging house keeper required so to do under section twenty-eight, and every person who shall conduct, control, manage or operate, directly or indirectly, any recreational camp, overnight camp or cabin, motel or mobile home park shall keep or cause to be kept, in permanent form, a register in which shall be recorded the true name or name in ordinary use and the residence of every person engaging or occupying a private room averaging less than four hundred square feet floor area, excepting a private dining room not containing a bed or couch, or opening into a room containing a bed or couch, for any period of the day or night in any part of the premises controlled by the licensee, together with a true and accurate record of the room assigned to such person and of the day and hour when such room is assigned.

SECTION 2. Said chapter 140 is hereby further amended by striking out the caption preceding section 32A, as most recently amended by section 2 of said chapter 134, and inserting in place thereof the following caption: —RECREATIONAL CAMPS, OVERNIGHT CAMPS OR CABINS, MOTELS AND MOBILE HOME PARKS.

SECTION 3. Said chapter 140 is hereby further amended by striking out section 32A, as most recently amended by section 3 of said chapter 134, and inserting in place thereof the following section: — *Section 32A.*

No person shall conduct, control, manage or operate, directly or indirectly, any recreational camp, overnight camp or cabin, motel or mobile home park unless he is the holder of a license granted under the following section.

SECTION 4. Section 32B of said chapter 140 is hereby amended by striking out the first sentence, as most recently amended by section 4 of said chapter 134, and inserting in place thereof the following sentence: — The board of health of any city or town, in each instance after a hearing, reasonable notice of which shall have been published once in a newspaper published in such city or town, may grant, and may suspend or revoke, licenses for recreational camps, overnight camps or cabins, motels or mobile home parks located within such city or town, which license, unless previously suspended or revoked, shall expire on December thirty-first in the year of issue, but may be renewed annually upon application without such notice and hearing.

SECTION 5. Said chapter 140 is hereby further amended by striking out section 32C, as most recently amended by section 5 of said chapter 134, and inserting in place thereof the following section: — *Section 32C.* Every board of health shall from time to time examine all camps, motels, mobile home parks and cabins licensed by it under authority of section thirty-two B, and if, upon such examination, such camp, motel, mobile home park or cabin is found to be in an unsanitary condition, said board of health may, after notice and a hearing, suspend or revoke the license.

SECTION 6. Said chapter 140 is hereby further amended by striking out section 32D, as most recently amended by section 6 of said chapter 134, and inserting in place thereof the following section: — *Section 32D.* Whoever conducts, controls, manages or operates any camp, motel, mobile home park or cabin licensed under section thirty-two B shall post in a conspicuous place near the entrance to every such camp, motel, mobile home park or cabin, a copy of the rules and regulations adopted thereunder, as most recently altered or amended.

SECTION 7. Said chapter 140 is hereby further amended by striking out section 32E, as most recently amended by section 7 of said chapter 134, and inserting in place thereof the following section: — *Section 32E.* Whoever conducts, controls, manages or operates any camp, motel, mobile home park or cabin subject to section thirty-two A to thirty-two C, inclusive, which is not licensed under section thirty-two B, shall be punished by a fine of not less than ten nor more than one hundred dollars.

SECTION 8. Said chapter 140 is hereby further amended by striking out the caption preceding section 32F, inserted by section 8 of chapter 326 of the acts of 1950, and inserting in place thereof the following caption: — **MOBILE HOME PARKS.**

SECTION 9. Said chapter 140 is hereby further amended by striking out section 32F, as most recently amended by section 1 of chapter 162 of the acts of 1956, and inserting in place thereof the following section: — *Section 32F.* Any lot or tract of land upon which three or more mobile homes occupied for dwelling purposes are located, including any buildings, structures, fixtures and equipment used in connection with mobile homes shall be defined a mobile home park. No lot or tract of land may be used for a mobile home park unless the owner or occupant thereof is the holder of a license granted under section thirty-two B. The board of health of a city or town shall, forthwith upon granting an original or

renewal license under section thirty-two B for a mobile home park, send a copy of such license to the city or town clerk.

A lot or tract of land provided by a state or county fair, agricultural and horticultural society, grange or 4-H club for the use of mobile homes to accommodate personnel who are to participate in any fair or exhibition conducted by such organization, which fair or exhibition does not continue for a period exceeding ten consecutive days, or a lot or tract of land provided by a college or university for the use of mobile homes to accommodate students lacking dormitory facilities shall not be deemed a mobile home park.

SECTION 10. Said chapter 140 is hereby further amended by striking out section 32G, as most recently amended by chapter 410 of the acts of 1954, and inserting in place thereof the following section: — *Section 32G.* In addition to the license fee provided for under section thirty-two B, each mobile home park owner or operator licensed under said section shall pay an additional license fee of four dollars per month or major fraction thereof, on account of each mobile home occupying space within the said mobile home park. Such license fee shall be collected by the mobile home operator from the owner or occupant of each mobile home so occupying space in such mobile home park at the end of each said month or major fraction thereof, and shall be deposited with the collector of taxes in the city or town in which the mobile home park is located not later than the tenth day of the month next following. The mobile home park operator shall, not later than the fifth day of each month, file with the licensing authority a list containing the amounts collected together with the name and address of each owner or occupant of a mobile home occupying space during the preceding month. The licensing authority shall forthwith commit the list to the collector of taxes in the city or town in which the mobile home park is located for collection. Such a collector shall in the collection of such accounts have all the remedies provided by sections thirty-five, thirty-six and ninety-three of chapter sixty for the collection of taxes, on personal property. The collector of taxes shall once in each week or oftener, pay over to the city or town treasurer all money received by him during the preceding week or lesser period on account of such license fees. Each mobile home subject to the license fee provided for in this section shall be exempt from any property tax as provided in clause Thirty-sixth of section five of chapter fifty-nine.

The collector of taxes shall report to the licensing authority any failure to deposit with him any license fee so collected, and any failure by a mobile park operator to collect any license fee provided for under this section or to deposit with the collector of taxes any license fee so collected shall be deemed cause for the revocation of any license granted under section thirty-two B. In addition, any wilful failure to deposit with the collector of taxes a license fee which has been so collected shall be punishable by a fine of not less than ten nor more than one hundred dollars for each fee so collected and not deposited.

SECTION 11. Said chapter 140 is hereby further amended by striking out section 32H, inserted by section 8 of chapter 326 of the acts of 1950, and inserting in place thereof the following section: — *Section 32H.* An applicant for a license under section thirty-two B for a mobile home park which has not been equipped with the buildings, structures, fixtures and facilities necessary to conduct a mobile home park, shall file with the

board a plan showing the buildings, structures, fixtures and facilities, and in general the proposed set-up which he plans to have upon said premises if and when the license may issue, together with an itemized estimate of the cost of the same, and thereupon the board, with the approval of the state department of public health, shall grant a mobile home park license upon the condition that such license shall issue upon the completion of the premises according to the plans and estimate submitted, providing that the proposed mobile home park will be in compliance with all applicable laws, ordinances, rules and regulations. Such conditional license may be suspended or revoked in accordance with the provisions of section thirty-two B.

SECTION 12. Said chapter 140 is hereby further amended by striking out section 32I, as so inserted, and inserting in place thereof the following section: — *Section 32I.* Every holder of a license for a mobile home park shall keep or cause to be kept, in permanent form, a register in which shall be recorded the true name or name in ordinary use, address and registration of each owner and occupant of a mobile home or motor vehicle renting space at such park, the date of entering and the date of leaving of said mobile home or motor vehicle. Such register shall be retained by the holder of the license for a period of at least one year after the date of the last entry, and shall be open to the inspection of the licensing authorities, their agents, and the police. Whoever wilfully and knowingly violates any provision of this section shall be punished by a fine of not less than five dollars nor more than one hundred dollars.

SECTION 13. Said chapter 140 is hereby further amended by striking out section 32J, as so inserted, and inserting in place thereof the following section: — *Section 32J.* If the mobile home owner holds possession of a mobile home space in a mobile home park without right, after the determination of a lease by its own limitation, or by notice to quit, or otherwise the licensee entitled to the mobile home space may recover possession thereof by summary process.

SECTION 14. Said chapter 140 is hereby further amended by striking out section 32L, inserted by chapter 444 of the acts of 1956, and inserting in place thereof the following section: — *Section 32L.* As used in sections thirty-two A to thirty-two K, inclusive, the words "mobile home" shall mean a dwelling unit built on a chassis and containing complete electrical, plumbing and sanitary facilities, and designed to be installed on a temporary or permanent foundation for permanent living quarters.

SECTION 15. Chapter 255 of the General Laws is hereby amended by striking out section 25A, inserted by section 9 of chapter 326 of the acts of 1950, and inserting in place thereof the following section: — *Section 25A.* Persons maintaining mobile home parks for the rental of space to be occupied by mobile homes and vehicles, for the furnishing of facilities in connection therewith, and for the storage and care of mobile homes brought to their premises or placed in their care by and with the consent of the owners thereof, shall have a lien upon such mobile homes and the contents thereof for proper charges due them for such rental, facilities, storage and care, and any tax assessed by reason of such mobile home having occupied space in such mobile home park.

Approved June 23, 1964.

Chap. 593. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO ATTACH A TABLET ON A CERTAIN BRIDGE ON PILGRIMS HIGHWAY IN THE TOWN OF KINGSTON IN MEMORY OF THREE YOUTHS OF SAID TOWN, WHO WERE KILLED IN THE KOREAN EMERGENCY.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to attach a suitable tablet on the Kingston's Korean War Memorial Bridge, in memory of three youths of said town who, as members of the armed services of the United States, were killed in action in the Korean Emergency, namely, Lieutenant Sabin L. Anderson, Private First Class Wilfred K. Demeule and Private First Class Erville W. Schneider, Jr.

Approved June 23, 1964.

Chap. 594. AN ACT INCREASING CERTAIN FEES OF SHERIFFS, DEPUTY SHERIFFS AND CONSTABLES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 262 of the General Laws is hereby amended by striking out section 8, as most recently amended by section 6 of chapter 556 of the acts of 1954, and inserting in place thereof the following section: — *Section 8.* The fees of sheriffs, deputy sheriffs and constables shall be as follows: —

A. For the service of civil process:

(1) For service of an original summons or scire facias, either by reading it or by leaving a copy thereof, four dollars for each defendant upon whom service is made, except as herein otherwise provided.

(2) For service of a libel for divorce, including copy, ten dollars.

(3) For service of a capias, of an attachment with summons or of a trustee process, four dollars for each service upon each defendant or trustee.

(4) For service of subpoena in a bill in equity under chapter two hundred and fifty-four, fifty cents for each defendant upon whom service is made; for each copy of such subpoena, thirty cents; for filing an attested copy of such subpoena at the registry of deeds, fifty cents.

(5) For each copy of a supreme judicial, superior, probate or land court writ, precept or process, except as herein otherwise provided, one dollar.

(6) For each copy of a district court writ, precept or process, one dollar.

(7) If the officer by the direction of the plaintiff or his attorney makes a special service of a writ or precept, either by attaching personal property or arresting the body, he shall be entitled to one dollar for each defendant upon whom the writ is so served, and four dollars additional for custody of the body arrested, and at the same rate for each day during which he has such custody. If the officer employs an assistant in the arrest of the body, he shall be entitled to three dollars a day for such assistant.

(8) For the custody of personal property attached, replevied or taken on execution, not more than six dollars for each day of not more than eight hours for the keeper while he is in charge, and not more than one dollar a day for the officer for a period not longer than ten days; but the

officer may be allowed a greater compensation for himself or for his keeper, or compensation for a longer period, by the written consent of the plaintiff and the defendant whose property has been attached, replevied or taken on execution, or by order of the court upon a hearing. He shall also be entitled to expenses for packing, labor, teaming, storage and taking and preparing a schedule of property attached, replevied or taken on execution, if he certifies that such expenses were necessary and are reasonable.

(9) For an attachment on mesne process of land or of any leasehold estate, two dollars for each defendant against whom an attachment is made, five cents a mile each way for travel from the place of service to the registry, and his fee for the copy deposited in the registry of deeds or land court, together with the recording fees actually paid.

(10) For a special attachment of real estate, one dollar additional for each person against whom an attachment is made.

(11) For the service of a writ of replevin: for seizure of property, two dollars for each defendant; securing and swearing appraisers, two dollars, and the actual amount paid to appraisers, as hereinafter provided; examining and approving sureties, one dollar; delivery of property replevied, one dollar; for each service, one dollar; for each copy, at the rate hereinbefore provided for copies of writs, precepts or other processes.

(12) For a levy on real estate: for preparing and serving notice of sale, including copy and travel, three dollars for each debtor.

(13) For preparing and posting notices of sale, six dollars.

(14) The necessary expenses of advertising.

(15) For the sale of land or of any leasehold estate, five dollars.

(16) For preparing, executing and acknowledging deed, five dollars.

(17) For travel, five cents a mile each way from the place where he receives the execution to the office of the register of deeds, and his fee for the copy.

(18) For a sale of personal property on mesne process or on execution the following:

(19) For service of a copy of notice to appoint appraisers, one dollar for each person upon whom service is made.

(20) The necessary expenses of taking and preparing a schedule of property proposed to be sold.

(21) For attendance upon and swearing appraisers, two dollars.

(22) The amount actually paid to appraisers as hereinafter provided.

(23) For preparing and posting notice of a proposed sale, two dollars.

(24) The necessary expenses of keeper, labor and advertising.

(25) For custody of property, one dollar a day.

(26) For services as auctioneer, or for services of an auctioneer in selling property, a fair and reasonable amount.

(27) If the sale is made on execution, poundage may be charged as hereinafter provided.

(28) The fair compensation for the services of an appraiser shall not be more than three dollars for each day's service, but the officer may be allowed a greater compensation for the appraisers by an order of the court.

(29) For each adjournment of sale of real or personal property, two dollars.

(30) For taking bail and furnishing and writing the bail bond, one

dollar, which shall be paid by the defendant, and taxed in his bill of costs, if he prevails.

(31) For serving an execution in a personal action by copy and demand on debtor or on trustee, two dollars and travel, if the execution is not collected in whole or in part; for serving an execution in a personal action, and collecting damages or costs on an execution, warrant of distress or other like process, for an amount not exceeding one hundred dollars, four cents for every dollar; all above one hundred dollars, and not exceeding five hundred dollars, two cents for every dollar; and all above five hundred dollars, one cent for every dollar; but such percentage shall be allowed only upon the amount actually collected. A levy of the execution upon his body shall be considered, so far as the fees of the officer are material, a full satisfaction of the execution if the debtor has recognized with surety or sureties as required by law.

(32) For serving a writ of seisin or possession in a real action, five dollars for each parcel.

(33) For serving an execution upon a judgment for partition, or for assignment of dower or curtesy, one dollar a day.

(34) For serving a writ of capias in a civil proceeding, seven dollars.

(35) For serving a writ of habeas corpus, five dollars, together with the fee for service and copy.

(36) For serving a venire or notice to jurors for attendance upon any court, civil or criminal, one dollar for each person upon whom the service is made.

(37) For summoning witnesses, two dollars for each person upon whom service is made, and fifty cents for each copy served, together with the fee paid to the witness.

(38) For dispersing treasurer's warrants and proclamations of all kinds, eight cents each, without allowance for travel.

(39) For travel in the service of original writs, executions, warrants, summonses, subpoenas, notices and like processes, five cents a mile each way, to be computed from the place of service to the court or place of return; and if the same precept or process is served upon more than one person, the travel shall be computed from the most remote place of service, with such further travel as was necessary in serving it; if the distance from the place of service to the place of return exceeds twenty and does not exceed fifty miles, five cents a mile one way only shall be allowed for all travel exceeding twenty miles, and, if it exceeds fifty miles, only one cent a mile one way shall be allowed for all travel exceeding that distance.

(40) For travel in the service of venires and notices to jurors, five cents a mile for the distance actually traveled.

B. For the service of criminal process:

(1) For serving a warrant of capias in a criminal proceeding, fifty cents, and of a summons upon the defendant, ten cents, for each person upon whom the same is served.

(2) For a copy of a mittimus, warrant or other precept required by law in criminal cases, twenty-five cents.

(3) For travel in summoning witnesses in criminal cases, ten cents a mile each way for a distance of not more than twenty miles, and for any excess over twenty miles, five cents a mile each way, and no more. The distance shall be computed from the most remote place of service to the place of return, but upon a subpoena the court shall reduce the fee

for travel to a reasonable amount for the service performed if the travel charged has not been actually performed by the officer who made the service.

(4) For service of an order of notice under chapter two hundred and seventy-three A, two dollars, without travel allowance.

SECTION 2. Said chapter 262 is hereby further amended by inserting after section 8 the following section:—

Section 8A. Each deputy sheriff shall annually on or before the fifteenth day of February file with the county treasurer an account signed by him under the penalties of perjury of all fees and money received by him under the provisions of section eight for the service of civil process, or, if two or more deputy sheriffs share such fees and moneys between themselves, they may file such an account jointly, provided that each shall subscribe the same under the penalties of perjury.

Approved June 23, 1964.

Chap. 595. AN ACT RELATIVE TO THE FINANCIAL RESOURCES OF CHILDREN IN DETERMINING THEIR RESPONSIBILITY FOR ASSISTANCE TO THEIR AGED PARENTS.

Be it enacted, etc., as follows:

SECTION 1. Paragraph 4 of section 2A of chapter 118A, of the General Laws as appearing in section 1 of chapter 597 of the acts of 1962, is hereby amended by striking out, in line 2 and in lines 4 and 5, the words "forty-seven hundred and fifty" and inserting in place thereof, in each instance, the words:— six thousand.

SECTION 2. Paragraph 5 of said section 2A of said chapter 118A, as appearing in chapter 614 of the acts of 1957, is hereby amended by striking out, in lines 2 and 3, the words "six hundred" and inserting in place thereof the words:— twelve hundred. *Approved June 23, 1964.*

Chap. 596. AN ACT INCREASING THE AMOUNT OF INDEMNIFICATION FOR OFFICERS OR EMPLOYEES FOR DAMAGES INCURRED ON ACCOUNT OF INJURIES ARISING OUT OF THEIR OPERATION OF MUNICIPALLY OWNED VEHICLES OR VESSELS.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by inserting after section 100C the following section:—

Section 100D. A city which accepts this section by vote of its city council subject to the provisions of its charter, or a town which accepts the same by vote of its inhabitants at an annual town meeting, may, after an appropriation has been made therefor, indemnify an officer or employee thereof for expenses or damages incurred by him in the defence or settlement of a claim against him for bodily injuries, including death at any time resulting therefrom, or for damage to property, arising out of the operation of a motor or other vehicle or vessel owned by such city or town, to an amount not exceeding forty thousand dollars on account of injury to or death of one person, or not exceeding seventy-five thousand dollars for any one accident, and not exceeding five thousand dollars on account of damage to property; provided that after investigation it shall appear to the mayor or selectmen that such

officer or employee was at the time the claim arose acting within the scope of his official duties or employment, and provided, further, that the defence or settlement of such claim shall have been made by the city solicitor or the town counsel, or, if the town has no town counsel, by an attorney employed for the purpose by the selectmen, upon the request of said officer or employee and at the direction of the mayor or selectmen. This section shall not apply in respect to so much of a claim against an officer or employee as is covered by a policy of insurance effected by the city or town under clause (1) of section five of chapter forty.

Approved June 23, 1964.

Chap. 597. AN ACT RELATIVE TO THE SALARIES OF CERTAIN ASSISTANT CLERKS OF THE SUPERIOR COURT FOR CIVIL BUSINESS IN THE COUNTY OF SUFFOLK.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section three of chapter seven hundred and ninety of the acts of nineteen hundred and sixty-three, any person appointed to the office of assistant clerk of the superior court for civil business in the county of Suffolk, between the first day of July and the thirty-first day of December, nineteen hundred and sixty-three, both dates inclusive, shall receive such salary as is provided by section ninety-four of chapter two hundred and twenty-one of the General Laws, said salary to be effective as of the date of his appointment.

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

Approved June 24, 1964.

Chap. 598. AN ACT AUTHORIZING THE CITY OF BROCKTON TO COMPENSATE ERMON L. MARKELLA FOR LEGAL SERVICES PERFORMED FOR THE ZONING BOARD OF APPEALS OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. The city of Brockton is hereby authorized to appropriate and pay to Ermon L. Markella the sum of one thousand and eighty dollars for legal services performed by him for the zoning board of appeals of said city in the superior court and the supreme judicial court, claim for which is unenforceable against said city.

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

Approved June 24, 1964.

Chap. 599. AN ACT AUTHORIZING THE TOWN OF NAHANT TO PAY THE LAW FIRM OF FOLEY, HOAG & ELIOT, A SUM OF MONEY FOR SERVICES RENDERED.

Be it enacted, etc., as follows:

SECTION 1. The town of Nahant is hereby authorized to appropriate and pay to the law firm of Foley, Hoag & Eliot, a partnership, the sum of three hundred dollars for legal services rendered in connection with proposed changes in the zoning by-law of the town, payment of which is legally unenforceable against said town.

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

Approved June 24, 1964.

Chap. 600. AN ACT REPEALING THE LAW ESTABLISHING A PUBLIC WELFARE COMMISSION IN THE CITY OF WALTHAM.

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and fourteen of the Special Acts of nineteen hundred and nineteen is hereby repealed.

SECTION 2. This act shall take effect upon its acceptance by the city of Waltham.

Approved June 24, 1964.

Chap. 601. AN ACT AUTHORIZING THE TOWN OF LUNENBURG TO ESTABLISH ANNUAL CHARGES FOR THE USE OF CERTAIN COMMON SEWERS IN SAID TOWN AND PROVIDING LIENS THEREFOR.

Be it enacted, etc., as follows:

SECTION 1. Chapter 288 of the acts of 1927 is hereby amended by inserting after section 1 the following section:—

Section 1A. For the purpose of reimbursing itself for any costs incurred under section one, the town of Lunenburg, acting by and through its board of selectmen, is hereby authorized to establish annual charges for the use of such common sewers, which shall be paid by every person who enters his particular sewer therein, and said town may avail itself of the provisions of the General Laws relative to the collection of said charges and to liens therefor, except that interest on such charges shall be at the rate of four per cent per annum from the thirtieth day after the date the bills for such charges are issued until the date of payment.

SECTION 2. This act shall take effect upon its acceptance by the town of Lunenburg.

Approved June 24, 1964.

Chap. 602. AN ACT RELATIVE TO THE EMERGENCY LIGHTING SYSTEM IN CONVALESCENT OR NURSING HOMES.

Be it enacted, etc., as follows:

Section 72C of chapter 111 of the General Laws, inserted by section 1 of chapter 730 of the acts of 1963, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— 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 one and one half hours, and for such further period as may be determined by rule or regulation of the department.

Approved June 24, 1964.

Chap. 603. AN ACT AUTHORIZING THE COUNTY TREASURER OF PLYMOUTH COUNTY TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The county treasurer of Plymouth county is hereby authorized to pay from any money in the treasury certain unpaid bills to the following the sums set forth after their respective names:— C. C. Agnew, M.D., fifty dollars; Jordan Hospital, one hundred fifty-

one dollars and five cents; Virginia Lewis of Norwell, twenty-four dollars; and to Suffolk County, nineteen dollars and thirty-five cents, all for goods and services supplied or rendered to said county during the years nineteen hundred and sixty-one and nineteen hundred and sixty-two, and which are legally unenforceable against said county.

SECTION 2. No bill shall be approved by the county commissioners of said county or paid by said treasurer under authority of this act unless and until certificates have been signed and filed with said treasurer stating under the penalties of perjury that the goods and services for which such bills have been submitted were ordered by an official or an employee of said county and that such goods were delivered and actually received by said county or that such services were rendered to said county, 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 or services which were not received by or rendered to said county 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 June 24, 1964.

Chap. 604. AN ACT CONSOLIDATING THE UNITED CHURCH OF NEW BEDFORD, (CHRISTIAN AND CONGREGATIONAL), NORTH CONGREGATIONAL CHURCH IN NEW BEDFORD AND PILGRIM CHURCH (UNDENOMINATIONAL) UNDER THE NAME OF PILGRIM UNITED CHURCH OF CHRIST.

Be it enacted, etc., as follows:

SECTION 1. The United Church of New Bedford, (Christian and Congregational), North Congregational Church in New Bedford and Pilgrim Church (Udenominational), corporations established under the laws of the commonwealth, are hereby merged and consolidated into one corporation, with all the privileges, powers and immunities to which other religious societies in this commonwealth are by law entitled, under the name of Pilgrim United Church of Christ which shall in all respects be a continuation of, and the lawful successor to, the corporations hereby consolidated, and all bequests, devises, conveyances and gifts heretofore or hereafter made to any of said corporations, however described, and all the powers and privileges thereof shall vest in said consolidated corporation and all trusts now or hereafter vested in any of said corporations shall be preserved inviolate, and all provisions relating thereto shall have full force and effect in said consolidated corporation.

SECTION 2. The treasurers of said existing corporations are hereby respectively authorized to execute and deliver all papers and documents that may be deemed necessary or proper for effecting the transfer of the property of said existing corporation to the consolidated corporation.

SECTION 3. The proceedings and votes of The United Church of New Bedford, (Christian and Congregational), North Congregational Church in New Bedford and Pilgrim Church (Udenominational) relating to the consolidation of said churches, and all acts and doings thereunder are hereby ratified and confirmed, any informalities, errors or omissions to the contrary notwithstanding.

Approved June 24, 1964.

Chap. 605. AN ACT VALIDATING THE ESTABLISHMENT OF THE NORTHEAST METROPOLITAN REGIONAL VOCATIONAL SCHOOL DISTRICT AND AUTHORIZING THE CITY OF MELROSE AND THE TOWN OF WINCHESTER TO VOTE AT THE BIENNIAL STATE ELECTION IN THE CURRENT YEAR ON THE QUESTION OF ACCEPTING THE PROVISIONS OF THE LAW PURSUANT TO WHICH SAID DISTRICT WAS ESTABLISHED.

Be it enacted, etc., as follows:

SECTION 1. The proceedings heretofore taken under chapter seven hundred and three of the acts of nineteen hundred and sixty-two, as amended by chapter six hundred and eighty-two of the acts of nineteen hundred and sixty-three, relating to the establishment of the Northeast Metropolitan Regional Vocational School District consisting of the cities of Chelsea, Malden, Revere and Woburn and the towns of North Reading, Reading, Saugus, Stoneham, Wakefield and Winthrop are hereby validated, and said district is hereby declared to be, and at all times since its establishment to have been, a valid district with all the rights, powers and duties prescribed by said chapter seven hundred and three, as so amended, and by the regional vocational school district agreement approved by said cities and towns in said proceedings.

SECTION 2. The secretary of said district is hereby authorized and directed to submit to the board of aldermen of the city of Melrose and to the board of selectmen of the town of Winchester, copies, attested by said secretary, of the regional vocational school district agreement pursuant to which said district was established.

SECTION 3. The question of accepting the provisions of said chapter seven hundred and three, as amended by said chapter six hundred and eighty-two, shall be placed on the ballot to be used in said city of Melrose and in said town of Winchester at the biennial state election to be held in the year nineteen hundred and sixty-four, 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 in the year nineteen hundred and sixty-three, providing for the establishment of a regional school district by the cities of Chelsea, Malden, Melrose, Revere and Woburn and the towns of North Reading, Reading, Saugus, Stoneham, Wakefield, Winchester and Winthrop and the construction, maintenance and operation of a regional vocational school by said district in accordance with the provisions of an agreement, a copy of which is filed with the board of aldermen (selectmen)?" If a majority of the voters present and voting in said city shall vote in the affirmative, said city shall become a member of said regional vocational school district subject to all the provisions of said chapter seven hundred and three, as so amended, and of said agreement. If a majority of the voters, present and voting in said town shall vote in the affirmative, said town shall become a member of said regional vocational school district subject to all the provisions of said chapter seven hundred and three, as so amended, and of said agreement.

SECTION 4. The initial member of the regional district school committee of said district from said city of Melrose, if it becomes a member of said district as hereinbefore provided, and the initial member of said regional district school committee from said town of Winchester, if it

becomes a member of said district as hereinbefore provided, shall be appointed as provided in the agreement referred to in section two. The members so appointed shall serve until their respective successors are elected as provided in said agreement.

SECTION 5. This act shall take effect upon its passage.

Approved June 26, 1964.

Chap. 606. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO MAKE A STUDY OF AND PREPARE PLANS FOR THE DIVERSION OF EXCESS WATER FROM MILLERS RIVER INTO QUABBIN RESERVOIR.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission, hereinafter called the commission, is hereby authorized and directed to make a study of and prepare plans for the diversion of excess water from the Millers river into Quabbin reservoir, for the purpose of providing the cities and towns which are members of the metropolitan water district, the cities and towns which are eligible to become members of the district, and other municipalities of the commonwealth which are obtaining a portion or all of their water supply from the facilities of the commission, with an additional source of water supply by the year nineteen hundred and seventy-five.

SECTION 2. The commission shall make a detailed study of conditions which now exist relative to the pollution of the Millers river by domestic and industrial wastes in the area upstream from the proposed point of diversion of excess flows to Quabbin reservoir, in order to determine what steps must be taken to eliminate pollution now entering the river.

SECTION 3. The commission may, in the course of its study, enter upon private or public lands and make such surveys and borings and do such other preliminary work thereon as may be determined to be necessary or desirable.

SECTION 4. In carrying out the provisions of this act, said commission may expend such sums, not exceeding five hundred thousand dollars, as may be appropriated therefor.

SECTION 5. The commission shall report to the general court the results of its study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect by filing the same with the clerk of the senate on or before the last Wednesday of December, nineteen hundred and sixty-five.

SECTION 6. This act shall take effect upon its passage.

Approved June 26, 1964.

Chap. 607. AN ACT AUTHORIZING THE CITY OF PITTSFIELD TO CONTRACT WITH THE TOWN OF LENOX FOR CERTAIN CONNECTIONS BY SAID CITY TO THE SEWERAGE SYSTEM OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The city of Pittsfield, acting by and through its department of public works, may contract with the town of Lenox, acting

by and through its board of sewer commissioners, to make certain connections to the North Lenox sewerage system for the collection and treatment and disposal of the sewerage of said city. No connection shall be made unless the plans for such connections have been approved by the state department of public health.

SECTION 2. This act shall take effect upon its acceptance by the town of Lenox and by the city council of the city of Pittsfield.

Approved June 26, 1964.

Chap. 608. AN ACT RELATIVE TO THE COST OF CONSTRUCTING A SEWERAGE SYSTEM IN THE TOWN OF ASHLAND.

Be it enacted, etc., as follows:

Section 3 of chapter 546 of the acts of 1946 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — A portion of the cost of constructing the works for pumping and conveying the sewage and the necessary lands, water rights, easements and other property or interest in property shall be paid by the metropolitan district commission.

Approved June 26, 1964.

Chap. 609. AN ACT TO INCLUDE SUPPLEMENTARY UNEMPLOYMENT BENEFIT FUND PAYMENTS IN THE ESTABLISHED WAGE RATE TO BE PAID ON PUBLIC CONSTRUCTION PROJECTS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 26 of chapter 149 of the General Laws is hereby amended by striking out the last sentence, as amended by section 1 of chapter 401 of the acts of 1960, and inserting in place thereof the following sentence: — Payments by employers to health and welfare plans, pension plans and supplementary unemployment benefit plans under collective bargaining agreements or understandings between organized labor and employers shall be included for the purpose of establishing minimum wage rates as herein provided.

SECTION 2. The second from the last sentence of section 27 of said chapter 149, as appearing in section 2 of said chapter 401, is hereby amended by striking out, in lines 2 and 3, the words “and pension plans” and inserting in place thereof the words: — , pension plans and supplementary unemployment benefit plans.

SECTION 3. The next to the last sentence of said section 27 of said chapter 149, as so appearing, is hereby amended by striking out, in line 3, the words “and a pension plan” and inserting in place thereof the words: — , a pension plan and a supplementary unemployment benefit plan.

SECTION 4. The first paragraph of section 29 of said chapter 149, as amended by chapter 696 of the acts of 1962, is hereby further amended by inserting after the word “plans”, in line 33 and in line 37, in each instance, the words: — , supplementary unemployment benefit plans.

SECTION 5. The second paragraph of said section 29 of said chapter 149, as so amended, is hereby further amended by inserting after the word “plans”, in line 10, the words: — , supplementary unemployment benefit plans.

Approved June 26, 1964.

Chap. 610. AN ACT REQUIRING THE DISCLOSURE OF THE NAMES AND ADDRESSES OF CERTAIN PERSONS HAVING A DIRECT OR INDIRECT BENEFICIAL INTEREST IN AGREEMENTS TO LEASE OR SELL REAL PROPERTY TO THE COMMONWEALTH, ITS POLITICAL SUBDIVISIONS OR PUBLIC AUTHORITIES.

Be it enacted, etc., as follows:

Chapter 7 of the General Laws is hereby amended by adding at the end the following section:—

Section 36. No agreement to lease, or to sell real property to the commonwealth or to any of its political subdivisions or to any authority created by the general court shall be valid and no payment shall be made to the lessor or seller of such property until a statement has been filed, under the penalties of perjury, with the commissioner of administration, by the lessor or seller, and in the case of a corporation by a duly authorized officer thereof giving the true names and addresses of all persons who have a direct or indirect beneficial interest in said property. The provisions of this section shall not apply to any stockholder of a corporation the stock of which is listed for sale to the general public with the securities and exchange commission, if such stockholder holds less than ten per cent of the outstanding stock entitled to vote at the annual meeting of such corporation.

The commissioner shall annually file with the secretary of the commonwealth a report of such statements. *Approved June 26, 1964.*

Chap. 611. AN ACT FURTHER REGULATING AUDITS AND EXAMINATIONS OF CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

SECTION 1. Section 9 of chapter 170 of the General Laws, as appearing in section 1 of chapter 371 of the acts of 1950, is hereby amended by adding the following paragraph:—

At said first meeting the board shall elect a finance committee of not less than three directors who shall not be operating officers or members of the security committee. The members of the finance committee shall take an oath of office in the manner and within the period prescribed by section eight, and a record thereof shall be made and preserved as provided in said section. The directors shall determine the compensation, if any, to be paid to the members of the security committee and the finance committee.

SECTION 2. Said chapter 170 is hereby amended by striking out section 41, as most recently amended by section 4 of chapter 654 of the acts of 1958, and inserting in place thereof the following section:—

Section 41. The commissioner shall have the same powers and duties in respect to co-operative banks which he has in respect to savings banks. At least once during each calendar year, and oftener if required by the commissioner, the finance committee, referred to in section nine, shall cause an examination and audit to be made of the books, securities, cash, assets, liabilities, income and expenditures of such corporation, including a trial balance of the deposit and share accounts. Such examination and audit shall be made in such form and manner and at such time as the commissioner may prescribe, except that in any such

bank having assets of over ten million dollars such examination and audit shall be made by a certified public accountant not connected with the corporation. Within thirty days after their election, the finance committee shall appoint such accountant and written notice thereof shall be given forthwith to the commissioner, and such appointment shall be subject to his approval. Such examination and audit shall be made for the period elapsed since the preceding examination and audit or for such other period as may be prescribed by the commissioner.

Such accountant shall direct and supervise the making of said examination and audit and shall report to the finance committee and the commissioner, if he so requests, the result thereof. At the next meeting of the directors thereafter, the committee shall render a report, which shall be read, stating in detail the nature, extent and result of said examination and audit. The committee shall file with the commissioner a copy of the report of the accountant within ten days after its receipt by the committee. Said accountant and the finance committee shall certify and make oath that the reports made by them under this section are correct according to their best knowledge and belief, and such reports shall be filed and preserved with the records of such corporation. If the committee fails to cause to be made an examination and audit as herein provided, the commissioner shall cause such examination and audit to be made by a certified public accountant in such form and manner as the commissioner may prescribe, and the expense thereof shall be paid by such corporation.

Approved June 26, 1964.

Chap. 612. AN ACT ESTABLISHING THE SOUTH ROYALSTON WATER AND SEWER DISTRICT IN THE TOWN OF ROYALSTON.

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the town of Royalston, liable to taxation in said town and residing within the territory comprised within the following boundary lines, to wit:—beginning at a point 200 feet due north of the junction of River Road and Neal Road in the village of South Royalston and extending in a southeasterly direction to the center of the Millers River; thence following the thread of the river southerly and westerly to a point due south of the westerly end of Blossom Street; thence in a northerly direction to the westerly end of Blossom Street (including the Baker dwelling); thence northwesterly to the junction of Bears Den Road and Dickley Road; thence in an easterly direction for a distance of about 3900 feet to the point of beginning, shall constitute a water and sewer district and are hereby made a body corporate by the name of the South Royalston Water and Sewer District, hereinafter called the district, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and discontinue the same, to regulate the use of such water and to fix and collect rates to be paid therefor; for the purpose of laying out, constructing, maintaining and operating a system or systems of common sewers for a part or the whole of the territory herewithin described with such connections, pumping stations, treatment plants and other works as may be required for such system of sewerage disposal, and to contract for said purposes with any person, corporation, city, town, or district;

for the purposes of assessing and raising taxes as provided herein for the payment of such services, and for defraying the necessary expenses of carrying on the business of said district, subject to all general laws now or hereafter in force relating to such districts, except as otherwise provided herein. 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 water and 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 water and 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, after the acceptance of this act as aforesaid, elect by ballot, either at the same meeting at which this act shall have been accepted, or thereafter, at an annual meeting or at a special meeting called for the purpose, three persons, inhabitants of and voters in said district, to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year, from the day of the next succeeding annual district meeting, to constitute a board of water and sewer commissioners, hereinafter called the board; and at every annual district meeting following such next succeeding annual district meeting one such commissioner shall be elected by ballot for the term of three years. The date of the next annual meeting shall be fixed by by-law or by vote of the board, but in no event shall it be later than fifteen months subsequent to the date on which the water and sewer commissioners were first elected. All the authority granted to the district by this act, except sections eight and nine, and not otherwise specifically provided for, shall be vested in the board, who shall be subject, however, to such instructions, rules and regulations as the district may by vote impose. At the meeting at which the water and sewer 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 and sewer commissioner, and shall give bond to the district in such an amount as may be approved by the board and with a surety company authorized to transact business in the commonwealth as surety. A majority of the water and sewer commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in the board from any cause may be filled for the

remainder of the unexpired term by 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 and sewer works except upon a written order of the board.

SECTION 4. For the purposes aforesaid, the district, acting by and through the board, may contract with any municipality, acting through its water or sewer department, or with any water or sewer company, or with any water or sewer 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 of the General Laws, or acquire by lease, purchase or otherwise, and hold, the waters, or any portion thereof, of any pond, spring, or stream, or of any ground sources of supply by means of driven, artesian or other wells, within the town of Royalston 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 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 other such 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 stations, 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 pipelines, wells and reservoirs and establish pumping works, and may construct, lay, acquire and maintain aqueducts, conduits, pipes and other works under or over any land, water courses, railroad, railways and public or other ways, and along such ways, in said town, in such manner as not unnecessarily to obstruct the same; and for the purpose of constructing, laying, maintaining, operating and repairing such aqueducts, conduits, pipes and other works, and for all proper purposes of this act, the district may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel on such ways; provided that the manner in which all things are done upon any such way shall be subject to the direction of the selectmen of the town of Royalston. The district shall not enter upon, or construct or lay any conduit, pipe, or other works within the location of any railroad corporation except at such time and in such manner as it may agree upon with such corporation, or, in case of failure so to agree, as may be approved by the department of public utilities. The district may enter upon any lands for the purpose of making surveys, test wells or pits and borings, and may take or otherwise acquire the right to occupy temporarily any lands necessary for

the construction of any work or for any other purpose authorized by this act.

SECTION 5. For the purpose of providing a system of sewage disposal, the board, 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 it shall not take in fee any land of a railroad corporation, and that it 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 it may agree upon with such corporation, or, in case of failure to agree, as may be approved by the department of public utilities.

SECTION 6. 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; 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 7. Whenever a tax is duly voted by the district for the purposes of this act, the clerk shall send a certified copy of the vote to the assessors of the 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, after a hearing, due notice whereof shall have been given, such estate is so situated that it can receive no aid in the extinguishment of fire from the said system of water supply, or if such estate is so situated that the buildings thereon, or the buildings that might be constructed thereon, could not be supplied with water from said system in an ordinary or reasonable manner, but all other estates in the district shall be deemed to be benefited and shall be subject to such tax; and provided, further, that no estate shall be subject to any tax assessed on account of the system of sewerage under this act, if in the judgment of the board, after a hearing, due notice whereof shall have been given, such estate is so situated that it can receive no aid from the said sewerage system, or if such estate is so situated that the buildings thereon, or the buildings that might be constructed thereon, could not be connected with the said system in any ordinary or reasonable manner, but all other estates in the district shall be deemed to be benefited and shall be subject to such tax. A certified list of the estates exempt from taxation under the provisions of this section shall annually be sent by said board to said assessors, at the same time at which the clerk shall send a certified copy of the vote as aforesaid. The assessment shall be committed to the town collector, who shall collect such tax in the manner provided by the law for 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, other than expenses of maintenance and operation, the district may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, five thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, South Royalston Water and Sewer District Loan, Act of 1964. 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 the provisions of chapter forty-four of the General Laws.

SECTION 9. The district shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section eight; and, when a vote to that effect has been passed, a sum which, with the income derived from water and sewer rates, will be sufficient to pay the annual expense of operating its water and sewer works and the interest as it accrues on the bonds or notes issued as aforesaid by the district, and 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 the town of Royalston annually thereafter until the debt incurred by said loan or loans is extinguished.

SECTION 10. Any land taken or acquired under this act shall be managed, improved and controlled by the board, in such manner as it shall deem for the best interest of the district. All authority vested in said board by this section shall be subject to section three.

SECTION 11. The board shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The board also shall fix just and equitable annual charges for the use of common sewers which shall be paid by every person who enters his particular sewer therein and the board shall prescribe the time and manner of payment thereof. The income of the water works and sewer system shall be appropriated to defray all operating expenses, interest charges and payments on the principal as they shall accrue upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it may be appropriated for such new construction as the board may recommend, and in case a surplus should remain after payment for such new construction the water and sewer rates shall be reduced proportionately. The board 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 its doings, including an account of receipts and expenditures.

SECTION 12. 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 two. The district may also establish rules and regulations for the management of its water and sewer works, not inconsistent with this act or with any other provision of law, and may choose such officers not provided for in this act as it may deem necessary or proper.

SECTION 13. Whoever wilfully or wantonly corrupts, pollutes or diverts any water obtained or supplied under this act, or wilfully or wantonly injures any pumping station, 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 14. Upon a petition in writing addressed to the board requesting that certain real estate, accurately described therein, located in the town of Royalston and abutting on said district and not otherwise served by a public water supply or sewer be included within the limits thereof, and signed by the owners of such real estate, or a major portion of such real estate, the board 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 15. No act shall be done under the authority of the preceding sections except in the making of surveys and other preliminary investigations, until the plans for said system of water supply and sewerage and sewage disposal have been approved by the state department of public health.

SECTION 16. This act shall take full effect upon its acceptance by a majority of the voters of the territory within the boundaries described in section one voting thereon at an annual or special district meeting within five years after its passage.

Approved June 26, 1964.

Chap. 613. AN ACT PROVIDING FOR THE INSTALLATION OF CLOSED CIRCUIT TELEVISION SYSTEMS AND TELEVISION TRANSMISSION FACILITIES IN BUILDINGS IN THE HEALTH, WELFARE AND EDUCATION SERVICE CENTER.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 6 of chapter 635 of the acts of 1960, as appearing in section 2 of chapter 685 of the acts of 1962, is hereby amended by adding at the end the following two sentences: — Said commission may also install in said buildings closed circuit television systems and appropriate television transmission facilities to serve the needs of the state departments occupying said buildings. No person shall be made the subject of any such television transmission without his consent or the consent of his parent, conservator or guardian.

SECTION 2. To meet the expenditures necessary in carrying out the provisions of section one of this act, the state treasurer shall, upon request of the governor and council, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the

governor and council from time to time, but not exceeding in the aggregate the sum of one million seven hundred and fifty thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, State Government Center Television Loan, Act of 1964, and shall be on the serial plan for such maximum term of years, not exceeding twenty years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. The bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof, and the entire issue not later than June thirtieth, nineteen hundred and eighty-five.

Approved June 26, 1964.

Chap. 614. AN ACT AUTHORIZING THE CITY OF CHICOPEE TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY A CERTAIN UNPAID BILL.

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 an unpaid bill, incurred by said city, of two hundred and twenty-four dollars, a copy of which is on file in the office of the director of accounts in the department of corporations and taxation, which is certified for payment by the license committee of the board of aldermen of said city, and which is legally unenforceable against said city, by reason of its having been incurred in excess of available appropriations; provided that the money so appropriated to pay such bill 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 bill has been submitted were ordered by an official or an employee of said city, and that such goods and materials were delivered to and actually received by said city or that such services were rendered to said city, or both.

SECTION 3. Any person who knowingly files a certificate required by section two, which is false and who thereby receives payment for goods, materials or services which were not received by or rendered to said city, shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both.

SECTION 4. This act shall take effect upon its acceptance during the current year by the city council of said city. *Approved June 26, 1964.*

Chap. 615. AN ACT REDUCING THE AMOUNT OF MONEY TO BE EXPENDED BY THE ESSEX COUNTY MOSQUITO CONTROL PROJECT.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 1 of chapter 516 of the acts of 1958 is hereby amended by striking out, in line 4, the word "fifteen" and inserting in place thereof the word: — ten.

SECTION 2. Said chapter 516 is hereby further amended by inserting after section 4 the following section: —

SECTION 4A. There shall be no aerial spraying under the provisions of this act in any city whose city council so votes, or in any town whose selectmen so vote.

Approved June 26, 1964.

Chap. 616. 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 totaling fifty-two hundred and ninety-eight dollars and eighteen 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, twenty-eight dollars and thirty-two cents; city planning, thirteen dollars and sixty cents; fire department, two hundred and fifteen dollars and ninety-six cents; health department, seventeen dollars and fifteen cents; law department, nineteen dollars and sixty cents; license commission, forty dollars and forty cents; municipal hospital, fourteen hundred and seventy-nine dollars and seventeen cents; non-contributory pensions, three hundred and forty dollars and fifty-five cents; park department, thirteen hundred and fifty-one dollars and thirty-eight cents; personnel department, fourteen hundred and seventy-nine dollars and eighty-two cents; police department, four dollars and thirty cents; public buildings, four hundred and thirty-three dollars and one cent; public works, twenty-four dollars and forty cents; traffic engineering, thirty-one dollars and forty-six cents.

SECTION 2. No bill shall be approved by the auditor of said city for payment or paid by the treasurer thereof under authority of this act unless and until certificates have been signed and filed with said city auditor, stating under the penalties of perjury that the goods, materials or services for which said bills have been submitted were ordered by an official or an employee of said city, and that such goods and materials were delivered to and actually received by said city or that such services were rendered to said city, or both.

SECTION 3. Any person who knowingly files a certificate, required by section two, which is false and who thereby receives payment for goods, materials or services which were not received by or rendered to said city, shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars.

SECTION 4. This act shall take effect upon its acceptance during the current year by the city of Springfield. *Approved June 26, 1964.*

Chap. 617. AN ACT AUTHORIZING AND DIRECTING THE ALDERMEN OF THE CITY OF CHICOPEE TO MAKE CERTAIN APPROPRIATIONS AND PAYMENTS FROM THE INCOME RECEIVED BY THE WATER DEPARTMENT OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 384 of the acts of 1892 is hereby amended by inserting after section 11 the following section: —

Section 11A. The income of the water department shall be reserved for appropriation by the board of aldermen for the purpose of defraying all operating expenses, interest charges and payments on the principal as they accrue upon any bonds or notes issued for the purpose of the city water supply. If in any year there is a net surplus remaining after providing for the aforesaid charges for that year, such surplus, or so much thereof as may be necessary to reimburse said city for moneys theretofore paid on account of said department, may be paid into the city treasury. If in any year there should be a net surplus remaining after providing for the aforesaid charges and for the payment of such reimbursement, if any, such surplus may be appropriated for such new construction, replacement of water mains, new equipment and other capital expenditures which said board deems necessary to the operation and maintenance of said department. Nothing in this section or in any other section of this act shall be construed to prohibit said city from appropriating money from the tax rate or other available funds of said city for the purposes of said department.

SECTION 2. This act shall take effect upon its acceptance by the city of Chicopee. *Approved June 26, 1964.*

Chap. 618. AN ACT AUTHORIZING PUBLIC OFF-STREET PARKING FACILITIES IN THE CITY OF BROCKTON.

Be it enacted, etc., as follows:

SECTION 1. The city of Brockton, 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 purpose 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 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 or 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 the 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 Brockton Parking Facilities Loan, Act of 1964. 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 acceptance by the city of Brockton.

Approved June 26, 1964.

Chap. 619. AN ACT EXTENDING THE PERIOD WITHIN WHICH CERTAIN PERSONS MAY APPLY TO THE PUBLIC ACCOUNTANTS ADMINISTRATIVE COMMITTEE FOR REGISTRATION AS PUBLIC ACCOUNTANTS WITHOUT EXAMINATION.

Be it enacted, etc., as follows:

SECTION 1. Clause (1) of section 7 of chapter 663 of the acts of 1963 is hereby amended by striking out, in line 5, the word "June" and inserting in place thereof the word: — October.

SECTION 2. Clause (3) of said section 7 of said chapter 663 is hereby amended by striking out, in line 7, the word "June" and inserting in place thereof the word: — October.

SECTION 3. Clause (4) of said section 7 of said chapter 663 is hereby amended by striking out, in line 10, the word "June" and inserting in place thereof the word: — October.

SECTION 4. Clause (5) of said section 7 of said chapter 663 is hereby amended by striking out, in line 12, the word "June" and inserting in place thereof the word: — October.

SECTION 5. Clause (6) of said section 7 of said chapter 663 is hereby amended by striking out, in line 1, the word "June" and inserting in place thereof the word: — October.

SECTION 6. Clause (8) of said section 7 of said chapter 663 is hereby amended by striking out, in line 5, the word "June" and inserting in place thereof the word: — October.

Approved June 26, 1964.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, June 29, 1964.

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 619 of the Acts of 1964 entitled "An Act Extending the Period Within Which Certain Persons May Apply to the Public Accountants Administrative Committee for Registration As Public Accountants Without Examination." and the enactment of which received my approval on June 26, 1964 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:

Inasmuch as this bill extends the time to register public accountants by four months, and the deadline for registering is June 30, 1964, this act should become effective immediately.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, June 29, 1964.

I, Kevin H. White, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at two

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

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 620. AN ACT RELATIVE TO THE ISSUING BY THE DEPARTMENT OF PUBLIC HEALTH OF LICENSES FOR CERTAIN CONVALESCENT OR NURSING HOMES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of the last two paragraphs of section seventy-one of chapter one hundred and eleven of the General Laws, added by chapter two hundred and seventy-seven of the acts of nineteen hundred and sixty-four, nothing therein contained shall prohibit the issuance by the department of public health of licenses to convalescent or nursing homes; provided (1) the final and detailed architectural plans have been completed and submitted to the departments of public health and public safety for their approval; (2) the sites on which said homes are to be built are ascertained and titles thereto are in the applicant's name; (3) building permits for the construction of such homes have been obtained from the proper authorities; and (4) the foregoing requirements had been met as of June first, nineteen hundred and sixty-four.

SECTION 2. Section 71 of chapter 111 of the General Laws, as most recently amended by chapter 277 of the acts of 1964, is hereby further amended by adding at the end the following paragraph: —

The licensee of every convalescent or nursing home shall annually file with the department, at the time his license is renewed, a sworn statement of the names and addresses of the owners of such home and, if such licensee is not the owner of the real property occupied and used as such home, the names and addresses of the owners of such real property. In case the licensee is a corporation such statement shall set forth the names and addresses of all stockholders who, of record, hold ten per cent or more of the capital stock. *Approved June 26, 1964.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, July 17, 1964.

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 620 of the Acts of 1964 entitled "An Act Relative to the Issuing by the Department of Public Health of Licenses for Certain Convalescent or Nursing Homes." and the enactment of which received my approval on June 26, 1964, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act would tend to defeat its purpose as it is necessary, in the public interest, that authority to issue the licenses therein referred to become effective without delay.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, July 17, 1964.

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

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 621. AN ACT RELATIVE TO CHILDREN'S RESPONSIBILITY FOR MEDICAL ASSISTANCE FURNISHED TO THEIR AGED PARENTS.

Be it enacted, etc., as follows:

SECTION 1. Paragraph 3 of section 30 of chapter 118A of the General Laws is hereby amended by striking out, in line 2, as appearing in section 2 of chapter 597 of the acts of 1962, the words "forty-seven hundred and fifty" and inserting in place thereof the words: — six thousand.

SECTION 2. Paragraph 4 of said section 30, as appearing in section 8 of chapter 781 of the acts of 1960, is hereby amended by striking out, in line 2, the word "six" and inserting in place thereof the word: — twelve.

Approved June 29, 1964.

Chap. 622. AN ACT ESTABLISHING THE COMMONWEALTH SERVICE CORPS FOR THE GENERAL WELFARE OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Section 17 of chapter 6 of the General Laws, as most recently amended by section 1 of chapter 430 of the acts of 1964, is hereby further amended by inserting after the words "the Massachusetts rehabilitation commission" the words: — , the service corps commission.

SECTION 2. Said chapter 6 is hereby further amended by adding after section 119, inserted by section 2 of chapter 564 of the acts of 1964, under the caption SERVICE CORPS COMMISSION, the following four sections: —

Section 120. There shall be a service corps commission, in this section and in sections one hundred and twenty-one to one hundred and twenty-three, inclusive, called the commission, to consist of seven members to be appointed by the governor, not more than four of whom shall be members of the same political party. Said members appointed by the governor shall be designated in their original appointments to serve two for one year, two for two years, and three for three years, respectively. Upon the expiration of the term of office of a member,

his successor shall be appointed in like manner for a term of three years. The governor shall fill any vacancy for the remainder of an unexpired term. The chairman of the commission shall be designated annually by the commission members. Said members shall serve without compensation, but shall be reimbursed for their expenses actually and necessarily incurred in the performance of their duties. The commission shall meet monthly and at other times at the call of the chairman or as the commission may determine. The commission shall be provided with suitable quarters in the state house or elsewhere in the city of Boston. The commission shall make an annual report to the general court and a copy thereof shall be sent to the governor and the state secretary.

Section 121. There is hereby created a commonwealth service corps to be composed of a limited number of carefully selected men and women of all ages to be made available for a limited time in projects directed toward meeting the critical human needs of residents of the commonwealth, including the health and education needs of residents of depressed and slum areas, the training and education needs of youth particularly of school dropouts, and the care and rehabilitation needs of the persons in charge of correctional agencies, of the elderly, the disabled, the mentally ill and the mentally retarded.

The commission shall appoint a director of the service corps and not more than seven associate directors, who shall not be subject to chapter thirty-one nor to section nine A of chapter thirty. The commission shall fix the salaries of the director and associate directors; provided, however, that the salary of the director shall not exceed fifteen thousand dollars, and that the salary of the associate directors shall not exceed ten thousand dollars. The director, with the approval of the commission, may appoint such other employees, including experts and consultants, as he deems necessary to carry out the provisions of section one hundred and twenty-one, none of whom shall be subject to the provisions of chapter thirty-one or of section nine A of chapter thirty; provided, however, that they and such directors may be eligible to participate in all group insurance programs under chapter thirty-two A.

The commission may adopt, and alter, an emblem to be used by the commonwealth service corps. The commission shall take steps to induce people to volunteer for public service in their own communities, and to provide increased opportunities for such service; shall promote an awareness of the want and deprivation that persists even in prosperous times; shall aid local communities, when so requested by the governing bodies thereof and public or private agencies, to initiate or implement worthwhile public-service programs by providing voluntary personnel when feasible in the judgment of the commission, and inspire residents of the commonwealth to choose and prepare themselves for careers of public service. To the extent possible each project shall provide for supervision by, and contribution of services from, the co-operating local agencies. No such project shall be undertaken if such project will displace regular workers or duplicate or replace an existing service in the same locality.

Such corps shall consist of not more than seven hundred and fifty persons prior to July first, nineteen hundred and sixty-five, and thereafter shall consist of such number as may be required for the needs of the communities. There shall be the following categories of corpsmen: (1) full-time corpsmen, consisting of volunteers, sixteen years of age or

older, enrolled for one year's service, who shall devote full-time to their duties and shall receive such compensation not exceeding eighty dollars monthly, as the commission may determine; (2) part-time corpsmen, consisting of volunteers enrolled for one year's service, who shall serve not less than twelve hours a week and who shall receive no compensation but may be reimbursed for their expenses; (3) student corpsmen, consisting of volunteers fourteen years of age or older who are attending school and are willing and able to serve no less than six hours a week, who shall be paid an allowance, not to exceed seventy-five cents for each hour of service, to cover cost of transportation, lunches and similar expenses; and (4) job service corpsmen, to be recruited from school drop-outs and the unemployed from ages sixteen through age twenty-one, who shall receive education and training to fit them for regular employment, and who shall be enrolled for one-year terms and shall receive such stipend not exceeding eighty dollars monthly as the commission may determine, and may be quartered in facilities provided by the commission or made available by any other state or local agency.

The service of any corpsman may be terminated or renewed at any time at the pleasure of the director. All corpsmen may, subject to the rules and regulations of the group insurance commission, participate in the group insurance programs provided under chapter thirty-two A and shall receive an allowance equal to the cost of such participation, in addition to any other compensation, allowance or stipend provided in this section.

The commission shall prescribe rules and regulations governing the activities of the corpsmen, which shall not be subject to chapter thirty A.

No corpsman shall be subject to the provisions of chapter thirty-one or of section nine A of chapter thirty. No corpsman shall be deemed to be an employee of the commonwealth entitled to the benefit of the workmen's compensation act, nor shall he be deemed to be an employee of the commonwealth for any other purpose, except as otherwise provided in this section.

Section 122. There shall be a service corps advisory council, hereinafter called the council, consisting of ten members who shall be appointed by the governor for terms of two years each, and the commissioners of public welfare, mental health, correction, probation, public health, natural resources, education, labor and industries, and rehabilitation, and the director of the division of youth service, and the chairman of the parole board, or their authorized representatives, and the director of the service corps, as members ex officio. The director of the service corps shall serve as chairman of the council. The council shall meet at least twice a year upon call of the chairman and shall meet at any time upon the call of the governor. Its members shall receive no compensation for their services on the committee but shall receive their expenses necessarily incurred in rendering such service. The council shall study social needs in the commonwealth in areas where services may be rendered by the service corps, shall evaluate programs and projects of the corps and shall make recommendations based on its findings to the commission.

Section 123. Subject to the approval of the commissioner of administration, the commission may apply for and accept on behalf of the commonwealth any funds or monies from any source including grants, bequests, gifts, contributions, compensation, or other payments made by

the federal government and any agencies or subdivisions thereof or by any individual, corporation, association, or public authority. Said funds shall be deposited in a separate account with and received by the state treasurer on behalf of the commonwealth. All federal subventions and grants shall be reported in full by the commission to the budget director and to the comptroller, and such reports shall include such itemization as may be required by federal regulations. All such funds 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 expenditures of federal subventions and grants shall be subject to the audit of the state auditor.

The commission may contract with any agencies or subdivisions of the federal and state governments and any individual, corporation, association, or public authority to provide or to receive services in connection with work of the commission. The commission may contribute or receive services, facilities, staff assistance, and money payments as consideration in such contracts.

The commission may expend for services and other expenses such amounts as may be appropriated therefor together with such amounts as the commission may receive under any federal or state law or by gift, grant or contract from any source, including grants, bequests, gifts, or contributions made by any individual, corporation, association, public authority, or agency or subdivision of the federal or state governments.

Approved June 30, 1964.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, August 20, 1964.

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 622 of the Acts of 1964 entitled "An Act Establishing the Commonwealth Service Corps for the General Welfare of the Commonwealth." and the enactment of which received my approval on June 30, 1964, 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:

It is necessary, in order to accomplish the purposes of the Act to stimulate through the Commonwealth Service Corps broader and more intensive citizen participation in activities for the general welfare and to take full advantage of Federal grants that may be available for the purposes of the Act, that the provisions of the Act be made effective forthwith.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, August 21, 1964.

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 nine 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 six hundred and twenty-two of the acts of nineteen hundred and sixty-four.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 623. AN ACT INCREASING THE AMOUNT WHICH THE MASSACHUSETTS STATE COLLEGE BUILDING AUTHORITY MAY BORROW.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide forthwith urgently needed dormitory facilities for students at the state colleges of Massachusetts, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 7 of chapter 703 of the acts of 1963 is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: — 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.

SECTION 2. Section 10 of said chapter 703 is hereby further amended by striking out the last paragraph and inserting in place thereof the following paragraph: —

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.

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

Approved June 30, 1964.

Chap. 624. AN ACT AUTHORIZING THE TOWN OF HUDSON TO BORROW MONEY FOR THE PAYMENT OF LAND ACQUIRED AND TO BE ACQUIRED BY AUTHORITY OF VOTES OF THE TOWN, AND VALIDATING CERTAIN ACTION TAKEN AT CERTAIN TOWN MEETINGS OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of Hudson is hereby authorized to appropriate the sum of eighty-eight thousand dollars for certain land takings as set forth in articles seven and nine of the warrant for the special town meeting held November seventh, nineteen hundred and sixty-one and in articles thirty-five, forty-one, sixty, sixty-one, sixty-two, sixty-three,

and sixty-four of the warrant for the annual town meeting held March twenty-fifth, nineteen hundred and sixty-three, of which amount the sum of three thousand three hundred dollars may be transferred from surplus revenue and the town treasurer may from time to time borrow such sums as may be necessary for the purpose, not exceeding in the aggregate eighty-four thousand seven hundred dollars, and may issue bonds or notes therefor which shall bear on their face the words, Town of Hudson Land Acquisition Loan, Act of 1964. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than twenty years from their dates. Indebtedness incurred under this act shall be inside the statutory debt limit as provided by section ten of chapter forty-four of the General Laws and shall be subject to the first paragraph of section seven thereof.

SECTION 2. Any action taken by the town of Hudson at a special town meeting held on May eleventh, nineteen hundred and sixty-four pursuant to the authority contained in section one is hereby confirmed and validated as though this act had been in effect at the time of the posting of the warrant for said meeting.

SECTION 3. The action of the town of Hudson at the annual town meeting held on March twenty-fifth, nineteen hundred and sixty-three, under article forty-one of the warrant for said meeting in voting to take by eminent domain certain land in said town, and all acts done in pursuance thereof, are hereby confirmed and made valid, notwithstanding the failure of the town to have provided an appropriation therefor as required by section fourteen of chapter forty of the General Laws.

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

Approved June 30, 1964.

Chap. 625. AN ACT AUTHORIZING THE CITY OF QUINCY TO SELL AND CONVEY A CERTAIN PARCEL OF PARK LAND TO WILLIAM F. DESMOND AND MARIE DESMOND.

Be it enacted, etc., as follows:

SECTION 1. The city of Quincy may, subject to the approval of the park and recreation board of said city, sell and convey to William F. Desmond and Marie Desmond, husband and wife, of said Quincy, a certain parcel of park land in said city, located on the northerly side of Aberdeen (West) road and bounded and described as follows: Beginning at a point in the northerly line of Aberdeen (West) road which point is 40 feet west of the southwesterly corner of land of said William F. Desmond et ux; thence running in a general northerly direction 130 feet to a point; thence turning and running in a general easterly direction 85 feet to a point; thence turning and running in a general southerly direction 40 feet to a point which point is the northeasterly corner of land of said Desmond et ux all of said boundaries being by other park land of said city; thence turning and running in a general westerly direction 45 feet by the northerly boundary of said land of Desmond et ux, to a point; thence turning and running in a general southerly direction 90 feet by the westerly boundary line of said land of Desmond et ux to the northerly line of Aberdeen (West) road; thence turning and running westerly by said Aberdeen (West) road to the point of beginning. Said parcel of land containing 7000 square feet.

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

Approved June 30, 1964.

Chap. 626. AN ACT AUTHORIZING CLERKS OF DISTRICT COURTS TO ACCEPT PLEAS OF GUILTY AND PAYMENT OF FINES BY MAIL IN CERTAIN CASES OF VIOLATION OF THE MOTOR VEHICLE LAWS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 90C of the General Laws is hereby amended by inserting after section 4 the following section: —

Section 4A. The clerk of a district court or an assistant clerk or other person designated by said clerk shall accept waiver of trial, plea of guilty, and payment of fine from any person summonsed to appear before such court on a complaint alleging violation of any law relating to the operation or control of motor vehicles other than a parking violation, for which the punishment is a fine or forfeiture not exceeding the sum of fifty dollars and does not include a sentence of imprisonment. Judgment shall be entered against any person filing such waiver of trial and plea of guilty. Such waivers and pleas shall be made in writing on forms which shall be established by the chief justice of the municipal court of the city of Boston for said court and by the chief justice of the district courts for all other district courts. Such forms shall also contain information for the use of probation officers and instructions to offenders as to procedure under this section.

Fines under this section shall be in accordance with a schedule of fines which shall be established by the chief justice of the municipal court of the city of Boston for said court, and by the senior justice of each other district court, with the approval of the chief justice of the district courts, for each such other district court. A copy of such schedule of fines shall be so posted as to be plainly visible to the public in the office of the clerk of each district court. The fines listed on said schedule shall not exceed the maximum fines established by law for the particular type of violation.

No such waiver, plea, and payment of fine shall be accepted under this section unless made before said clerk, either personally or by an agent duly authorized in writing, or by mailing to such clerk, such payment, if by mail, to be made only by postal note, money order, or check made out to the clerk of the court.

This section shall not apply to any person who has been summonsed for failure to properly return a parking violation notice in accordance with section twenty A or section twenty C of chapter ninety, nor to any person who has been previously convicted, within a period of twelve months, of the violation of any law relating to the operation or control of motor vehicles nor, without special permission of the chief justice of the municipal court of the city of Boston or the senior justice of each other district court, as the case may be, to any complaint wherein the court has issued a warrant for failure of the defendant to appear on a summons, properly served, nor to any delinquent child as described in section fifty-eight B of chapter one hundred and nineteen.

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

Approved June 30, 1964.

Chap. 627. AN ACT PROVIDING THAT CERTAIN LICENSES GRANTED BY THE DEPARTMENT OF PUBLIC WORKS FOR THE PURPOSE OF BUILDING SEA WALLS AND FILLING SOLID OVER CERTAIN TIDEWATERS IN THE CITY OF CAMBRIDGE BE IRREVOCABLE.

Be it enacted, etc., as follows:

That portion of License No. 968, dated December twenty-sixth, nineteen hundred and twenty-eight, granted by the department of public works to build and maintain a sea wall and bulkhead and to fill solid in designated areas in the Mystic and Charles rivers in the city of Cambridge; and that portion of License No. 1079, dated November fifth, nineteen hundred and twenty-nine, granted by the department of public works to build and maintain a sea wall and to fill solid in the Charles river in the city of Cambridge, and shown on a plan marked "Land in Cambridge, Massachusetts, Property of Boston and Maine Railroad to be conveyed to Laurence M. Sengal, J. F. Kerwin, Assistant Chief Engineer, Scale 1" = 50', September, 1961", and bounded and described as follows: Beginning at the Boston and Maine Railroad track at the Charles River, southwest along the Charles River 115.18 feet; northwest to proposed access driveway 556.18 feet; northeast to Boston and Maine Railroad track 92.72 feet; southeast to Charles River point of beginning 614.85 feet, containing about 52,596 square feet, shall, upon payment of such sum as the governor and council may determine, 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 June 30, 1964.

Chap. 628. AN ACT PROVIDING FOR THE SPEEDY TRIAL OF A MISDEMEANOR BY A JURY OF SIX IN THE THIRD DISTRICT COURT OF EASTERN MIDDLESEX.

Be it enacted, etc., as follows:

SECTION 1. Any defendant, in any district court of Middlesex county, found guilty of a violation of a by-law, order, ordinance, rule or regulation made by a city or town or public officer or of any other misdemeanor, except libel, may appeal and claim a jury of six in the third district court of eastern Middlesex. Such claim of appeal shall be in writing and shall constitute a waiver of any claim of appeal to a trial by a jury in the superior court or other disposition in said superior court.

Any defendant found guilty in any district court of Middlesex county of a violation of any of the offenses set forth in the first paragraph who has appealed to the superior court may, at any time before trial on such appeal, claim a trial by a jury of six in the third district court of eastern Middlesex. Such claim shall be in writing and shall constitute a waiver of any right to a trial by a jury in the superior court or other disposition in said superior court. When a claim for a trial

by a jury of six in the third district court of eastern Middlesex has been made under the provisions of this paragraph, the clerk of the superior court shall forthwith forward to the clerk of said third district court of eastern Middlesex all of the papers in the case which have been filed in the superior court.

The justice presiding at such session over a jury of six in said third district court of eastern Middlesex shall have and exercise all the powers and duties which a justice of the superior court has and may exercise in the trial and disposition of such cases.

No justice so sitting shall act in a case in which he has either sat or held an inquest in the district court or otherwise has taken part in any proceeding therein.

Trials by such juries of six in said third district court of eastern Middlesex shall be held in the courthouse of said court, or if not practicable there, then in the courthouse of the superior court in the city of Cambridge, and shall proceed in accordance with the provisions of law applicable to trials by jury in the superior court, except that the number of peremptory challenges shall be limited to two to each defendant. The commonwealth shall be entitled to as many such challenges as equal the whole number to which all of the defendants in the case are entitled. Jurors shall be drawn from the pool of jurors available for the jury sessions in either civil or criminal sessions in the superior court for Middlesex county. The district attorney for the northern district shall appear for the commonwealth in all cases. The chief justice of the district courts shall arrange for the jury sessions of the third district court of eastern Middlesex and shall assign justices and special justices thereto, to the end that speedy trials may be provided for such appeals. In the event of a trial by a jury of six in said district court, review may be had directly by the supreme judicial court, by a bill of exceptions, appeal, report or otherwise in the same manner provided for trials by jury in the superior court. The defendant may elect to waive a jury of six in the manner provided by section six of chapter two hundred and sixty-three of the General Laws, but such waiver shall not revive any right to a trial by jury or other disposition in the superior court which had been waived under the provisions of the first or second paragraphs.

The justice presiding at such session over a jury of six shall, upon the request of the defendant, appoint a stenographer, who shall be sworn, and who shall take stenographic notes of all the testimony given at the trial, and shall provide the parties thereto with a transcript of his notes or any part thereof taken at the trial or hearing for which he shall be paid by the party requesting it at the rate fixed by the chief justice of the district courts; provided, however, that such rate shall not exceed the rate provided by section eighty-eight of chapter two hundred and twenty-one of the General Laws. Said chief justice may make regulations not inconsistent with law relative to the assignments, duties and service of stenographers appointed for any district court, and any other matter relative to such stenographers. The compensation and expenses of said stenographer shall be paid by the county.

SECTION 2. The provisions of this act shall take effect on July first, nineteen hundred and sixty-four and shall become inoperative on July first, nineteen hundred and sixty-six.

Approved June 30, 1964.

Chap. 629. AN ACT PROVIDING FOR THE SPEEDY TRIAL OF A MISDEMEANOR BY A JURY OF SIX IN THE CENTRAL DISTRICT COURT OF WORCESTER.

Be it enacted, etc., as follows:

SECTION 1. Any defendant, in any district court of Worcester county, found guilty of a violation of a by-law, order, ordinance, rule or regulation made by a city or town or public officer or of any other misdemeanor, except libel, may appeal and claim a jury of six in the central district court of Worcester. Such claim of appeal shall be in writing and shall constitute a waiver of any claim of appeal to a trial by a jury in the superior court or other disposition in said superior court.

Any defendant found guilty in any district court of Worcester county of a violation of any of the offenses set forth in the first paragraph who has appealed to the superior court may, at any time before trial on such appeal, claim a trial by a jury of six in the central district court of Worcester. Such claim shall be in writing and shall constitute a waiver of any right to a trial by a jury in the superior court or other disposition in said superior court. When a claim for a trial by a jury of six in the central district court of Worcester has been made under the provisions of this paragraph, the clerk of the superior court shall forthwith forward to the clerk of said central district court of Worcester all the papers in the case which have been filed in the superior court.

The justice presiding at such session over a jury of six in said central district court of Worcester shall have and exercise all the powers and duties which a justice of the superior court has and may exercise in the trial and disposition of such cases.

No justice so sitting shall act in a case in which he has either sat or held an inquest in the district court or otherwise has taken part in any proceeding therein.

Trials by such juries of six in said central district court of Worcester shall be held in the courthouse of said court, or if not practicable there, then in the courthouse of the superior court in the city of Worcester, and shall proceed in accordance with the provisions of law applicable to trials by jury in the superior court, except that the number of peremptory challenges shall be limited to two to each defendant. The commonwealth shall be entitled to as many such challenges as equal the whole number to which all of the defendants in the case are entitled. Jurors shall be drawn from the pool of jurors available for the jury sessions in either civil or criminal sessions in the superior court for Worcester county. The district attorney for the middle district shall appear for the commonwealth in all cases. The chief justice of the district courts shall arrange for the jury sessions of the central district court of Worcester and shall assign justices and special justices thereto, to the end that speedy trials may be provided for such appeals. In the event of a trial by a jury of six in said district court, review may be had directly by the supreme judicial court, by a bill of exceptions, appeal, report or otherwise in the same manner provided for trials by jury in the superior court. The defendant may elect to waive a jury of six in the manner provided by section six of chapter two hundred and sixty-three of the General Laws, but such waiver shall not revive any right to a trial by jury or other disposition in the superior court which had been waived under the provisions of the first or second paragraphs.

The justice presiding at such session over a jury of six shall, upon the

request of the defendant, appoint a stenographer, who shall be sworn, and who shall take stenographic notes of all the testimony given at the trial, and shall provide the parties thereto with a transcript of his notes or any part thereof taken at the trial or hearing for which he shall be paid by the party requesting it at the rate fixed by the chief justice of the district courts; provided, however, that such rate shall not exceed the rate provided by section eighty-eight of chapter two hundred and twenty-one of the General Laws. Said chief justice may make regulations not inconsistent with law relative to the assignments, duties and service of stenographers appointed for any district court, and any other matter relative to such stenographers. The compensation and expenses of said stenographer shall be paid by the county.

SECTION 2. The provisions of this act shall take effect on July first, nineteen hundred and sixty-four and shall become inoperative on September first, nineteen hundred and sixty-six.

Approved June 30, 1964.

Chap. 630. AN ACT TO PROVIDE FOR A THIRD MESSENGER IN HAMPDEN COUNTY PROBATE COURT.

Be it enacted, etc., as follows:

Chapter 217 of the General Laws is hereby amended by striking out section 32A, as amended by section 1 of chapter 229 of the acts of 1952, and inserting in place thereof the following section:— *Section 32A.* The judges of probate for Hampden County may appoint three messengers for the court of probate and insolvency for said county, may remove them at their pleasure, and may fill vacancies caused by removal or otherwise. Said messengers shall wait upon said court and perform such duties as the judges may direct, including duty as court officers of said court. They shall, while in attendance on said court, wear uniforms, such as the court shall order, to be furnished at the expense of said county.

Approved July 1, 1964.

Chap. 631. AN ACT TO ESTABLISH AN OFFICIAL STENOGRAPHER IN THE PROBATE COURT FOR SUFFOLK COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Section 18 of chapter 215 of the General Laws is hereby amended by adding at the end the following two sentences:— The judges of probate of Suffolk county shall appoint an official stenographer. Said official stenographer shall receive from said county such salary as shall be established from time to time by the judges of the probate court for Suffolk county, with the approval of the justices of the supreme judicial court.

SECTION 2. This act shall take effect upon its acceptance by the city of Boston.

Approved July 1, 1964.

Chap. 632. AN ACT RELATIVE TO THE BASIS FOR ASSESSMENT FOR THE NORFOLK COUNTY MOSQUITO CONTROL PROJECT FOR THE YEAR COMMENCING JULY FIRST, NINETEEN HUNDRED AND SIXTY-FOUR.

Be it enacted, etc., as follows:

Notwithstanding the provisions of chapter three hundred and forty-one of the acts of nineteen hundred and fifty-six establishing the Nor-

folk County Mosquito Control Project, to meet the expenses incurred under said chapter three hundred and forty-one for the fiscal year commencing July first, nineteen hundred and sixty-four, there shall be expended from the state treasury, subject to appropriation, sums equal in the aggregate to twenty cents on each one thousand dollars of taxable valuation of all such towns, computed as of January first, nineteen hundred and sixty-two, and the state treasurer shall issue his warrant requiring the assessors of such towns to assess a tax to the amount of the sums so expended one-half in proportion to their said valuation, and one-half in proportion to their respective areas, 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 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.

Approved July 1, 1964.

Chap. 633. AN ACT PROVIDING THAT CERTAIN PERSONS SHALL NOT BE REQUIRED TO VACATE CERTAIN PROPERTY TAKEN BY EMINENT DOMAIN UNTIL FOUR MONTHS AFTER NOTICE OF SUCH TAKING.

Be it enacted, etc., as follows:

SECTION 1. Chapter 79 of the General Laws is hereby amended by inserting after section 8A the following section: —

Section 8B. No person in possession of property which has been taken under the provisions of this chapter shall be required to vacate any portion of such property which is being used by him as a dwelling place or place of business at the time the order of taking is made until four months after notice of such taking has been given to him in accordance with the provisions of section seven C.

SECTION 2. This act shall take effect November first, nineteen hundred and sixty-four.

Approved July 1, 1964.

Chap. 634. AN ACT PROVIDING FOR THE LATE ENTRY OF CERTAIN APPEALS IN CRIMINAL CASES IN THE SUPREME JUDICIAL COURT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 278 of the General Laws is hereby amended by inserting after section 32 the following section: —

Section 32A. If by mistake, accident or other sufficient cause, the defendant's appeal, exceptions or report is not duly entered in the supreme judicial court, any justice of that court may, upon petition filed with the clerk of the supreme judicial court for Suffolk county within six months after the verdict, and upon terms, allow the appeal, exceptions or report to be entered.

SECTION 2. Said chapter 278 is hereby further amended by inserting after section 33G the following section: —

Section 33H. If by mistake, accident or other sufficient cause, the defendant omits to take necessary measures in a case of murder or manslaughter or in any other criminal case subject to sections thirty-

three A to thirty-three G, inclusive, for the hearing of the case in the supreme judicial court, any justice of that court may, upon petition filed with the clerk of the supreme judicial court for Suffolk county within six months after the verdict and, upon terms, order that the clerk of the superior court receive for filing the assignment of errors and permit the entry of the appeal in the supreme judicial court.

Approved July 1, 1964.

Chap. 635. AN ACT AUTHORIZING CERTAIN MEMBERS OF THE WAKEFIELD POLICE RELIEF ASSOCIATION, INC. TO ELECT TO RECEIVE CERTAIN SUMS OF MONEY UPON THEIR RETIREMENT OR TO PROVIDE FOR THE PAYMENT OF CERTAIN DEATH BENEFITS.

Be it enacted, etc., as follows:

Any member of the Wakefield Police Relief Association, Inc., a corporation duly established by law, having been a member of said association for at least twenty years, if he so elects may, by a writing filed with the secretary of said association within sixty days after he is pensioned or retired from the police department of the town of Wakefield, receive from said association upon the surrender of his certificate of membership the sum of two thousand dollars 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 any benefits therefrom. Such member shall have the further option to surrender his certificate of membership as aforesaid and receive the sum of one thousand dollars and a new certificate of membership which shall entitle his beneficiary to the sum of one thousand dollars upon said member's death.

Approved July 1, 1964.

Chap. 636. AN ACT ABOLISHING THE DEPARTMENT OF COMMERCE, THE STATE HOUSING BOARD, THE MASSACHUSETTS COMMISSION ON ATOMIC ENERGY, THE MASS TRANSPORTATION COMMISSION AND THE DIVISION OF URBAN AND INDUSTRIAL RENEWAL, AND ESTABLISHING A DEPARTMENT OF COMMERCE AND DEVELOPMENT.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by striking out chapter 23A and inserting in place thereof the following chapter: —

CHAPTER 23A.

DEPARTMENT OF COMMERCE AND DEVELOPMENT.

Section 1. There shall be a department of commerce and development, in this chapter called the department, which shall be under the supervision and control of a commissioner of commerce and development, in this chapter called the commissioner. The commissioner shall be appointed by the governor and shall serve at the pleasure of the governor. In case of a vacancy in the office of commissioner, or in the commissioner's absence or disability, the governor shall designate one of the deputy commissioners of the department to serve as commissioner until the vacancy is filled, or until the absence or disability ceases, and the deputy commissioner so designated shall have all the powers

and duties of the commissioner. The commissioner shall receive a salary of twenty thousand dollars, shall devote his full time during business hours to the duties of his office, and shall give to the state treasurer a bond for the faithful performance of his 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 law relative to the department and to each administrative unit thereof. Powers and duties given to any administrative unit of the department by any general or special law shall be exercised and discharged subject to the direction, control and supervision of the commissioner.

Section 2. The department shall serve as the principal agency of the government of the commonwealth for the following purposes:

(a) Promoting, developing and expanding the economy, the commerce, the industry, the cultural, educational and geographic advantages of the commonwealth, and the full utilization of the skills and potentials or all of its citizens.

(b) Preparing and perfecting, and assisting in the preparation and revision of, plans for the physical, social and economic development of the commonwealth, and by means of study, advice and consultation, co-ordinating any activities of public and private agencies affecting such plans.

(c) Encouraging and assisting communities in the development, renewal and rehabilitation of their physical environment.

(d) Seeking, accepting, and otherwise taking full advantage, and assisting other state agencies and subdivisions to take full advantage, of all federal grants and subventions available for the foregoing purposes.

Section 3. There shall be in the department the following five divisions: — economic development, tourism, housing, urban renewal and planning. Each division shall be under the charge of a deputy commissioner of commerce and development, in this chapter called deputy commissioner, subject to the direction, control and supervision of the commissioner. Each deputy commissioner shall be a person of skill and experience in the field of his appointment and shall be appointed and may be removed by the commissioner, with the approval of the governor, and shall serve until so removed. The position of deputy commissioner shall not be subject to the provisions of chapter thirty-one or section nine A of chapter thirty. Each deputy commissioner shall devote his full time during business hours to the duties of his office. The commissioner may authorize any deputy commissioner to exercise in his name any power, or to discharge in his name any duty, assigned to him by law, and he may at any time revoke such authority.

Section 4. There shall be in the division of economic development a bureau of commercial and industrial development, a New York bureau and a bureau for women. There shall be in the division of tourism the bureau of vacation travel. There shall be in the division of housing a bureau of project development services, a bureau of construction services, and a bureau of property management services. There shall be in the division of urban renewal a bureau of community programs, and a bureau of financial assistance. There shall be in the division of planning, a bureau of planning assistance and a bureau of area planning.

Section 5. The commissioner shall establish in the department but

not in any division a bureau of administration and a bureau of research and statistics, and may from time to time establish such additional bureaus, sections or district and other offices as shall be necessary for the efficient and economic administration of the department, and, if necessary for such purpose, may from time to time consolidate or abolish each such bureau, section and office. 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, officers and employees, and of the established places at which and the methods whereby the public may receive information or make requests. Such statement shall be known as the department's description of organization. A current copy of the description of organization shall be on file in the office of the state secretary and in the executive office for administration and finance.

Each bureau shall be under the charge of a director, who shall be a person of skill and experience in the field of his appointment. Such directors shall be appointed by the commissioner, with the approval of the governor, and may be removed for cause in like manner. The position of director shall not be subject to the provisions of chapter thirty-one. The director of the bureau for women in the division of economic development shall be a woman.

Section 6. To assist the department in the discharge of its duties the commissioner shall appoint, without regard to chapter thirty-one but with the approval of the governor, advisory committees from among interested citizens of the commonwealth. There shall be advisory committees on:

Manpower development training; public and relocation housing; regional and local planning; transportation planning; commercial and industrial development; vacation travel, which shall consist of fourteen members including the chief executive officers of the nine regional associations known as the Berkshire Hills Conference, Inc., Essex County Tourist Council of Massachusetts Inc., Cape Cod Chamber of Commerce, Greater Boston Chamber of Commerce, Martha's Vineyard Chamber of Commerce, Mohawk Trail Association, Nantucket Island Chamber of Commerce Inc., Pioneer Valley Association, Inc., Plymouth Chamber of Commerce, Inc.; urban renewal; science and technology; international trade; and a women's advisory committee.

Members of such committees shall receive no compensation for their services, but may be reimbursed for their expenses. Such committees shall receive assistance from appropriate bureaus of the department as designated by the commissioner. Each committee shall annually, on or before the first of November, make a report to the commissioner and the governor, and may make such special reports as it or the commissioner may deem desirable.

Section 7. The commissioner shall prepare and submit to the governor and the general court an annual report which shall contain the description of organization of the department, and such other matters as he deems appropriate. He shall also include in such annual report such information as may be required by the commissioner of administration. He shall from time to time submit such other reports as the commissioner of administration may require.

The commissioner shall make, and from time to time revise, regulations for the conduct of the business of the department, and such other regulations as may be required by law.

Section 8. The department may accept gifts or grants of money or property from any source, which shall be held for the use of the department by the state treasurer as custodian.

Section 9. The commissioner shall appoint and may remove all employees in the department. 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 the laws and regulations pertaining to the employment of consultants, employ such consultants as he may deem necessary.

In addition to deputy commissioners and directors of bureaus, the commissioner may appoint and remove, with the approval of the governor, an executive assistant, a chief counsel, an expert on international trade, and an expert on science and technology to serve in the office of the commissioner, and such other officers, experts and assistants as he may deem necessary to carry out the work of the department; provided, however, that the total number of appointments to be made by the commissioner under this paragraph shall not exceed nine. Any person holding appointment under this paragraph shall not 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 all positions in the department not classified under chapter thirty-one shall be made by promoting employees of the commonwealth, and in every instance, upon termination of his service in such unclassified position, each employee promoted from a position classified under chapter thirty-one shall be restored to the position from which he was promoted, or if he had been promoted in accordance with chapter thirty-one during his promotion to any such unclassified position, to the position to which he was so promoted. In every instance of any employee promoted from a position in which at the time of his promotion to such unclassified position he had 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. In cases of restoration to a position subject to said chapter thirty-one or to a position in which he had tenure 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 each person so appointed from a position in the classified civil service 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 10. The commissioner may certify, and may designate officers and employees of the department to certify, to the existence of any fact which may be a condition to the validity of any bond or note of any housing authority as defined in section twenty-six J of chapter one hundred and twenty-one or of the guaranty of the commonwealth on any such bond or note, and may certify, and may designate officers and employees of the department to certify, that instruments and documents

are true copies of instruments and documents on file with the department. The commissioner shall file with the secretary of the commonwealth a written statement of any such designation and notice of any revocation thereof. Any person dealing with any such housing authority or with the department shall be entitled to rely on such certifications as conclusive evidence of the matters therein certified.

SECTION 1A. Section 17 of chapter 6 of the General Laws is hereby amended by striking out the words “, the state housing board” and the words “, Massachusetts commission on atomic energy”.

SECTION 1B. Section sixty-four of said chapter six is hereby repealed, and the caption preceding said section is hereby stricken out.

SECTION 2. Sections eighty-six, eighty-seven, eighty-nine and ninety of said chapter six are hereby repealed.

SECTION 3. Sections fifteen, sixteen and seventeen of chapter sixteen of the General Laws are hereby repealed, and the caption preceding said section fifteen is hereby stricken out.

SECTION 4. Sections twenty-two B, twenty-two C, twenty-two D and twenty-two E of chapter one hundred and twenty-one of the General Laws are hereby repealed, and the caption preceding said section twenty-two B is hereby stricken out.

SECTION 5. Section 23 of said chapter 121, as appearing in section 3 of chapter 475 of the acts of 1935, is hereby amended by striking out, in line 1, the words “state board of housing” and inserting in place thereof the words: — division of housing in the department of commerce and development.

SECTION 6. Section 26J of said chapter 121 is hereby amended by striking out the paragraph defining “Division of urban and industrial renewal” or “division”, inserted by section 2 of chapter 776 of the acts of 1960, and inserting in place thereof the following paragraph: —

“Division of urban and industrial renewal” or “division”, the division of urban renewal in the department of commerce and development.

SECTION 6A. Said section 26J of said chapter 121 is hereby further amended by striking out the paragraph defining “Housing board” or “board”, as amended by section 4 of chapter 260 of the acts of 1948, and inserting in place thereof the following paragraph: —

“Housing board” or “board”, the division of housing in the department of commerce and development.

SECTION 7. Section 26S of said chapter 121 is hereby amended by striking out the second paragraph, as most recently amended by chapter 784 of the acts of 1962, and inserting in place thereof the following paragraph: —

Chapter thirty-one and the rules made thereunder shall not apply to any officer, agent or employee of a housing authority or to any person employed on or in connection with any project of a housing authority; provided, however, that no employee of any housing authority, except an employee occupying the position of executive secretary, who has held his office or position, including any promotion or reallocation therefrom within the authority, for a total period of five years of uninterrupted service shall be involuntarily separated therefrom except subject to and in accordance with the provisions of sections forty-three and forty-five of said chapter thirty-one to the same extent as if said office or position were classified under said chapter.

SECTION 8. Section 26DDD of said chapter 121, as appearing in sec-

tion 8 of chapter 776 of the acts of 1960, is hereby amended by adding the following sentence: — The division of urban and industrial renewal referred to in this section and in sections twenty-six EEE to twenty-six HHH, inclusive, shall be the division of urban renewal in the department of commerce and development.

SECTION 9. Section 1 of chapter 121A of the General Laws is hereby amended by striking out the paragraph defining "Housing board" or "board", as appearing in section 1 of chapter 652 of the acts of 1960, and inserting in place thereof the following paragraph: —

"Housing board" or "board", the division of housing in the department of commerce and development established under chapter twenty-three A.

SECTION 9A. The office of commissioner of commerce is hereby abolished. All powers and duties exercised by the department of commerce, as existing on the effective date of this section, are hereby transferred to the department of commerce and development, created by section one of chapter twenty-three A of the General Laws, as appearing in section one of this act.

SECTION 10. The state housing board is hereby abolished. The powers and duties formerly exercised by said board are hereby transferred to the department of commerce and development established under the provisions of chapter twenty-three A of the General Laws, inserted by section one of this act.

SECTION 11. The Massachusetts commission on atomic energy is hereby abolished. The powers and duties formerly exercised by said commission on atomic energy are hereby transferred to the department of commerce and development established under the provisions of chapter twenty-three A of the General Laws, inserted by section one of this act.

SECTION 12. The mass transportation commission is hereby abolished. The powers and duties formerly exercised by said commission, in respect to the Boston regional planning project, are hereby transferred to the department of commerce and development established under the provisions of chapter twenty-three A of the General Laws, inserted by section one of this act.

SECTION 13. The office of the director of the division of urban and industrial renewal is hereby abolished. The powers and duties formerly exercised by the division of urban and industrial renewal are transferred to the department of commerce and development established under the provisions of chapter twenty-three A of the General Laws, inserted by section one of this act.

SECTION 14. The incumbents of the positions having the titles of director of vacation travel, the women's division, the division of research, the division of planning and the division of development, and of special representative, New York office, in the department of commerce immediately prior to the effective date of this section are hereby transferred to the positions having the titles of director, respectively, of the bureau of vacation travel, bureau for women, bureau of research and statistics, bureau of planning assistance, bureau of commercial and industrial development and New York bureau in the department of commerce and development without impairment of seniority, retirement and other rights and without reduction in compensation or salary grade.

SECTION 15. Upon the effective date of this section all permanent and temporary positions in any board, agency, division, bureau, section or other administrative unit under the department of commerce, the state housing board, the division of urban and industrial renewal, the mass transportation commission, and the Massachusetts commission on atomic energy existing immediately prior to the said date, except the chairman and members of the state housing board, the director of urban and industrial renewal, the chairman and members of the mass transportation commission, and the co-ordinator and members of the Massachusetts commission on atomic energy, shall be transferred to the department of commerce and development established under the provisions of chapter twenty-three A of the General Laws, inserted by section one of this act, and any such position not then classified under chapter thirty-one of the General Laws, except the positions of director of the women's division and the divisions of research, planning, development and vacation travel and any position exempt by section nine of chapter twenty-three A of the General Laws, as inserted by section one of this act, shall be so classified; provided, however, that in connection with such classification the title and specifications, but not the salary grade, of any position to be classified may be changed.

SECTION 16. Upon the effective date of this section any employee of any board, agency, division, bureau, section or other administrative unit under the department of commerce, the state housing board, the division of urban and industrial renewal, the mass transportation commission, or the Massachusetts commission on atomic energy, who immediately prior to said date had tenure under section nine A of chapter thirty or section twenty-six S of chapter one hundred and twenty-one of the General Laws in any permanent position which, pursuant to section fifteen, shall be transferred to the department of commerce and development established under the provisions of chapter twenty-three A of the General Laws, inserted by section one of this act, and shall be classified under chapter thirty-one of the General Laws, shall, without being subjected to a qualifying examination by the division of civil service or being required to serve a probationary period, be deemed to be permanently appointed to such position and shall have unlimited tenure of office therein, subject to the provisions of said chapter thirty-one and the civil service rules made thereunder, without impairment of seniority or retirement rights; provided, however, that in connection with such appointment the title and duties, but not the salary grade, of such positions may be changed.

SECTION 17. Upon the effective date of this section the status of any employee of any board, agency, division, bureau, section or other administrative unit under the department of commerce, the state housing board, the division of urban and industrial renewal, the mass transportation commission, and the Massachusetts commission on atomic energy, who immediately prior thereto did not have tenure under section nine A of chapter thirty or section twenty-six S of chapter one hundred and twenty-one of the General Laws in any position allocated to job groups seventeen or below in the salary schedules set forth in sections forty-six or forty-six B of chapter thirty of the General Laws which, pursuant to section fifteen of this act, shall be transferred to the department of commerce and development established under the provisions of chapter twenty-three A of the General Laws, inserted by section one of

this act, and shall be classified under chapter thirty-one of the General Laws, shall be determined in accordance with the provisions of section forty-seven A of chapter thirty-one of the General Laws; and there shall be no impairment of seniority or retirement rights of any such employee; provided, however, that notwithstanding the provisions of section forty-seven A of chapter thirty-one of the General Laws, any incumbent of any such position on the effective date of this act, either on a permanent or temporary basis, shall be subject to a qualifying examination prescribed by the director of civil service and, if such incumbent passes, shall be certified for permanent appointment, and, any such incumbent who has been employed for less than two years shall be subject to serving a probationary period, and provided, however, that in connection with the determination of such status the title and duties, but not the salary grade, of such position may be changed.

SECTION 18. Upon the effective date of this section all officers or employees of any board, agency, division, bureau, section or other administrative unit under the department of commerce, the state housing board, the division of urban and industrial renewal, the mass transportation commission, and the Massachusetts commission on atomic energy who immediately prior thereto did not have tenure under section nine A of chapter thirty or section twenty-six S of chapter one hundred and twenty-one of the General Laws in a position allocated to job groups eighteen or above in the salary schedules set forth in sections forty-six and forty-six B of chapter thirty of the General Laws which, pursuant to section fifteen of this act, shall be transferred to the department of commerce and development established under the provisions of chapter twenty-three A of the General Laws, inserted by section one of this act, and shall be classified under chapter thirty-one of the General Laws, are hereby transferred to the service of said department without impairment of seniority or retirement rights, and without reduction in compensation or salary grade; provided, however, that nothing in this section shall be construed to confer upon any officer or employee any rights not held prior to such transfer or to prohibit any subsequent reduction in compensation or salary grade if such were not prohibited prior to the transfer; and provided, further, however, that upon the occurrence of any vacancy in any position held by an officer or employee subject to this section, any appointment to fill such vacancy shall be made in accordance with chapter thirty-one of the General Laws and the rules and regulations made thereunder.

If section nine A of chapter thirty or section twenty-six S of chapter one hundred and twenty-one was applicable to the position of any such officer or employee immediately prior to the effective date of this section, said sections shall continue to be applicable to such officers and employees, and the transfer of such officers and employees hereunder shall not be deemed to be an interruption of service within the meaning of said sections.

SECTION 19. Upon the effective date of this section any employee of any board, agency, division, bureau, section or other administrative unit under the department of commerce, the state housing board, the division of urban and industrial renewal, the mass transportation commission, or the Massachusetts commission on atomic energy, who immediately prior to said date held a permanent position classified under chapter thirty-one of the General Laws, is hereby transferred to the

service of the department of commerce and development established under the provisions of chapter twenty-three A of the General Laws, inserted by section one of this act, and in connection with such transfer the title and duties, but not the salary grade, of such position may be changed; provided, however, that there shall be no impairment of his seniority or retirement rights.

SECTION 20. All references in any general or special law, or in any judicial proceeding, to the department of commerce, state housing board, division of urban and industrial renewal, mass transportation commission, or Massachusetts commission on atomic energy, or to any officer or administrative unit thereof shall after the effective date of this section be taken to refer to the department of commerce and development or to the commissioner thereof.

SECTION 21. All books, papers, records, documents, plans and property in the custody of the department of commerce, the state housing board, the division of urban and industrial renewal and the mass transportation commission, and the Massachusetts commission on atomic energy, immediately prior to the effective date of this section shall be transferred to the custody and control of the department of commerce and development.

All petitions, hearings, actions at law or in equity, or other proceedings pending immediately prior to the effective date of this section before any court of law or any administrative tribunal shall continue unabated and as if the department of commerce, state housing board, the division of urban and industrial renewal, the mass transportation commission and the Massachusetts commission on atomic energy had not been abolished; and the authority and power of the department of commerce and development shall be in all respects the same as that of the department of commerce, the state housing board, the division of urban and industrial renewal, the mass transportation commission and the Massachusetts commission on atomic energy immediately prior to the effective date of this section.

All orders, rules and regulations duly promulgated by the department of commerce, the state housing board, the division of urban and industrial renewal, the mass transportation commission and the Massachusetts commission on atomic energy prior to the effective date of this section and in effect immediately prior to said date shall remain in full force and effect until superseded, revised or rescinded in accordance with law.

All contracts, obligations and rights of the department of commerce, the state housing board, the division of urban and industrial renewal, the mass transportation commission and the Massachusetts commission on atomic energy duly in effect immediately prior to the effective date of this section shall continue in full force and effect and are hereby transferred to the department of commerce and development.

All unexpended balances of moneys heretofore appropriated for the department of commerce, the state housing board, the division of urban and industrial renewal, the mass transportation commission and the Massachusetts commission on atomic energy shall be immediately available for expenditures by the department of commerce and development.

SECTION 22. The department of commerce and development shall succeed to, and shall exercise and perform, all of the rights, powers,

duties and obligations of the state board of housing and the state housing board under the provisions of chapters three hundred and seventy-two and five hundred and sixty-eight of the acts of nineteen hundred and forty-six and amendments thereof.

SECTION 23. Section one of this act shall take effect as soon as it has the force of law conformably to the constitution; and sections one A to twenty-two, inclusive, of this act shall take effect upon the appointment and qualification of the commissioner of commerce and development pursuant to section one of chapter twenty-three A of the General Laws, as appearing in section one of this act. *Approved July 1, 1964.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, August 6, 1964.

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 636 of the Acts of 1964 entitled "An Act Abolishing the Department of Commerce, the State Housing Board, the Massachusetts Commission on Atomic Energy, the Mass Transportation Commission and the Division of Urban and Industrial Renewal, and Establishing a Department of Commerce and Development," and the enactment of which received my approval on July 1, 1964, 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:

It is necessary in order to accomplish the purposes of the Act that immediate steps be taken to promote, develop and expand the economy, the commerce, the industry, the cultural, educational and geographic advantages of the Commonwealth, and to prepare plans for the physical, social and economic development of the Commonwealth, and to encourage and assist communities in the development, renewal and rehabilitation of their physical environment, and to take full advantage of Federal grants available for the purpose of this Act.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, August 6, 1964.

I, Kevin H. White, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at two o'clock and thirty minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter six hundred and thirty-six of the acts of nineteen hundred and sixty-four.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 637. AN ACT AUTHORIZING STATE EMPLOYEES TO JOIN AND TO ACT ON BEHALF OF CERTAIN ORGANIZATIONS REPRESENTING EMPLOYEES OF THE COMMONWEALTH AND TO ENTER INTO CERTAIN AGREEMENTS WITH STATE DEPARTMENTS OR AGENCIES RELATIVE TO WORKING CONDITIONS.

Be it enacted, etc., as follows:

Chapter 149 of the General Laws is hereby amended by inserting after section 178E the following section: —

Section 178F. Employees of the commonwealth shall have the right to form, join and assist any employee organization having as its primary purpose the improvement of working conditions among the employees of the commonwealth; or to refrain from any such activity. Such employees may, except as hereinafter provided, participate in the management of such organization and may act as a representative of such organization and present the views of the organization to officials of the executive department, to the general court or to any other appropriate agency or authority; provided, however, that no employee of the commonwealth shall participate in the management of such employee organization or act as its representative, if such participation or activity would be incompatible with law or with his official duties as employee, such incompatibility to be determined by the director of personnel and standardization.

The commonwealth, through its department or agency heads acting as agents, shall grant recognition to employee organizations, and such department or agency shall have authority to enter into agreements with such organizations relative to conditions of employment not in conflict with statutes of the commonwealth or rules and regulations made pursuant to statutes.

The director of personnel and standardization, subject to the approval of the commissioner of administration and finance, shall make, and from time to time may amend, rules governing recognition of employee organizations; procedures for determining appropriate employees units, based on community of interest which may include similar working conditions, common supervision and physical location. In establishing procedure for resolving disputes or questions of recognition of employee organizations, the director of personnel shall use the services of the labor relations commission as provided in chapter one hundred and fifty A.

It shall be an unfair labor practice for any employee of the commonwealth, or for the representative of any such employee, or for any other person, to engage in, induce or encourage any strike, work stoppage, slowdown or withholding of services by such employees.

As used in this section the term "employee organization" shall mean any duly formed association or labor organization, federation or council, the membership of which is composed of employees of the commonwealth.

Approved July 1, 1964.

Chap. 638. AN ACT PROVIDING AN ADDITIONAL JUSTICE AND AN ADDITIONAL SPECIAL JUSTICE FOR THE CENTRAL DISTRICT COURT OF WORCESTER.

Be it enacted, etc., as follows:

Section 6 of chapter 218 of the General Laws, as most recently amended by section 1 of chapter 810 of the acts of 1963, is hereby

further amended by striking out the first paragraph, and inserting in place thereof the following paragraph: — Each district court other than the municipal court of the city of Boston shall have one justice, except that the 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 and the central district court of Worcester shall have three justices each. 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.

Approved July 2, 1964.

Chap. 639. AN ACT TO PROVIDE FOR AN ADDITIONAL COURT OFFICER IN THE DISTRICT COURT OF SOMERVILLE.

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 564 of the acts of 1963, 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, in the municipal court of the West Roxbury district, and in the district court of Somerville 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 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 2, 1964.

Chap. 640. 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 speci-

fied 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.

Executive Office for Administration and Finance.

- | Item | | |
|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 8065-93 | For an inventory of furniture and equipment now in the control of each department and agency to be assigned to the new state office building and for a review of the space, new equipment and new furniture requirements of such departments and agencies needed when moved to the new state office building, including the preparation of specifications and estimates of the cost thereof | \$50,000 |

Soldiers' Home in Massachusetts.

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| 8065-01 | For certain improvements to the headquarters' and Quigley memorial hospital cafeterias, kitchens, canteen and auditoriums, and for the construction of storerooms, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8063-01 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two | \$70,000 |
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Soldiers' Home in Holyoke.

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| 8065-02 | For the preparation of plans for an addition to the hospital building, including space for female patients, outpatient facilities and the storage of supplies | \$145,000 |
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Massachusetts Aeronautics Commission.

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| 8065-03 | For the reimbursement to cities and towns for the state's share of airport construction, as provided in sections thirty-nine F and fifty-one K of chapter ninety of the General Laws, to be available for matching federal funds for the fiscal year nineteen hundred and sixty-five and succeeding years, to be in addition to the amount appropriated in item 8064-02 of section two of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three; provided that this item shall not be subject to section thirty A of chapter seven of the General Laws | \$300,000 |
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Department of Education.

Massachusetts Maritime Academy.

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| 8065-04 | For the construction of a building to include science and engineering laboratories, classrooms, library and administration and accounting offices, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8063-03 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two | \$350,000 |
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State College at Bridgewater.

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| 8065-05 | For the acquisition of land, or land with buildings thereon, for the further development of the college, by purchase or by eminent domain under chapter seventy-nine of the General Laws; provided that no payment shall be made for the purchase of said property until an independent appraisal of the value of the property has been made by a qualified, disinterested appraiser; and for the preparation of plans for physical education facilities | \$100,000 |
| 8065-86 | For the preparation of plans for a student union building | 170,000 |

State College at Fitchburg.

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| 8065-06 | Item 8063-54 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 the acquisition of land, or land with buildings thereon, by purchase or by eminent domain under chapter seventy-nine of the General Laws; | |
|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|

Item

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 construction of physical education fields and facilities, including the cost of equipment.

- 8065-07 For the construction of a women's dormitory, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8063-05 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two **\$2,181,000**

State College at Lowell.

- 8065-08 For the acquisition of certain land, or land with buildings thereon, for the further development of the college, by purchase or by eminent domain under chapter seventy-nine of the General Laws; provided that no payment shall be made for the purchase of said property until an independent appraisal of the value of the property has been made by a qualified, disinterested appraiser **\$119,000**

State College at North Adams.

- 8063-07 Item 8063-07 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two is hereby amended by inserting after the word "appraiser", in line six, the following: — ; for the demolition of existing buildings.

- 8065-09 For the construction of a women's dormitory, including kitchen and dining facilities, and including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8064-09 of section two of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three **\$1,645,000**

State College at Salem.

- 8065-10 For the construction of a student-union building, including a cafeteria, and including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8064-12 of section two of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three **\$1,769,000**

- 8065-11 For the acquisition of certain land, or land with buildings thereon, in the city of Salem consisting of four parcels on the westerly side of Lafayette street, 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 **125,000**

- 8064-11 Item 8064-11 of section two of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three is hereby amended by striking out the word "new" and inserting in place thereof the words: — addition to the.

State College at Westfield.

- 8065-12 For the preparation of plans for an elementary training school on the state college campus **\$60,000**

- 8065-13 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; to be in addition to the amount appropriated in item 8064-15 of section two of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three **50,000**

State College at Worcester.

- 8065-14 For the preparation of plans for a library building **\$131,000**

State College at Boston.

- 8065-15 For the construction of a physical education center, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8064-16 of section two of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three **\$2,170,000**

Lowell Technological Institute of Massachusetts.

Item		
8065-16	For the acquisition of certain land from the Lowell redevelopment authority, with the approval of the trustees	\$145,000
8065-17	For the acquisition of certain land, or land with buildings thereon, in the city of Lowell on the southerly side of the Merrimack river adjoining land of the Lowell redevelopment authority, 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	15,000
8065-18	For the preparation of plans for an addition to the alumni memorial library building	58,000
8065-19	For the construction of athletic playing fields, including the cost of equipment, to be in addition to the amount appropriated in item 8064-20 of section two of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three	390,000
8065-20	For the construction of a maintenance, storage and garage building, including the cost of equipment	210,000
8065-21	For the preparation of plans for certain building renovations and the moving of machinery and fixtures for additional classroom space, to be in addition to the amount appropriated in item 8063-56 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two	125,000
8065-22	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 8064-19 of section two of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three	160,000

Southeastern Massachusetts Technological Institute.

The following items are for the construction of projects at the institute, and it is further provided that funds may be allocated, by the commissioner of administration upon the recommendation of the director of the bureau of building construction, from the funds previously appropriated under item 8261-03 of section two of chapter seven hundred and seventy-four of the acts of nineteen hundred and sixty and item 8064-21 of section two of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three for plans for each of the following items:

8065-23	For the construction of a science and engineering building, including the cost of furnishings and equipment, to be in addition to any federal funds available for the purpose	\$5,366,000
8065-24	For the construction of the general lecture hall cluster and administration group, including the cost of furnishings and equipment, to be in addition to any federal funds available for the purpose	3,550,000
8065-25	For the construction of the science lecture hall cluster, to be in addition to any federal funds available for the purpose	534,000
8065-26	For the construction of the textile technology building, including the cost of furnishings and equipment, to be in addition to any federal funds available for the purpose	1,200,000
8065-27	For the preparation of plans for the further development of the institute, to be in addition to the amount appropriated in item 8064-21 of section two of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three	300,000

University of Massachusetts.

8065-28	For the preparation of plans for roads, sidewalks, parking areas, including necessary drainage, curbing, street lighting, and adjacent landscaping in accordance with the master plan and the construction of the first phase thereof, to be in addition to the amount appropriated in item 8363-08 of chapter six hundred and forty-nine of the acts of nineteen hundred and sixty-two	\$1,000,000
8065-29	For the construction of a classroom, laboratory and office building for the college of arts and sciences, including the cost of furnishings, equipment and site development, to be expended in connection with any federal funds available for the purpose and to be in addition to the amount appropriated in item 8064-28 of section two of chapter six hundred and	

Item		
	forty-eight of the acts of nineteen hundred and sixty-three; and including the preparation of plans for the further development of facilities for the college of arts and sciences	\$3,138,000
8065-30	For the preparation of plans for research facilities, classrooms and laboratories for the graduate school, to be in addition to the amount appropriated in item 8064-29 of section two of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three	272,000
8065-31	For the construction of a central storage building, including the renovation of the existing building and including the cost of furnishings, equipment and site development, to be in addition to the amount appropriated in item 8064-27 of section two of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three	1,600,000
8065-32	For the construction of additional athletic facilities, including the demolition of existing structures, site development and utility services, to be in addition to the amount appropriated in item 8262-14 of section two of chapter five hundred and forty-four of the acts of nineteen hundred and sixty-one	1,022,000
8065-33	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 8364-26 of section two of chapter five hundred and twenty-two of the acts of nineteen hundred and sixty-three; and for the preparation of plans for the renovation of additional older classroom, laboratory and office buildings	730,000
8065-34	For certain improvements and additions to the power plant and utility distribution systems, including the cost of purchase and installation of equipment and a survey and plans for the future power plant and utility service needs of the university, to be expended with any federal funds available for the purpose and to be in addition to the amount appropriated in item 8064-25 of section two of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three	1,667,000
8065-35	For the procurement and installation of academic and operational equipment, including television equipment for the school of education, and a computer; to be expended with any federal or other funds which may be available for this purpose	1,000,000
<i>Massachusetts Board of Regional Community Colleges.</i>		
8065-36	For the acquisition of land, or land with buildings thereon, for the development of a new campus for the Massachusetts Bay Community College, by purchase or by eminent domain under chapter seventy-nine of the General Laws; provided that no payment shall be made for the purchase of said property until an independent appraisal of the value of the property has been made by a qualified, disinterested appraiser; and for the preparation of plans for phase one of the new campus; to be in addition to the amounts appropriated in items 8064-34 and 8064-35 of section two of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three	\$1,000,000
8065-37	For the preparation of plans for the relocation of the Northern Essex Community College	228,000
8065-38	For the acquisition of land, or land with buildings thereon, for the Cape Cod Community College 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 plans for the relocation of the college, to be in addition to the amount appropriated in item 8064-55 of section two of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three	100,000
8065-39	For the renovation of certain buildings for the purpose of providing permanent facilities for the Holyoke Community College, including the cost of furnishings and equipment, to be in addition to any amount available for the purpose in item 8064-32 of section two of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three	400,000
8065-40	For establishing a regional community college on the north shore, as authorized by chapter six hundred and five of the acts of nineteen hundred and fifty-eight, including the preparation of educational plans	

Item		
	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	\$400,000
8065-41	For the development of a master plan for a system of regional community colleges throughout the commonwealth, and for the preparation of preliminary plans for a community college to be located in southeastern Massachusetts	100,000

*Division of Youth Service.**Industrial School for Boys.*

8065-42	For the preparation of plans for a security building, including educational and recreational facilities and administrative offices	\$125,000
8065-43	For certain plumbing repairs and improvements, to be in addition to the amount appropriated in item 8363-16 of section two of chapter six hundred and forty-nine of the acts of nineteen hundred and sixty-two	200,000

Industrial School for Girls.

8064-36	Item 8064-36 of section two of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three is hereby amended by adding at the end thereof the following: — ; and including the demolition of an existing building and improvements to utility services.	
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Reception and Detention Facilities for Boys, Boston.

8065-45	For the preparation of plans for a treatment unit, including educational and recreational facilities and administrative offices	\$100,000
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Residential Treatment Unit, Oakdale.

8065-46	For the construction of a treatment center, including an administration building and an all-purpose building, including the cost of furnishings and equipment and including the demolition of an existing building, to be in addition to the amount appropriated in item 8064-37 of section two of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three	\$1,000,000
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Department of Mental Health.

8465-08	For the preparation of preliminary plans for a central community evaluation rehabilitation center for the mentally retarded	\$25,000
8065-47	For the preparation of plans for a mental health center in Quincy	75,000
8065-87	For the preparation of plans for a mental health center, East Newton Street, Boston, to be in addition to the amount appropriated in item 8064-59 of section two of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three	155,000

Boston State Hospital.

8065-48	For certain repairs to exterior walls of the medical and surgical building, to be in addition to the amount appropriated in item 8260-70 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine, as amended	\$739,000
8065-49	For the preparation of plans for a regional laundry	50,000

Danvers State Hospital.

8065-50	For the construction of a new laundry building, including the cost of equipment, to be in addition to the amount appropriated in item 8063-27 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two	\$250,000
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Gardner State Hospital.

8065-51	For the renovation of plumbing and other related improvements	\$125,000
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Grafton State Hospital.

8065-52	For certain improvements to the power plant	\$225,000
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Medfield State Hospital.

Item		
8065-53	For certain renovations to the heating systems in buildings D1, D2, D3 and D4	\$180,000
8065-54	For the construction of a shop building and a service building, including certain renovations of the existing service building, the cost of furnishings and equipment, and demolition of certain existing buildings, to be in addition to the amount appropriated in item 8063-29 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two	1,580,000

Northampton State Hospital.

8065-55	For the construction of a garage and maintenance building, including the cost of furnishings and equipment	\$115,000
8065-56	For the construction of a ward building, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8063-30 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two	2,200,000

Taunton State Hospital.

8065-57	For the preparation of plans for construction and improvements at the dairy group, Borden Colony	\$25,000
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Westborough State Hospital.

8065-58	For the preparation of plans for a male geriatrics building	\$160,000
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Belchertown State School.

8065-59	For the construction of an addition to the administration building, including administrative offices and clinical offices, and a community evaluation-rehabilitation center, including the cost of furnishings and equipment	\$378,000
8065-60	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 8064-43 of section two of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three	108,000
8065-61	For certain improvements to the sewage disposal facilities, to be in addition to the amount appropriated in item 8063-34 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two	230,000
8065-95	For the renovation of plumbing and heating facilities	200,000

Walter E. Fernald State School.

8065-62	For the construction of an addition to the administration building, including administrative offices and clinical offices, and other related facilities and including the cost of furnishings and equipment	\$378,000
8065-97	For the construction of a clinical and research laboratory, including the cost of furnishings and equipment	400,000
8065-98	For certain renovations to the Girls' Home	190,000
8065-99	For the construction of an infirmary building, including the cost of furnishings and equipment	1,375,000
8465-01	For the construction of a community evaluation-rehabilitation center, including the cost of furnishings and equipment	400,000
8465-02	For certain improvements to the power plant	308,000
8465-03	For certain building and plumbing renovations	380,000

Wrentham State School.

8065-63	For the construction of a dormitory building with supporting services, including the cost of furnishings and equipment	\$1,055,000
8065-64	For the construction of an addition to the administration building, including administrative offices and clinical offices, and a community evaluation-rehabilitation center, including the cost of furnishings and equipment	388,000

Item		
8065-89	For certain plumbing and heating renovations to be in addition to the amount appropriated in item 8463-03 of section two of chapter six hundred and forty-nine of the acts of nineteen hundred and sixty-two	\$191,000
8465-04	For certain improvements to the sewage disposal system	250,000
8465-11	For the construction of a swimming pool as an addition to the school building	360,000

Paul A. Dever State School.

8065-65	For the construction of a hospital and clinic building, including the cost of furnishings and equipment	\$1,390,000
8465-06	For the construction of outdoor recreation areas	40,000
8465-07	For the construction of a community evaluation-rehabilitation center, including the cost of furnishings and equipment	470,000

Department of Correction.

Correctional Institution at Bridgewater.

8065-66	For certain additional improvements to the power plant, to be in addition to the amount appropriated in item 8261-17 of section two of chapter seven hundred and seventy-four of the acts of nineteen hundred and sixty	\$247,000
8065-67	For the installation of two elevators and related improvements in the infirmary building, to be in addition to the amount appropriated in item 8063-60 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two	102,000

Correctional Institution at Walpole.

8065-68	For waterproofing certain exterior walls, to be in addition to the amount appropriated in item 8463-20 of section two of chapter six hundred and forty-nine of the acts of nineteen hundred and sixty-two	\$175,000
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Correctional Institution at Concord.

8065-69	For the construction of stage II 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 III of the replacement program; to be in addition to the amount appropriated in item 8064-45 of section two of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three	\$3,500,000
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Correctional Institution at Norfolk.

8065-70	For certain improvements to the water supply system, including the cost of equipment, to be in addition to the amount appropriated in item 8063-38 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two	\$72,000
8463-32	Item 8463-32 of section two of chapter six hundred and forty-nine 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 preparation of plans for a power plant.	
8065-90	For the preparation of plans for a power plant and utility distribution system to be in addition to the amount appropriated in item 8463-32 of section two of chapter six hundred and forty-nine of the acts of nineteen hundred and sixty-two	35,000

Correctional Institution Camps.

8065-71	For certain repairs and improvements at the Warwick camp, including utility services	\$141,000
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Department of Public Health.

8065-91	For the acquisition of land, or land with buildings thereon, in the county of Worcester, for the establishment of an institution for the care of the chronically ill, 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	\$100,000
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Institute of Laboratories.

Item		
8065-72	For the preparation of plans for a new laboratory and the construction of a new central heating plant and utility distribution system, to be in addition to the amount available in item 8063-39 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two	\$1,150,000

Tewksbury Hospital.

8065-73	For certain plumbing repairs and improvements	\$50,000
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Lakeville Hospital.

8065-74	For the construction of a parking area, including the demolition of certain buildings	\$52,500
8065-75	For the preparation of plans for a nurses' home	85,000
8065-76	For the construction of a sewage pumping station, including related facilities	75,000

Western Massachusetts Hospital.

8065-77	For the construction of an addition to the hospital, including a cancer research center and including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8063-68 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two	\$2,180,000
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Massachusetts Hospital School.

8065-78	For the preparation of plans for an addition to the schoolhouse	\$40,000
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Pondville Hospital.

8065-85	For the preparation of plans for an addition to the hospital, including cancer research laboratories, to be in addition to the amount appropriated by item 8063-63 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two	\$175,000
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Department of Public Works.

Division of Waterways.

8065-79	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, to be in addition to the amount appropriated in item 8064-50 of section two of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three	\$50,000
8065-80	For projects for the dredging of rivers and harbors for the removal of unanticipated shoaling in harbors, channels and rivers previously dredged at public expense, as authorized by section eleven of chapter ninety-one of the General Laws; provided that except for surveys and the preparation of preliminary plans for work undertaken under this item, all expenditures shall be upon condition that at least twenty-five per cent of the cost is covered by contributions from municipalities or other organizations or individuals	300,000
8065-84	For the dredging of the Neponset river for a distance of fifteen hundred feet from Dorchester Lower Mills; provided, said work to be done pursuant to the provisions of section eleven of chapter ninety-one of the General Laws; provided, further, that the department shall require that twenty-five per cent of the cost of this project shall be covered by contributions from municipalities or other organizations or individuals as a reimbursement of the commonwealth's expenditure	97,000
8065-92	For the third phase of flood control of Kings brook in the town of Shrewsbury, to be in addition to the amount appropriated in item 8063-50 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two	160,000
8465-09	For the commonwealth's share for improvements to Spicket river in the city of Lawrence, as authorized by section eleven of chapter ninety-one of the General Laws; provided that the city of Lawrence shall contribute an equal amount to the cost of the project	8,000

Item		
8465-10	For the commonwealth's share of a project, as authorized by section eleven of chapter ninety-one of the General Laws, to enlarge and enclose Mill brook in the town of Arlington; provided that the town of Arlington shall contribute an equal amount to the cost of the project	\$125,000

Executive Office for Administration and Finance.

Bureau of Building Construction.

8065-81	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	\$2,300,000
8065-82	For the preparation of preliminary plans and descriptive specifications, as authorized by section thirty H of chapter seven of the General Laws	250,000
8065-83	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	297,500

SECTION 3. 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. 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" 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 4. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary for the purpose of meeting payments as authorized by section two of this act, and may issue and renew from time to time notes of the commonwealth therefor, bearing interest payable at such times and at such rates as shall be fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, but the final maturities of such notes, whether

original or renewal, shall not be later than June thirtieth, nineteen hundred and seventy. Notwithstanding any provisions of this act, such notes shall be general obligations of the commonwealth.

SECTION 5. To meet the expenditure necessary in carrying out the provisions of section two of this act or to refinance notes issued as provided in section four of this act, the state treasurer shall, upon request of the governor and council, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor and council from time to time, but not exceeding in the aggregate, the sum of sixty-one million, six hundred and thirty-two thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face Capital Outlay Loan, Act of 1964, 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 ninety.

SECTION 6. This act shall take effect on July first, nineteen hundred and sixty-four.

Approved July 2, 1964.

Chap. 641. AN ACT ESTABLISHING A BOARD OF ECONOMIC ADVISORS.

Be it enacted, etc., as follows:

Chapter 7 of the General Laws is hereby amended by adding after section 36, added by chapter 610 of the acts of 1964, the following section: —

Section 37. There shall be in the executive office for administration and finance, but not subject to its control and supervision, a board of economic advisors, consisting of three members, who shall be experts in the field of economics, and who shall be appointed by the governor and serve at his pleasure. The governor shall from time to time designate one member to serve as chairman. The chairman shall receive a salary of fifty-five hundred dollars, and each of the other members a salary of five thousand dollars.

Said board shall investigate and study the economic position of the commonwealth and the factors affecting it, such as the industrial structure, the labor force, the number of unemployed, the population and its age and geographic distribution, shifts in the defense program, technological and scientific developments, financial problems of the state and municipalities, and the sensitivity of the state economy to domestic and foreign developments.

The board shall make an annual report to the governor and the general court on the state of the economy of the commonwealth, shall from time to time render reports to the governor on such problems as he may present to it, and shall consult and advise with the commissioner at his request.

The board may employ such technical and other employees as it deems necessary. The chairman, with the approval of the governor, shall appoint and remove such technical and other employees, who shall not be subject to the provisions of section nine A of chapter thirty or chapter thirty-one.

The board shall be provided with suitable quarters by the executive office for administration and finance and the commissioner shall designate an officer or employee of the executive office for administration and finance to serve as secretary to the board.

Approved July 2, 1964.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, July 10, 1964.

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 641 of the Acts of 1964 entitled "An Act Establishing a Board of Economic Advisors." and the enactment of which received my approval on July 2, 1964 should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act would tend to defeat its purpose as this board should be established without delay in order to provide expert economic advice to the executive department, with special reference to federal-state economic relations and the availability of federal funds.

Sincerely,

ENDICOTT PEABODY,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, July 10, 1964.

I, Kevin H. White, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at nine o'clock and forty-five minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter six hundred and forty-one of the acts of nineteen hundred and sixty-four.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 642. AN ACT RELATIVE TO THE SALARIES OF CERTAIN JUSTICES AND SPECIAL JUSTICES OF CERTAIN DISTRICT COURTS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of sections twenty-two and twenty-three of chapter eight hundred and ten of the acts of nineteen hundred and sixty-three, any justice or special justice of any district court, other than the municipal court of the city of Boston, who was appointed to said office between December thirteenth, nine-

teen hundred and sixty-three and the effective date of this act, both dates inclusive, shall receive the salary or compensation provided by sections six, seventy-seven A and seventy-eight of chapter two hundred and eighteen of the General Laws, said salary or compensation to be effective as of the date of his appointment.

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

Approved July 2, 1964.

Chap. 643. AN ACT RELATING TO THE WATER RESOURCES OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Section 9 of chapter 21 of the General Laws, as appearing in section 3 of chapter 620 of the acts of 1956, is hereby amended by inserting after the first paragraph the following paragraph: —

Upon application of a county, conservation district or upon joint application by two or more municipalities, fire districts or water districts, or regional district planning commissions, the commission may contract with any agency of the United States or with private firms to conduct water favorability studies within the jurisdictions indicated in such applications; provided that upon approval of such applications, the applicants shall deposit with the commission a sum equal to one-half of the non-federal cost; and provided, further, that the commission is authorized to accept said deposits and disburse such funds in carrying out the purposes of this paragraph without further appropriation and may expend therefor such sums as may be appropriated for the commonwealth's share of such cost. Any member of the commission or any employee or agent of said commission may, at any reasonable time, enter upon any premises while engaged in the performance of any duties required under this paragraph. The commission may negotiate with any property owner such terms, agreements or contracts as may be necessary or convenient in carrying out the duties required by this paragraph.

SECTION 2. Section 5 of chapter 40 of the General Laws is hereby amended by adding after clause (57), added by section 2 of chapter 581 of the acts of 1964, the following clause: —

(58) For the payment to the commonwealth of the town's share of the cost of conducting water favorability studies by or under the direction of the water resources commission, as authorized by section nine of chapter twenty-one.

SECTION 3. Chapter 40B of the General Laws is hereby amended by inserting after section 5 the following section: —

Section 5A. Such commission may enter into an agreement with the water resources commission for the purpose of conducting water favorability studies under the direction of the water resources commission, as authorized by section nine of chapter twenty-one. The district's share of the cost of such studies shall be assessed against the constituent cities and towns in accordance with the provisions of section seven of this chapter.

SECTION 4. Chapter 41 of the General Laws is hereby amended by adding after section 123, added by chapter 3 of the acts of 1964, the following section: —

Section 124. Fire and water districts, whether established by general law or special law, may appropriate money for the payment to the commonwealth of the district's share of the cost of conducting water favorability studies under the direction of the water resources commission, as authorized by section nine of chapter twenty-one.

Approved July 2, 1964.

Chap. 644. AN ACT INCREASING THE MINIMUM FAIR WAGE RATES.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 151 of the General Laws is hereby amended by striking out the second sentence, as most recently amended by section 4 of chapter 134 of the acts of 1962, and inserting in place thereof the following sentence: — A wage of less than one dollar and thirty cents per hour in any occupation, as defined in this chapter, shall be conclusively presumed to be oppressive and unreasonable, wherever the term "minimum wage" is used in this chapter, unless the commission has expressly approved or shall expressly approve the establishment and payment of a lesser wage under the provisions of sections seven, eight and nine.

SECTION 2. Section 7 of said chapter 151 is hereby amended by striking out the second paragraph, as most recently amended by section 2 of chapter 586 of the acts of 1963, and inserting in place thereof the following paragraph: —

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

SECTION 3. Section 19 of said chapter 151 is hereby amended by striking out paragraph (2), as most recently amended by chapter 341 of the acts of 1962, and inserting in place thereof the following paragraph: —

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

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

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

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

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

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

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

SECTION 9. Sections one, two, three and seven of this act shall take effect on September fifth, nineteen hundred and sixty-five, except as otherwise provided in section eleven of this act.

SECTION 10. Sections four, five, six and eight of this act shall take effect on September fifth, nineteen hundred and sixty-six, except as otherwise provided in section eleven of this act.

SECTION 11. The provisions of chapter one hundred and fifty-one of the General Laws, as amended by sections one, two, three and seven of this act, shall take effect with respect to employees engaged in manufacturing occupations in the commonwealth, whether engaged in the production of goods for interstate or intrastate commerce, when the minimum wage rates under the federal Fair Labor Standards Act of 1938, as amended, for employees engaged in commerce or in the production of goods for commerce under that act are equal to or higher than those provided under said chapter one hundred and fifty-one, as so amended.

The provisions of chapter one hundred and fifty-one of the General Laws, as amended by sections four, five, six and eight of this act, shall take effect with respect to employees engaged in manufacturing occu-

pations in the commonwealth, whether engaged in the production of goods for interstate or intrastate commerce, when the minimum wage rates under the federal Fair Labor Standards Act of 1938, as amended, for employees engaged in commerce or in the production of goods for commerce under that act are equal to or higher than those provided under said chapter one hundred and fifty-one, as so amended.

Approved July 2, 1964.

Chap. 645. AN ACT RELATIVE TO THE POWER OF THE HEARING EXAMINER IN THE DEPARTMENT OF PUBLIC WORKS TO SUMMON WITNESSES AND TAKE TESTIMONY UNDER OATH.

Be it enacted, etc., as follows:

The fourth paragraph of section 5 of chapter 16 of the General Laws, as appearing in section 1 of chapter 821 of the acts of 1963, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — Said examiner shall at the request of the contractor or of the department or on his own motion summon witnesses and require the production of books and records and take testimony under oath.

Approved July 2, 1964.

Chap. 646. AN ACT RELATIVE TO THE USE OF THE UNION PASSENGER STATION IN THE CITY OF WORCESTER.

Be it enacted, etc., as follows:

Section 3 of chapter 508 of the acts of 1902, as amended by section 1 of chapter 422 of the acts of 1905, is hereby further amended by striking out paragraph 2 and inserting in place thereof the following paragraph: —

2. Said station may be used by each railroad entering the city of Worcester, provided that the railroad corporation owning or operating such railroad pays to the Boston and Albany Railroad Company, its lessee, successors or assigns, a reasonable rent for the use thereof, which, if not agreed upon by the parties, shall be determined, and may be revised and altered from time to time at intervals of not less than three years, by the department of public utilities upon a petition presented to said department by such railroad corporation; and provided, further, that such railroad corporation agrees not to curtail or stop railroad service on the Worcester-New London line for a period of at least two years.

Approved July 2, 1964.

Chap. 647. AN ACT DESIGNATING THE ATHLETIC PLANT IN THE CLEVELAND CIRCLE SECTION OF THE BRIGHTON DISTRICT OF THE CITY OF BOSTON AS THE JOHN A. RYDER MEMORIAL ATHLETIC PLANT.

Be it enacted, etc., as follows:

The athletic plant to be constructed by the metropolitan district commission in the Cleveland Circle section of the Brighton district of the city of Boston shall, upon its completion, be known and designated as the John A. Ryder Memorial Athletic Plant, in memory of John A. Ryder, an outstanding track coach. A suitable marker bearing said designation shall be attached thereto by said commission.

Approved July 2, 1964.

Chap. 648. AN ACT AUTHORIZING THE CHIEF PROBATION OFFICER OF THE MUNICIPAL COURT OF THE SOUTH BOSTON DISTRICT TO ADJUST HIS BOOKS ON ACCOUNT OF MONEY STOLEN FROM HIS OFFICE.

Be it enacted, etc., as follows:

The chief probation officer of the municipal court of the South Boston district is hereby authorized to adjust his accounts by deducting from his cash book receipts of money due the county of Suffolk the sum of six hundred and fifty-six dollars and eight cents, which sum was the amount stolen in a burglary on May twelfth, nineteen hundred and sixty-four.

Approved July 2, 1964.

Chap. 649. AN ACT TO EXTEND THE LIFE OF THE GOVERNMENT CENTER COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 635 of the acts of 1960 is hereby amended by inserting after the word "each.", in line 6, the following sentence: — Upon the expiration of the term of each member his successor shall be appointed, in like manner, for a term of five years or until the dissolution of the commission, whichever shall first occur.

SECTION 2. Said chapter 635 is hereby amended by striking out section 13 and inserting in place thereof the following section: — *Section 13.* On September first, nineteen hundred and seventy or upon the completion of its duties, whichever shall first occur, this act shall become inoperative and the commission shall be dissolved.

Approved July 2, 1964.

Chap. 650. AN ACT ESTABLISHING AN ADVISORY COMMITTEE ON DISADVANTAGED CHILDREN AND AUTHORIZING THE DEPARTMENT OF EDUCATION TO PRESCRIBE SPECIAL PROGRAMS FOR SAID CHILDREN IN ELEMENTARY AND SECONDARY SCHOOLS AND TO ASSIST CITIES, TOWNS AND REGIONAL SCHOOL DISTRICTS IN ESTABLISHING SAID PROGRAMS.

Be it enacted, etc., as follows:

SECTION 1. To encourage special programs to identify children in the elementary and secondary schools who are not adequately developed by the general educational programs afforded by the public schools of the commonwealth because of home and community environmental conditions, the department of education, hereafter referred to as the department, with the advice of the advisory commission for disadvantaged children, created in section six, is hereby authorized to prescribe special programs for disadvantaged children.

Subject to appropriation, the department is authorized to reimburse, on a matching basis, cities, towns, and regional school districts for the cost of such special programs as it shall approve.

SECTION 2. The school committee of any city, town or regional school district seeking to obtain state aid for the purposes specified in section one shall submit plans therefore in accordance with regulations to be

established by the department, which plans shall include personnel to be employed, supervisory procedures, evaluation process and total estimated costs.

SECTION 3. Said plans may include, but shall not be limited to, the following types of services: — (a) intensified guidance and counseling of such minors in close co-operation with the home; (b) specialized pre-school instruction; (c) remedial assistance in reading, arithmetic and other subjects; (d) experimental reading materials based on the environmental experiences of the underprivileged; (e) broadening of cultural opportunities; (f) closer working relationships with community and non-school agencies which may render assistance; (g) scholarships for human relations workshops which provide opportunities for children and youth of different backgrounds to share common work and study experiences; (h) provision for special facilities for studying beyond regular school hours in such locations as school buildings, libraries, housing projects and neighborhood centers; (i) employment of research personnel to evaluate methods and materials particularly designed to help culturally underprivileged children and youth; (j) offering of special institutes, workshops, and courses to improve teacher awareness of environmental factors affecting the underprivileged.

SECTION 4. The commonwealth, and each city, town or regional school district participating in the special programs described in section one is hereby authorized to accept and disburse federal funds, grants or gifts from charitable foundations, private individuals, and corporations available, for carrying out the purposes of this act.

SECTION 5. The department, acting singly, or in concert with participating cities, towns or regional school districts, may contract with public or private colleges, universities and other agencies for the purpose of engaging in research or experimentation consistent with the purposes of this act, and may expend monies appropriated by the general court or otherwise obtained under the terms of this act to these ends.

SECTION 6. To assist in carrying out the purposes of this act there shall be in the department an advisory commission for disadvantaged children, consisting of the commissioner of education who shall be chairman, the commissioner of public welfare or his designee, the director of the division of youth service or his designee, the chairman of the Massachusetts committee on children and youth or his designee, and four persons to be appointed by the governor.

SECTION 7. The advisory commission for disadvantaged children shall make a comprehensive study of the experiences of the various programs financed under this act and shall report to the general court the results of its study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate on or before June thirtieth, nineteen hundred and sixty-seven.

For the purpose of such study said commission shall be provided with quarters by the department, may travel within and without the commonwealth, may hold hearings, may expend for expert, clerical and other services and assistance such sums as may be allocated to them for this purpose by the department.

SECTION 8. This act shall become inoperative on June thirtieth, nineteen hundred and sixty-seven.

Approved July 2, 1964.

Chap. 651. AN ACT AUTHORIZING THE DEPARTMENT OF EDUCATION TO PRESCRIBE SPECIAL PROGRAMS FOR ACADEMICALLY TALENTED CHILDREN IN ELEMENTARY AND SECONDARY SCHOOLS, AND TO ASSIST CITIES, TOWNS AND REGIONAL SCHOOL DISTRICTS IN ESTABLISHING SAID PROGRAMS.

Be it enacted, etc., as follows:

SECTION 1. To encourage special programs to identify children in the elementary and secondary schools who are academically talented and to educate these children to the maximum of their capacity, the department of education, hereinafter referred to as the department, with the assistance and approval of the advisory commission on academically talented pupils, is directed to establish procedures to identify and select children who are academically talented and to prescribe special programs for academically talented children.

Subject to appropriation, the department is authorized to reimburse, on a matching basis, cities and towns and regional school districts for the cost of such special programs as it shall approve.

SECTION 2. The school committee of any city, town or regional school district seeking to obtain state aid for the purposes specified in section one shall submit plans therefor in accordance with regulations to be established by the department, which plans shall include personnel to be employed, supervisory procedures, evaluation process and total estimated costs.

SECTION 3. The commonwealth, and each city, town and regional school district participating in the programs described in section one is hereby authorized to accept and disburse federal funds, grants or gifts from charitable foundations, private individuals, and corporations available, for carrying out the purposes of this act.

SECTION 4. The department, acting singly, or in concert with participating cities, towns or regional school districts, may contract with public or private colleges, universities and other agencies for the purpose of engaging in research or experimentation consistent with the purposes of this act and may expend monies appropriated by the general court or otherwise obtained under the terms of this act to these ends.

SECTION 5. The advisory commission on academically talented pupils shall make a comprehensive study of the experiences of the various programs financed under this act and shall report to the general court the results of its study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate on or before June thirtieth, nineteen hundred and sixty-seven.

For the purpose of such study said commission shall be provided with quarters by the department, may travel within and without the commonwealth, may hold hearings, and may expend for expert, clerical and other services and assistance such sums as may be allocated to them for this purpose by the department.

SECTION 6. This act shall become inoperative on June thirtieth, nineteen hundred and sixty-seven.

Approved July 2, 1964.

Chap. 652. AN ACT PROVIDING THAT CERTAIN LICENSES FOR THE PURPOSE OF PLACING AND MAINTAINING FILL AND OTHER STRUCTURES OVER CERTAIN TIDEWATERS IN THE EAST BOSTON 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, all licenses and authority to fill or to construct or to reconstruct pile or other structures within so much of the area in the East Boston district of the city of Boston, bounded and described as follows:—

Northeasterly on Sumner Street, three hundred and fifty (350) feet;

Southeasterly on Lewis Street, one thousand fifty-five (1055) feet;

Southwesterly on land of the City of Boston, twenty-four (24) feet;

Southeasterly on the same land, fifty (50) feet;

Southwesterly again on the same land, three and one half (3½) feet;

Southeasterly again on the same land, one hundred and thirty-five (135) feet;

Southwesterly again on the same land, thirteen (13) feet;

Southeasterly again on the same land, fifty-four (54) feet to the Harbor Line;

Southwesterly again on the Harbor Line, six hundred (600) feet;

Northwesterly on land now or late of Edward Steinbrugge, seven hundred and eight (708) feet;

Northeasterly on land of Merchants Wool Scouring Co. by a line parallel with and distant about two hundred and sixty-five (265) feet southwesterly from Sumner street, one hundred and ninety-five (195) feet; and

Northwesterly on the last mentioned land and land now or late of J. Shore & Co., Inc. two hundred and sixty-five (265) feet;

shall hereafter be deemed to be irrevocable, and any license hereafter issued by the department of public works or any successor authority to fill or construct pile or other structures or to maintain existing fill or pile structures within said area, shall, upon compliance with the following conditions, be deemed to be irrevocable:

1. Application therefor, pursuant to the provisions of section fourteen of chapter ninety-one of the General Laws;

2. Recording thereof with accompanying plan within one year after the date thereof in the registry of deeds for Suffolk county, pursuant to the provisions of section eighteen of said chapter;

3. Payment to the treasurer of the commonwealth by the licensee of such compensation as may be recommended by the department of public works hereinafter called the department, or any successor agency under chapter ninety-one of the General Laws, and determined by the governor and council to be properly due to the commonwealth for the commonwealth tidelands or interest in tidelands, after an appraisal of the commonwealth tidelands or interests in tidelands so taken by a real estate expert employed by the department at the expense of the licensee;

4. The amount of tidewater displaced or to be displaced by any structure below highwater mark or by any filling of flats, shall be ascertained by the department which shall require the licensee to pay to the commonwealth before the license shall become effective such amount, if any, as shall be assessed by the department with respect to such displacement, in accordance with the provisions of chapter ninety-one of the

General Laws, and each such license granted by the department shall contain a recitation that such assessment has been made and payment received;

5. Performance of any work authorized by any such license in accordance with plans submitted to and approved by said department, pursuant to the provisions of section twenty of said chapter;

6. Completion of said authorized work within five years after the date of any such license, or of any extension or extensions thereof, pursuant to the provisions of section fifteen of said chapter; and

7. The actual building or making in good faith of valuable structures, fillings or enclosures under the authority of any such license and during the term thereof, or of any extension or extensions thereof, pursuant to the provisions of section fifteen of said chapter.

Approved July 2, 1964.

Chap. 653. AN ACT PROVIDING THAT RECORDS SHALL BE KEPT BY HOSPITALS, DISPENSARIES OR CLINICS, AND SANATORIA SUPPORTED BY THE COMMONWEALTH AND THAT SUCH RECORDS SHALL BE ADMISSIBLE IN EVIDENCE.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by striking out section 70, as most recently amended by chapter 23 of the acts of 1963, and inserting in place thereof the following section: — *Section 70.* Hospitals, dispensaries or clinics, and sanatoria licensed by the department of public health or supported in whole or in part by the commonwealth shall keep records of the treatment of the cases under their care and the medical history of the same. Such records may be made in handwriting, or in print, or by typewriting, or by the photographic or microphotographic process, or any combination of the same. Whenever pre-existing records shall have been photographed or microphotographed and the photographs or microphotographs shall have been duly indexed and filed, such hospital, dispensary or clinic, or sanatorium, upon notifying in writing the supervisor of public records referred to in chapter sixty-six, may destroy the original records so photographed or microphotographed, and such photographs or microphotographs shall have the same force or effect as the original records from which they were made. Such records shall be in the custody of such hospital, dispensary or clinic, or sanatorium. Section ten of chapter sixty-six shall not apply to such records; provided that such records and similar records kept by such hospital, dispensary or clinic, or sanatorium, except a hospital or clinic under the control of the department of mental health, may be inspected by the patient to whom they relate or by his attorney upon delivery of a written authorization from the said patient, and a copy shall be furnished upon his request and a payment of a reasonable fee; and provided, further, that upon proper judicial order, whether in connection with pending judicial proceedings or otherwise, or, except in the case of records of hospitals under the control of the department of mental health, upon order of the head of the state department which issues the license or of the head of the state department having jurisdiction or control of such hospital, dispensary or clinic, or sanatorium and in compliance with the terms of said order, such records may be

inspected and copies furnished on payment of a reasonable fee. 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 July 2, 1964.

Chap. 654. AN ACT INCREASING THE SALARY OF THE CLERK OF THE DISTRICT COURT OF MARLBOROUGH.

Be it enacted, etc., as follows:

Paragraph (1) of section 79 of chapter 218 of the General Laws, as appearing in chapter 725 of the acts of 1962, is hereby amended in *Class II* by striking out line 5, reading "district court of Marlborough," and in *Class III* by inserting after line 7 the following line: —

district court of Marlborough,.

Approved July 2, 1964.

Chap. 655. AN ACT AUTHORIZING THE CLERK OF THE MUNICIPAL COURT OF THE SOUTH BOSTON DISTRICT TO ADJUST HIS BOOKS ON ACCOUNT OF MONEY STOLEN FROM HIS OFFICE.

Be it enacted, etc., as follows:

The clerk of the municipal court of the South Boston district is hereby authorized to adjust his accounts by deducting from his cash book receipts of money due the county of Suffolk the sum of five hundred and twenty-six dollars and twenty-one cents, which sum was the amount stolen in a burglary during the night of April thirteenth, nineteen hundred and sixty-four.

Approved July 2, 1964.

Chap. 656. AN ACT PROVIDING FOR THE SPEEDY TRIAL OF A MISDEMEANOR BY A JURY OF SIX IN THE DISTRICT COURT OF NORTHERN NORFOLK.

Be it enacted, etc., as follows:

SECTION 1. Any defendant, in any district court of Norfolk county, found guilty of a violation of a by-law, order, ordinance, rule or regulation made by a city or town or public officer or of any other misdemeanor, except libel, may appeal and claim a jury of six in the district court of northern Norfolk. Such claim of appeal shall be in writing and shall constitute a waiver of any claim of appeal to a trial by a jury in the superior court or other disposition in said superior court.

Any defendant found guilty in any district court of Norfolk county of a violation of any of the offenses set forth in the first paragraph who has appealed to the superior court may, at any time before trial on such appeal, claim a trial by a jury of six in the district court of northern Norfolk. Such claim shall be in writing and shall constitute a waiver of any right to a trial by a jury in the superior court or other disposition in said superior court. When a claim for a trial by a jury of six in the district court of northern Norfolk has been made under the provisions of this paragraph, the clerk of the superior court shall forthwith forward to the clerk of said district court of northern Norfolk all the papers in the case which have been filed in the superior court.

The justice presiding at such session over a jury of six in said district court of northern Norfolk shall have and exercise all the powers and duties which a justice of the superior court has and may exercise in the trial and disposition of such cases.

No justice so sitting shall act in a case in which he has either sat or held an inquest in the district court or otherwise has taken part in any proceeding therein.

Trials by such juries of six in said district court of northern Norfolk shall be held in the courthouse of said court, or if not practicable there, then in the courthouse of the superior court in the town of Dedham, and shall proceed in accordance with the provisions of law applicable to trials by jury in the superior court, except that the number of peremptory challenges shall be limited to two to each defendant. The commonwealth shall be entitled to as many such challenges as equal the whole number to which all of the defendants in the case are entitled. Jurors shall be drawn from the pool of jurors available for the jury sessions in either civil or criminal sessions in the superior court for Norfolk county. The district attorney for the Norfolk district shall appear for the commonwealth in all cases. The chief justice of the district courts shall arrange for the jury sessions of the district court of northern Norfolk and shall assign justices and special justices thereto, to the end that speedy trials may be provided for such appeals. In the event of a trial by a jury of six in said district court, review may be had directly by the supreme judicial court, by a bill of exceptions, appeal, report or otherwise in the same manner provided for trials by jury in the superior court. The defendant may elect to waive a jury of six in the manner provided by section six of chapter two hundred and sixty-three of the General Laws, but such waiver shall not revive any right to a trial by jury or other disposition in the superior court which had been waived under the provisions of the first or second paragraphs.

The justice presiding at such session over a jury of six shall, upon the request of the defendant, appoint a stenographer, who shall be sworn, and who shall take stenographic notes of all the testimony given at the trial, and shall provide the parties thereto with a transcript of his notes or any part thereof taken at the trial or hearing for which he shall be paid by the party requesting it at the rate fixed by the chief justice of the district courts; provided, however, that such rate shall not exceed the rate provided by section eighty-eight of chapter two hundred and twenty-one of the General Laws. Said chief justice may make regulations not inconsistent with law relative to the assignments, duties and service of stenographers appointed for any district court, and any other matter relative to such stenographers. The compensation and expenses of said stenographer shall be paid by the county.

SECTION 2. The provisions of this act shall take effect on September first, nineteen hundred and sixty-four and shall become inoperative on July first, nineteen hundred and sixty-six. *Approved July 2, 1964.*

Chap. 657. AN ACT PROVIDING FOR THE SPEEDY TRIAL OF A MISDEMEANOR BY A JURY OF SIX IN THE DISTRICT COURT OF SPRINGFIELD.

Be it enacted, etc., as follows:

SECTION 1. Any defendant, in any district court of Hampden county, found guilty of a violation of a by-law, order, ordinance, rule or regulation made by a city or town or public officer or of any other misdemeanor, except libel, may appeal and claim a jury of six in the district court of Springfield. Such claim of appeal shall be in writing and shall constitute a waiver of any claim of appeal to a trial by a jury in the superior court or other disposition in said superior court.

Any defendant found guilty in any district court of Hampden county of a violation of any of the offenses set forth in the first paragraph who has appealed to the superior court may, at any time before trial on such appeal, claim a trial by a jury of six in the district court of Springfield. Such claim shall be in writing and shall constitute a waiver of any right to a trial by a jury in the superior court or other disposition in said superior court. When a claim for a trial by a jury of six in the district court of Springfield has been made under the provisions of this paragraph, the clerk of the superior court shall forthwith forward to the clerk of said district court of Springfield all the papers in the case which have been filed in the superior court.

The justice presiding at such session over a jury of six in said district court of Springfield shall have and exercise all the powers and duties which a justice of the superior court has and may exercise in the trial and disposition of such cases.

No justice so sitting shall act in a case in which he has either sat or held an inquest in the district court or otherwise has taken part in any proceeding therein.

Trials by such juries of six in said district court of Springfield shall be held in the courthouse of said court, or if not practicable there, then in the courthouse of the superior court in the city of Springfield, and shall proceed in accordance with the provisions of law applicable to trials by jury in the superior court, except that the number of peremptory challenges shall be limited to two to each defendant. The commonwealth shall be entitled to as many such challenges as equal the whole number to which all of the defendants in the case are entitled. Jurors shall be drawn from the pool of jurors available for the jury sessions in either civil or criminal sessions in the superior court for Hampden county. The district attorney for the western district shall appear for the commonwealth in all cases. The chief justice of the district courts shall arrange for the jury sessions of the district court of Springfield and shall assign justices and special justices thereto, to the end that speedy trials may be provided for such appeals. In the event of a trial by a jury of six in such district court, review may be had directly by the supreme judicial court, by a bill of exceptions, appeal, report or otherwise in the same manner provided for trials by jury in the superior court. The defendant may elect to waive a jury of six in the manner provided by section six of chapter two hundred and sixty-three of the General Laws, but such waiver shall not revive any right to a trial by jury or other disposition in the superior court which had been waived under the provisions of the first or second paragraphs.

The justice presiding at such session over a jury of six shall, upon the request of the defendant, appoint a stenographer, who shall be sworn, and who shall take stenographic notes of all the testimony given at the trial, and shall provide the parties thereto with a transcript of his notes or any part thereof taken at the trial or hearing for which he shall be paid by the party requesting it at the rate fixed by the chief justice of the district courts; provided, however, that such rate shall not exceed the rate provided by section eighty-eight of chapter two hundred and twenty-one of the General Laws. Said chief justice may make regulations not inconsistent with law relative to the assignments, duties and service of stenographers appointed for any district court, and any other matter relative to such stenographers. The compensation and expenses of said stenographer shall be paid by the county.

SECTION 2. The provisions of this act shall take effect on September first, nineteen hundred and sixty-four and shall become inoperative on July first, nineteen hundred and sixty-six. *Approved July 2, 1964.*

Chap. 658. AN ACT PROVIDING FOR THE SPEEDY TRIAL OF A MISDEMEANOR BY A JURY OF SIX IN THE SECOND DISTRICT COURT OF BRISTOL OR THE THIRD DISTRICT COURT OF BRISTOL.

Be it enacted, etc., as follows:

SECTION 1. Any defendant, in any district court of Bristol county, found guilty of a violation of a by-law, order, ordinance, rule or regulation made by a city or town or public officer or of any other misdemeanor, except libel, may appeal and claim a jury of six in the second or third district court of Bristol. Such claim of appeal shall be in writing and shall constitute a waiver of any claim of appeal to a trial by a jury in the superior court or other disposition in said superior court.

Any defendant found guilty in any district court of Bristol county of a violation of any of the offenses set forth in the first paragraph of this section who has appealed to the superior court may, at any time before trial on such appeal, claim a trial by a jury of six in the second or third district court of Bristol and by so doing in writing shall be deemed to have waived any right to a trial by a jury in the superior court or other disposition in said superior court. When a claim for a trial by a jury of six in the second or third district court of Bristol has been made under the provisions of this paragraph, the clerk of the superior court shall forthwith forward to the clerk of said second or third district court of Bristol all the papers in the case which have been filed in the superior court.

The justice presiding at such session over a jury of six in said second or third district court of Bristol shall have and exercise all the powers and duties which a justice of the superior court has and may exercise in the trial and disposition of such cases.

No justice so sitting shall act in a case in which he has either sat or held an inquest in the district court or otherwise has taken part in any proceeding therein.

Trials by such juries of six in said second or third district court of Bristol shall be held in the respective courthouse of said courts, or if not practicable there, then in the courthouses of the superior court in

the city of Fall River in appeals referred to said second district court or in the courthouse of the superior court in the city of New Bedford in appeals referred to said third district court; and shall proceed in accordance with the provisions of law applicable to trials by jury in the superior court, except that the number of peremptory challenges shall be limited to two to each defendant, and the commonwealth shall be entitled to as many such challenges as equal the whole number to which all of the defendants in the case are entitled. Jurors shall be drawn from the pool of jurors available for the jury sessions in either civil or criminal sessions in the superior court for Bristol county. The district attorney for the southern district shall appear for the commonwealth in all cases. The chief justice of the district courts shall arrange for the jury sessions of the second and third district courts of Bristol and shall assign justices and special justices thereto, to the end that speedy trials may be provided for such appeals. In the event of a trial by a jury of six in either of such district courts, review may be had directly by the supreme judicial court, by a bill of exceptions, appeal, report or otherwise in the same manner provided for trials by jury in the superior court. The defendant may elect to waive a jury of six in the manner provided by section six of chapter two hundred and sixty-three of the General Laws.

The justice presiding at such session over a jury of six shall, upon the request of the defendant, appoint a stenographer, who shall be sworn, and who shall take stenographic notes of all the testimony given at the trial, and shall provide the parties thereto with a transcript of his notes or any part thereof taken at the trial or hearing for which he shall be paid by the party requesting it at the rate fixed by the chief justice of the district courts; provided, however, that such rate shall not exceed the rate provided by section eighty-eight of chapter two hundred and twenty-one of the General Laws. Said chief justice may make regulations not inconsistent with law relative to the assignments, duties and service of stenographers appointed for any district court, and any other matter relative to such stenographers. The compensation and expenses of said stenographer shall be paid by the county.

SECTION 2. The provisions of this act shall take effect on September first, nineteen hundred and sixty-four and shall become inoperative on July first, nineteen hundred and sixty-six. *Approved July 2, 1964.*

Chap. 659. AN ACT PROVIDING FOR THE SPEEDY TRIAL OF A MISDEMEANOR BY A JURY OF SIX IN THE DISTRICT COURT OF CENTRAL BERKSHIRE.

Be it enacted, etc., as follows:

SECTION 1. Any defendant, in any district court of Berkshire county, found guilty of a violation of a by-law, order, ordinance, rule or regulation made by a city or town or public officer or of any other misdemeanor, except libel, may appeal and claim a jury of six in the district court of central Berkshire. Such claim of appeal shall be in writing and shall constitute a waiver of any claim of appeal to a trial by a jury in the superior court or other disposition in said superior court.

Any defendant found guilty in any district court of Berkshire county of a violation of any of the offenses set forth in the first paragraph who has appealed to the superior court may, at any time before trial on such appeal, claim a trial by a jury of six in the district court of central

Berkshire. Such claim shall be in writing and shall constitute a waiver of any right to a trial by a jury in the superior court or other disposition in said superior court. When a claim for a trial by a jury of six in the district court of central Berkshire has been made under the provisions of this paragraph, the clerk of the superior court shall forthwith forward to the clerk of said district court of central Berkshire all the papers in the case which have been filed in the superior court.

The justice presiding at such session over a jury of six in said district court of central Berkshire shall have and exercise all the powers and duties which a justice of the superior court has and may exercise in the trial and disposition of such cases.

No justice so sitting shall act in a case in which he has either sat or held an inquest in the district court or otherwise has taken part in any proceeding therein.

Trials by such juries of six in said district court of central Berkshire shall be held in the courthouse located in Pittsfield, either in the courtroom of the district court or of the superior court, and shall proceed in accordance with the provisions of law applicable to trials by jury in the superior court, except that the number of peremptory challenges shall be limited to two to each defendant. The commonwealth shall be entitled to as many such challenges as equal the whole number to which all of the defendants in the case are entitled. Jurors shall be drawn from the pool of jurors available for the jury sessions in either civil or criminal sessions in the superior court for Berkshire county. The district attorney for the western district shall appear for the commonwealth in all cases. The chief justice of the district courts shall arrange for the jury sessions of the district court of central Berkshire and shall assign justices and special justices thereto, to the end that speedy trials may be provided for such appeals. In the event of a trial by a jury of six in said district court, review may be had directly by the supreme judicial court, by a bill of exceptions, appeal, report or otherwise in the same manner provided for trials by jury in the superior court. The defendant may elect to waive a jury of six in the manner provided by section six of chapter two hundred and sixty-three of the General Laws, but such waiver shall not revive any right to a trial by jury or other disposition in the superior court which had been waived under the provisions of the first or second paragraphs.

The justice presiding at such session over a jury of six shall, upon the request of the defendant, appoint a stenographer, who shall be sworn, and who shall take stenographic notes of all the testimony given at the trial, and shall provide the parties thereto with a transcript of his notes or any part thereof taken at the trial or hearing for which he shall be paid by the party requesting it at the rate fixed by the chief justice of the district courts; provided, however, that such rate shall not exceed the rate provided by section eighty-eight of chapter two hundred and twenty-one of the General Laws. Said chief justice may make regulations not inconsistent with law relative to the assignments, duties and service of stenographers appointed for any district court, and any other matter relative to such stenographers. The compensation and expenses of said stenographer shall be paid by the county.

SECTION 2. The provisions of this act shall take effect on September first, nineteen hundred and sixty-four and shall become inoperative on July first, nineteen hundred and sixty-six. *Approved July 2, 1964.*

Chap. 660. AN ACT PROVIDING FOR THE SPEEDY TRIAL OF A MISDEMEANOR BY A JURY OF SIX IN THE DISTRICT COURT OF BROCKTON.

Be it enacted, etc., as follows:

SECTION 1. Any defendant, in any district court of Plymouth county, found guilty of a violation of a by-law, order, ordinance, rule or regulation made by a city or town or public officer or of any other misdemeanor, except libel, may appeal and claim a jury of six in the district court of Brockton. Such claim of appeal shall be in writing and shall constitute a waiver of any claim of appeal to a trial by a jury in the superior court or other disposition in said superior court.

Any defendant found guilty in any district court of Plymouth county of a violation of any of the offenses set forth in the first paragraph who has appealed to the superior court may, at any time before trial on such appeal, claim a trial by a jury of six in the district court of Brockton. Such claim shall be in writing and shall constitute a waiver of any right to a trial by a jury in the superior court or other disposition in said superior court. When a claim for a trial by a jury of six in the district court of Brockton has been made under the provisions of this paragraph, the clerk of the superior court shall forthwith forward to the clerk of said district court of Brockton all the papers in the case which have been filed in the superior court.

The justice presiding at such session over a jury of six in said district court of Brockton shall have and exercise all the powers and duties which a justice of the superior court has and may exercise in the trial and disposition of such cases.

No justice so sitting shall act in a case in which he has either sat or held an inquest in the district court or otherwise has taken part in any proceeding therein.

Trials by such juries of six in said district court of Brockton shall be held in the courthouse for said court, or if not practicable there, then in the courthouse of the superior court in the city of Brockton, and shall proceed in accordance with the provisions of law applicable to trials by jury in the superior court, except that the number of peremptory challenges shall be limited to two to each defendant. The commonwealth shall be entitled to as many such challenges as equal the whole number to which all of the defendants in the case are entitled. Jurors shall be drawn from the pool of jurors available for the jury sessions in either civil or criminal sessions in the superior court for Plymouth county. The district attorney for the Plymouth district shall appear for the commonwealth in all cases. The chief justice of the district courts shall arrange for the jury sessions of the district court of Brockton and shall assign justices and special justices thereto, to the end that speedy trials may be provided for such appeals. In the event of a trial by a jury of six in said district court, review may be had directly by the supreme judicial court, by a bill of exceptions, appeal, report or otherwise in the same manner provided for trials by jury in the superior court. The defendant may elect to waive a jury of six in the manner provided by section six of chapter two hundred and sixty-three of the General Laws, but such waiver shall not revive any right to a trial by jury or other disposition in the superior court which had been waived under the provisions of the first or second paragraphs.

The justice presiding at such session over a jury of six shall, upon the request of the defendant, appoint a stenographer, who shall be sworn, and who shall take stenographic notes of all the testimony given at the trial, and shall provide the parties thereto with a transcript of his notes or any part thereof taken at the trial or hearing for which he shall be paid by the party requesting it at the rate fixed by the chief justice of the district courts; provided, however, that such rate shall not exceed the rate provided by section eighty-eight of chapter two hundred and twenty-one of the General Laws. Said chief justice may make regulations not inconsistent with law relative to the assignments, duties and service of stenographers appointed for any district court, and any other matter relative to such stenographers. The compensation and expenses of said stenographer shall be paid by the county.

SECTION 2. The provisions of this act shall take effect on September first, nineteen hundred and sixty-four and shall become inoperative on July first, nineteen hundred and sixty-six. *Approved July 2, 1964.*

Chap. 661. AN ACT PROVIDING FOR THE SPEEDY TRIAL OF A MISDEMEANOR BY A JURY OF SIX IN THE FIRST DISTRICT COURT OF ESSEX.

Be it enacted, etc., as follows:

SECTION 1. Any defendant, in any district court of Essex county, found guilty of a violation of a by-law, order, ordinance, rule or regulation made by a city or town or public officer or of any other misdemeanor, except libel, may appeal and claim a jury of six in the first district court of Essex. Such claim of appeal shall be in writing and shall constitute a waiver of any claim of appeal to a trial by a jury in the superior court or other disposition in said superior court.

Any defendant found guilty in any district court of Essex county of a violation of any of the offenses set forth in the first paragraph who has appealed to the superior court may, at any time before trial on such appeal, claim a trial by a jury of six in the first district court of Essex. Such claim shall be in writing and shall constitute a waiver of any right to a trial by a jury in the superior court or other disposition in said superior court. When a claim for a trial by a jury of six in the first district court of Essex has been made under the provisions of this paragraph, the clerk of the superior court shall forthwith forward to the clerk of said first district court of Essex all the papers in the case which have been filed in the superior court.

The justice presiding at such session over a jury of six in said first district court of Essex shall have and exercise all the powers and duties which a justice of the superior court has and may exercise in the trial and disposition of such cases.

No justice so sitting shall act in a case in which he has either sat or held an inquest in the district court or otherwise has taken part in any proceeding therein.

Trials by such juries of six in said first district court of Essex shall be held in the courthouse for said court, or if not practicable there, then in the courthouse of the superior court in the city of Salem, and shall proceed in accordance with the provisions of law applicable to trials by jury in the superior court, except that the number of peremptory chal-

lenges shall be limited to two to each defendant. The commonwealth shall be entitled to as many such challenges as equal the whole number to which all of the defendants in the case are entitled. Jurors shall be drawn from the pool of jurors available for the jury sessions in either civil or criminal sessions in the superior court for Essex county. The district attorney for the eastern district shall appear for the commonwealth in all cases. The chief justice of the district courts shall arrange for the jury sessions of the first district court of Essex and shall assign justices and special justices thereto, to the end that speedy trials may be provided for such appeals. In the event of a trial by a jury of six in said district court, review may be had directly by the supreme judicial court, by a bill of exceptions, appeal, report or otherwise in the same manner provided for trials by jury in the superior court. The defendant may elect to waive a jury of six in the manner provided by section six of chapter two hundred and sixty-three of the General Laws, but such waiver shall not revive any right to a trial by jury or other disposition in the superior court which had been waived under the provisions of the first or second paragraphs.

The justice presiding at such session over a jury of six shall, upon the request of the defendant, appoint a stenographer, who shall be sworn, and who shall take stenographic notes of all the testimony given at the trial, and shall provide the parties thereto with a transcript of his notes or any part thereof taken at the trial or hearing for which he shall be paid by the party requesting it at the rate fixed by the chief justice of the district courts; provided, however, that such rate shall not exceed the rate provided by section eighty-eight of chapter two hundred and twenty-one of the General Laws. Said chief justice may make regulations not inconsistent with law relative to the assignments, duties and service of stenographers appointed for any district court, and any other matter relative to such stenographers. The compensation and expenses of said stenographer shall be paid by the county.

SECTION 2. The provisions of this act shall take effect on September first, nineteen hundred and sixty-four and shall become inoperative on July first, nineteen hundred and sixty-six. *Approved July 2, 1964.*

Chap. 662. AN ACT MAKING AN AUTOPSY REPORT AND OTHER REPORTS OF A MEDICAL EXAMINER AVAILABLE TO THE DEFENDANT IN A CAPITAL CASE.

Be it enacted, etc., as follows:

Section 7 of chapter 38 of the General Laws is hereby amended by adding the following paragraph: —

In a capital case, after indictment and arraignment, and while the defendant is in custody or subject to the jurisdiction of the court, upon his request, a copy of the report of the view and inquiries and of the record of the autopsy shall be made available to him by the district attorney.

Approved July 2, 1964.

Chap. 663. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS AND 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.

Be it enacted, etc., as follows:

SECTION 1. The Boston Redevelopment Authority, hereinafter called the Authority, may include in the area covered by an urban renewal plan or land assembly and redevelopment plan under chapter one hundred and twenty-one of the General Laws so much of the tidelands as lie within that area in the city of Boston beginning at the intersection of the northeasterly sideline of Northern avenue and the westerly U. S. Pierhead Line of the Fort Point Channel and running northwesterly by the northeasterly sideline of Northern avenue to the westerly sideline of Atlantic avenue; thence turning and running northerly and northwesterly by the westerly sideline of Atlantic avenue and of Commercial street to the southeasterly sideline of Hanover street; thence turning and running northeasterly by the southeasterly sideline of Hanover street to the southwesterly property line of the U. S. Coast Guard Base; thence turning and running southeasterly by the southwesterly property line of the U. S. Coast Guard Base to the southeasterly property line of the U. S. Coast Guard Base; thence turning and running northeasterly by the southeasterly property line of the U. S. Coast Guard Base extended to the U. S. Pierhead Line; thence turning and running southeasterly, southerly and southwesterly by the U. S. Pierhead Line, to the point of beginning.

SECTION 2. On the thirtieth day after the execution under the federal Housing Act of 1949, as amended, of a loan and grant contract for a project covered by an urban renewal or land assembly and redevelopment plan including the area in the city of Boston described in section one and approved by the department of commerce and development established under chapter twenty-three A of the General Laws, all right, title and interest of the commonwealth in and to the tidelands within said area shall vest in the Authority; provided that within said thirty days, the authority files in the registry of deeds for Suffolk county a certificate by the Authority that such contract has been so executed, and gives written notice of such filing to the state department of public works or its successor in function under chapter ninety-one of the General Laws, hereinafter called the department. Such certificate shall include a statement of the provisions of section one and of the preceding sentence of this section. Upon receipt of notice of the filing of such certificate, the department shall engage at the expense of the Authority a real estate expert to appraise the value of the right, title and interest of the commonwealth vesting in the Authority under this section. The department, after consideration of such appraisal, shall recommend to the governor and council an amount which in its opinion constitutes just compensation for the right, title and interest so vesting. The governor and council, after considering such appraisal and such recommendation, shall determine the amount to be paid to the commonwealth therefor.

SECTION 3. From the time the certificate provided for by section two is filed in the registry of deeds for Suffolk county until January

first, nineteen hundred and ~~seventy-one~~, no license to fill or maintain fill or to erect or maintain a structure within the area described in section one shall be granted by the department unless the application therefor is approved in writing by the Authority nor unless the license is subject to such conditions, if any, as the Authority may prescribe in its approval and, if it is a license to build a structure or to do other work in, over or under the waters in said area, subject to the further condition that such license shall expire in five years from its date, except as to valuable structures, fillings or enclosures actually and in good faith built or made under such license during the term thereof. Notwithstanding the provisions of section fifteen of chapter ninety-one of the General Laws, every license granted with the approval of the Authority between the time the certificate provided for by section two is filed as therein provided and January first, nineteen hundred and ~~seventy-one~~, shall be irrevocable. The department may execute and deliver a certificate in form suitable for recording as to the completion of any structure or filling pursuant to any such license issued by it, and the register of deeds for Suffolk county shall accept the same for recording and make a marginal reference thereto upon the record of the appropriate license upon payment of the fee prescribed in chapter two hundred and sixty-two of the General Laws.

SECTION 4. The amount of tidewater displaced or to be displaced by any structure below high water mark or by any filling of flats shall be ascertained by the department which shall require the licensee to pay to the commonwealth before the license shall become effective such amount, if any, as shall be assessed by the department with respect to such displacement, in accordance with the provisions of chapter ninety-one of the General Laws, and each such license granted by the department shall contain a recitation that such assessment has been made and payment received.

SECTION 5. Nothing herein shall affect or impair the powers and responsibilities of the department with respect to tidewaters within any portion of the area covered by such plan which is not subject to a license granted as provided in section three. *Approved July 2, 1964.*

Chap. 664. AN ACT INCREASING THE SALARY OF THE CLERK OF THE SECOND DISTRICT COURT OF BARNSTABLE.

Be it enacted, etc., as follows:

Paragraph (1) of section 79 of chapter 218 of the General Laws is hereby amended in *Class II* by striking out lines 1 and 2, as appearing in chapter 725 of the acts of 1962, and inserting in place thereof the following line: — The district court of Chicopee, — and in *Class III* by striking out line 1, inserted by section 1 of chapter 761 of the acts of 1962, and inserting in place thereof the following two lines: —

The second district court of Barnstable,
first district court of Bristol.,

Approved July 2, 1964.

Chap. 665. 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 three hundred and thirty-seven of the acts of the current year for the fiscal year ending June thirtieth, nineteen hundred and sixty-five, or for such period as may be specified, the sums so appropriated to be in addition to any amounts at present available for the purposes.

SECTION 2.

GENERAL FUND.

STATE PURPOSES APPROPRIATIONS.

Legislature.

Senate.

Item		
0101-07	Item 0101-07 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line two, the word "seven" and inserting in place thereof the word: — eight	\$32,000

Sergeant-at-Arms.

0103-02	Item 0103-02 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line two, the word "seven" and inserting in place thereof the word: — ten	\$23,390
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	37,286
0103-06	For the salaries of clerks employed in the legislative document room, including not more than three permanent positions	2,795
0103-53	For the installation of an electric roll call system, as authorized by chapter five hundred and thirty-six of the acts of the current year, including incidental expenses in connection therewith	70,000

Judiciary.

Supreme Judicial Court.

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	\$38,874
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Superior Court.

0305-14	Item 0305-14 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in lines one and two, the word "forty-eight" and inserting in place thereof the word: — fifty	\$49,880
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Judicial Council.

Item		
0308-01	For the service of the judicial council	\$12,020

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:

<i>Essex:</i>		
0325-04	Clerical assistance to register, including not more than seventeen permanent positions	\$325
<i>Hampden:</i>		
0327-04	Item 0327-04 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line one, the word "fifteen" and inserting in place thereof the word: — sixteen	3,848
<i>Middlesex:</i>		
0329-04	Clerical assistance to register, including not more than forty-four permanent positions	12,000
<i>Norfolk:</i>		
0331-04	Item 0331-04 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line one, the word "fifteen" and inserting in place thereof the word: — seventeen	12,630
<i>Plymouth:</i>		
0332-04	Clerical assistance to register, including not more than eight permanent positions	1,000
<i>Suffolk:</i>		
0333-04	Clerical assistance to register, including not more than fifty permanent positions	12,000

Land Court.

0340-02	For the service of the land court, including not more than forty-five permanent positions	\$1,472
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District Attorneys.

0358-01	Item 0358-01 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line two, the word "four" and inserting in place thereof the word: — five	\$6,500
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Committee on Probation.

0370-01	For the office of the commissioner of probation, including not more than fifty-nine permanent positions	\$2,285
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Executive.*Civil Defense Agency.*

0406-01	Item 0406-01 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line two, the word "five" and inserting in place thereof the word: — nine	\$23,006
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Boards and Commissions serving under Governor and Council.*Executive Office for Administration and Finance.*

1551-22 } 0441-06 }	The unexpended balance remaining in item 1551-22 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby transferred and made available for the purposes of the following item: —	
	0441-06 For expenses of the Washington office established by the commonwealth in co-ordinating state-local dealings with the federal government	\$13,000

Fiscal Affairs Division.

Item		
0441-10	Item 0441-10 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line two, the word "eight" and inserting in place thereof the word: — eleven	\$19,186

Central Services Division.

0441-21	Item 0441-21 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in lines one and two, the word "forty-eight" and inserting in place thereof the word: — fifty-six	\$79,160
0441-22	Item 0441-22 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line three, the word "seventy-two" and inserting in place thereof the word: — seventy-four	20,212

Purchasing Agent's Division.

0444-01	Item 0444-01 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line one, the word "seventy-seven" and inserting in place thereof the word: — seventy-eight	\$7,267
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The Group Insurance Commission.

0448-01	Item 0448-01 of section two of chapter three hundred and thirty-seven 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: — thirty.	
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Rate Setting Board for Convalescent or Nursing Homes and Rest Homes.

0449-01	Item 0449-01 of section two of chapter three hundred and thirty-seven 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: — eleven	\$32,463
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Commissioners on Uniform State Laws.

0457-01	For the expenses of the commissioners	\$800
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George Fingold Library.

0459-01	For the service of the library, including not more than thirty-one permanent positions	\$300
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Art Commission.

0460-01	Item 0460-01 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by adding at the end thereof the following: — ; provided that section twenty of said chapter six shall not apply to objects or areas in use or control of the general court	\$250
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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	\$560
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Commission on Aging.

0465-01	For expenses of the commission, to be in addition to any federal funds available for the purpose	\$3,325
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Consumers' Council.

- Item
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 **\$2,500**

Retirement Law Commission.

- 0478-01 For the expense of the retirement law commission, as authorized by chapter six hundred and twenty-three of the acts of nineteen hundred and fifty-eight, including not more than two permanent positions **\$80,499**

Soldiers' Home in Massachusetts.

- 0481-01 Item 0481-01 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line two, the word "ninety-three" and inserting in place thereof the word: — ninety-four **\$10,353**
65-35 Item 8165-35 of section two of chapter three hundred and ninety-eight of the acts of the current year is hereby amended by adding at the end thereof the following: — , doors, plumbing and related facilities in the Quigley building.

Soldiers' Home in Holyoke.

- 0482-01 Item 0482-01 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line two, the word "twenty-one" and inserting in place thereof the word: — twenty-three **\$11,500**

Massachusetts Aeronautics Commission.

- 0490-02 Item 0490-02 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line one, the word "nine" and inserting in place thereof the word: — ten **\$23,980**

Massachusetts Rehabilitation Commission.

- 0497-01 For the service of the commission, including not more than one permanent position, prior appropriation continued **\$200,000**

Secretary of the Commonwealth.

- 0501-02 Item 0501-02 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line one, the word "eighty-six" and inserting in place thereof the word: — seventy-eight.
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 **\$750**

Treasurer and Receiver-General.

- 0601-02 For the office of the treasurer and receiver-general, including not more than seventy permanent positions; provided that the comptroller shall transfer to the General Fund the sum of two hundred and two thousand seven hundred and seventy dollars from the Highway Fund **\$21,734**

State Board of Retirement.

- 0604-01 For the administrative office of the board, including not more than thirty-seven permanent positions **\$2,000**

Auditor of the Commonwealth.

Item		
0701-02	For the office of the auditor, including not more than sixty-eight permanent positions; provided that any expense incurred in the audit of the books of the Woods Hole, Martha's Vineyard and Nantucket Steamship Authority shall be reimbursed by said authority as provided by law; and, provided further, that the comptroller shall transfer to the General Fund the sum of one hundred and sixty-five thousand six hundred and eighteen dollars from the Highway Fund	\$28,474

Department of the Attorney General.

0801-02	For the office of the attorney general, including not more than forty-five permanent positions	\$51,360
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Department of Agriculture.

0901-11	For expenses of the board of agriculture	\$500
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Division of Markets.

0908-01	For the service of the division, including not more than eleven permanent positions	\$1,000
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State Reclamation Board.

0910-01	For the service of the board, including not more than three permanent positions	\$2,500
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Department of Natural Resources.

1001-02	For the office of the commissioner, including not more than thirty-five permanent positions; 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	\$1,259
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Division of Forests and Parks.

1002-12	Item 1002-12 of section two of chapter three hundred and thirty-seven 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-five and the previous year	\$41,755
1002-21	For the development of forests, including not more than thirty-five permanent positions	341

Division of Law Enforcement.

1003-00	For the service of the division, including not more than seventy permanent positions; provided that the comptroller shall transfer to the General Fund the sum of one hundred and forty-one thousand dollars from the Inland Fisheries and Game Fund, the sum of one hundred and thirty thousand dollars from the Marine Fisheries Fund and the sum of thirty thousand dollars from the State Recreation Areas Fund.	\$34,881
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Department of Banking and Insurance.

Division of Banks.

1101-02	For the office of the commissioner, including not more than two hundred and one permanent positions	\$2,484
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Division of Insurance.

1103-02	Item 1103-02 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line three, the word "eighty-one" and inserting in place thereof the word: — eighty-seven	\$41,604
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Division of Savings Bank Life Insurance.

Item

- 1105-01 Item 1105-01 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line one, the word "twenty-eight" and inserting in place thereof the word: — twenty-nine \$4,277

Department of Corporations and Taxation.

- 1201-02 Item 1201-02 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by adding at the end thereof the following: — ; and, provided further, that notwithstanding any provision of law to the contrary, the comptroller shall approve the payment of one thousand eight hundred and nineteen dollars and seventy cents to a certain person for services rendered; and, provided further, that notwithstanding any contrary provision of law, the incumbent reinstated on requisition numbered A40651, who received a leave of absence from his duties from October fourteenth, nineteen hundred and fifty-seven, to April twelfth, nineteen hundred and sixty-four, in order to serve in elected public office, shall be credited with said period toward salary, seniority and other rights; for the year nineteen hundred and sixty-five and the previous year \$48,515
- 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 and forty dollars from the Highway Fund and one hundred and eighty thousand dollars from the receipts of the corporation tax 3,000
- 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 153,770

Division of Accounts.

- 1203-01 For the service of the division, including not more than one hundred and thirty-two permanent positions, partly chargeable to item 1203-11 \$4,100

Appellate Tax Board.

- 1204-01 Item 1204-01 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line one, the word "twenty-nine" and inserting in place thereof the word: — thirty \$7,350

Department of Education.

- 1301-02 Item 1301-02 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line one, the word "eighty" and inserting in place thereof the word: — eighty-seven \$57,560
- 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 68,000
- 1301-15 For expenses of the advisory board of higher education policy, including not more than two permanent positions 425

School Lunch and Commodity Distribution Program.

- 1305-01 Item 1305-01 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in

Item

line three, the words "fifty thousand dollars" and inserting in place thereof the following: — twenty-five thousand dollars as of the effective date of this act and twenty-five thousand dollars as of January first, nineteen hundred and sixty-five **\$3,183**

Division of University Extension.

- 1313-01 Item 1313-01 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line one, the word "fifty-seven" and inserting in place thereof the word: — fifty-eight **\$4,748**

Division of Public Libraries.

- 1316-01 Item 1316-01 of section two of chapter three hundred and thirty-seven 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 **\$28,050**

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:

- 1331-01 Item 1331-01 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line two, the word "thirty-seven" and inserting in place thereof the word: — forty **\$16,263**
1336-01 Item 1336-01 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line one, the word "ninety" and inserting in place thereof the word: — ninety-one **4,000**

Lowell Technological Institute of Massachusetts.

- 1345-01 Item 1345-01 of section two of chapter three hundred and thirty-seven 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: — thirty-six **\$74,602**

Southeastern Massachusetts Technological Institute.

- 1340-01 } The unexpended balances remaining in items 1340-01 and 1342-01 of
1342-01 } section two of chapter three hundred and thirty-seven of the acts of
1347-01 } the current year are hereby transferred and made available for the purposes of the following item: —

- 1347-01 Item 1347-01 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following: —

For the maintenance of the institute, with the approval of the trustees, as authorized by chapter seventy-five B of the General Laws and by chapter four hundred and ninety-five of the acts of the current year, including not more than one hundred and fifty-nine permanent positions; provided that the 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 **\$211,253**

- 1340-10 } The unexpended balances remaining in items 1340-10 and 1342-10 of
1342-10 } section two of chapter three hundred and thirty-seven of the acts of
1347-10 } the current year are hereby transferred and made available for the purposes of the following item: —

- 1347-10 For scholarships, as authorized by section forty-six C of chapter seventy-four of the General Laws, with the approval of the trustees.

University of Massachusetts.

Item		
1350-01	Item 1350-01 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line two, the word "two" and inserting in place thereof the word: — three	\$190,000
1350-38	For the employment of a dean and ancillary personnel to formulate and establish the educational program of the University of Massachusetts medical school, for consulting services to be used in selection of a site for said medical school, and for necessary supplies, furnishings and equipment, prior appropriation continued	100,000

Massachusetts Board of Regional Community Colleges.

1362-00	Northern Essex community college, including not more than thirty-five permanent positions	\$8,732
1363-00	Cape Cod community college, including not more than twenty-nine permanent positions	1,250
1364-00	Berkshire community college, including not more than thirty-three permanent positions	10,500
1365-00	Quinsigamond community college, including not more than thirty-six permanent positions	4,500
1366-00	Greenfield community college, including not more than twenty-one permanent positions	4,500
1367-00	Item 1367-00 of section two of chapter three hundred and thirty-seven 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	16,200
1368-00	Mount Wachusett community college, including not more than eighteen permanent positions	11,500
1370-00	Regional community college, north shore	20,000

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 ninety permanent positions	\$285,706
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For the maintenance of and for certain improvements at the institutions within the division:

1381-01	Industrial school for boys, including not more than one hundred and thirty-four permanent positions	\$4,045
1382-01	Item 1382-01 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line one, the word "ninety-five" and inserting in place thereof the word: — ninety-seven	22,000
1383-01	Item 1383-01 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in lines one and two, the word "forty-nine" and inserting in place thereof the word: — fifty	6,601
1384-01	Item 1384-01 of section two of chapter three hundred and thirty-seven 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-three	532
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	4,800
1387-01	Item 1387-01 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line two, the word "eighteen" and inserting in place thereof the word: — nineteen	6,735
1389-01	Item 1389-01 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out in line two, the word "nineteen" and inserting in place thereof the word: — twenty	6,135
1390-01	For the maintenance of Stephen L. French Youth Forestry Camp	7,593

Department of Civil Service and Registration.

Division of Civil Service.

Item		
1402-02	Item 1402-02 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line two, the word "forty-seven" and inserting in place thereof the word: — fifty-seven	\$88,174

Division of Registration.

1403-02	For the service of the division, including not more than fifty-nine permanent positions	\$351
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For the service of the following agencies in the division:

1413-01	Board of registration of architects, including not more than five permanent positions	\$2,165
1421-01	Item 1421-01 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out in line one, the word "seventeen" and inserting in place thereof the word: — eighteen	4,500

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	\$1,373
1603-01	Item 1603-01 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line one, the word "seventy" and inserting in place thereof the word: — seventy-four	28,456
1611-01	For the board of conciliation and arbitration, including not more than fifteen permanent positions	5,719
1615-01	For the division of standards, including not more than twenty-one permanent positions	257

Health, Welfare and Retirement Trust Funds Board.

1640-01	For the service of the board, as authorized by sections ten E and ten F of chapter twenty-three of the General Laws, including not more than twenty-eight permanent positions	\$7,000
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Division of Industrial Accidents.

1651-02	For the service of the board and for clerical and other assistance for the industrial accident rehabilitation board, including not more than one hundred and seventy-four permanent positions	\$12,504
1651-05	For expenses of impartial examinations, prior appropriation continued	7,000

Division of Self-Insurance.

1651-21	For the service of the division, including not more than six permanent positions	\$1,052
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Department of Mental Health.

1701-02	Item 1701-02 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line ten, the word "thirty-eight" and inserting in place thereof the word: — forty	\$287,502
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For the maintenance of and for certain improvements at the following institutions under the control of the department of mental health:

1711-00	Boston state hospital, including not more than one thousand one hundred and twenty-two permanent positions	\$144,886
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Item		
1717-00	Metropolitan state hospital, including not more than seven hundred and forty-four permanent positions	\$25,000
1718-00	Northampton state hospital, including not more than seven hundred and fifty-one permanent positions	15,000
1720-00	Item 1720-00 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line two, the word "seventy-nine" and inserting in place thereof the word: — eighty	5,135
1723-00	Belchertown state school, including not more than five hundred and eighty-nine permanent positions	301,234
1723-21	For the purchase and installation of certain dairy equipment, appropriation expires June thirtieth, nineteen hundred and sixty-six	20,000
1723-22	For the purchase and installation of certain laundry equipment, appropriation expires June thirtieth, nineteen hundred and sixty-six	20,600
1723-23	For certain renovations and improvements to the steam distribution system, appropriation expires June thirtieth, nineteen hundred and sixty-six	25,000
1724-00	Item 1724-00 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line two, the word "sixty-six" and inserting in place thereof the word: — sixty-eight	332,717
1724-21	For certain improvements to floors, appropriation expires June thirtieth, nineteen hundred and sixty-six	8,200
1724-22	For the purchase and installation of protective screens, appropriation expires June thirtieth, nineteen hundred and sixty-six	16,000
1724-23	For the replacement of certain sash and frames, appropriation expires June thirtieth, nineteen hundred and sixty-six	25,000
1725-00	Wrentham state school, including not more than six hundred and forty-nine permanent positions	451,647
1725-21	For the purchase and installation of certain laundry equipment, appropriation expires June thirtieth, nineteen hundred and sixty-six	22,500
1725-22	For certain improvements to floors, appropriation expires June thirtieth, nineteen hundred and sixty-six	17,500
1725-23	For the renovation and improvement of porches, appropriation expires June thirtieth, nineteen hundred and sixty-six	23,000
1726-00	Paul A. Dever state school, including not more than six hundred and twenty-six permanent positions	475,930
1726-21	For the purchase and installation of protective awnings, nursery buildings, appropriation expires June thirtieth, nineteen hundred and sixty-six	3,200
1727-00	Cushing hospital, including not more than six hundred and seventy-eight permanent positions	772

Department of Correction.

1801-02	For administration, including not more than seventy 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	\$4,002
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For the maintenance of and for certain improvements at the following institutions under the control of the department of correction:

1810-01	Correctional institution at Bridgewater, including not more than five hundred and sixty-two permanent positions	\$6,001
1812-01	Correctional institution at Walpole, including not more than three hundred permanent positions	601
1814-01	Item 1814-01 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by adding at the end thereof the following: —; provided that notwithstanding the	

Item		
	provisions of section twenty-four B of chapter thirty of the General Laws, the sum of one hundred and seventy-six dollars in salary earned but not paid is hereby authorized to be paid to a certain senior correction officer for the period January twelfth, nineteen hundred and sixty-three, to August thirty-first, nineteen hundred and sixty-three, inclusive	\$601
1816-01	Correctional institution at Framingham, including not more than one hundred and thirty-four permanent positions	857
1818-01	Correctional institution at Norfolk, including not more than two hundred and fifty-five permanent positions.	11,202

Parole Board.

1830-01	For the service of the board, including not more than seventy-three permanent positions	\$1,800
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Department of Public Welfare.

1901-03	Item 1901-03 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in lines four and five, the words "five hundred and ninety-nine" and inserting in place thereof the words:— six hundred and eighty-eight	\$89,817
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Department of Public Health.

Bureau of Administration.

0501-02	{ From the unexpended balance remaining in item 0501-02 of section two of chapter three hundred and thirty-seven of the acts of the current year, the sum of twenty thousand five hundred and twenty-four dollars is hereby transferred and made available for the purposes of the following item:—	
2001-02		
2001-02	Item 2001-02 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line two, the word "thirty-eight" and inserting in place thereof the word:— fifty-three	\$84,090

Bureau of Environmental Sanitation.

2002-54	For certain improvements at Lake Mahkeenac in the town of Stockbridge, as authorized by chapter four hundred and forty-two of the acts of the current year, appropriation expires June thirtieth, nineteen hundred and sixty-six	\$30,000
2002-55	For an investigation and study relative to the disposal of sewage and other liquid wastes in the valley of the North river in the towns of Abington, Hanover, Hanson, Marshfield, Norwell, Pembroke, Rockland, Scituate and Whitman, and to prepare a plan for such disposal, as authorized by chapter ninety-four of the resolves of the current year	25,000

Institute of Laboratories.

2007-01	For the service of the institute, including not more than one hundred and fifty permanent positions	\$3,000
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Bureau of Consumer Products Protection.

2008-01	For the service of the bureau, including not more than sixty-nine permanent positions	\$2,600
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For the maintenance of and for certain improvements at the following institutions under the control of the department of public health:

2021-00	For the maintenance of the Tewksbury hospital, including not more than seven hundred and eighty-six permanent positions	\$12,449
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Item		
2022-00	Item 2022-00 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line one, the word "eighty-four" and inserting in place thereof the word: — eighty-nine	\$20,041
2024-00	Rutland hospital, including not more than two hundred and fifty-two permanent positions	300,000
2025-00	Western Massachusetts hospital, including not more than two hundred and ninety-one permanent positions	601
2026-00	Lemuel Shattuck hospital, including not more than eight hundred and thirty permanent positions	997
2027-00	Massachusetts hospital school, including not more than two hundred and twenty-five permanent positions	601
2031-00	Pondville hospital, including not more than two hundred and seventy-six permanent positions	601

Department of Public Safety.

2101-02	For certain administrative expenses of the department, including not more than one hundred and three permanent positions	\$2,000
2104-01	Item 2104-01 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line two, the word "sixty-six" and inserting in place thereof the word: — seventy-nine	80,673

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-five fiscal year in full to appropriations authorized under this heading in this act:

Division of Waterways.

2202-03	Item 2202-03 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by adding at the end thereof the following: — ; provided that the comptroller shall transfer to the General Fund the sum of sixteen thousand dollars from the Public Access Fund	\$70,000
2202-06	For the maintenance and repair of certain property in the town of Plymouth, including not more than two permanent positions	3,000

Department of Public Utilities.

2301-02	For administration, including not more than seventy-two permanent positions	\$16,000
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Commercial Motor Vehicle Division.

2304-01	For the service of the division, including not more than thirty-two permanent positions	\$1,986
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Securities Division.

2308-01	For the service of the division, including not more than nine permanent positions	\$700
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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	\$2,500
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Miscellaneous.

2420-43	For a certain payment, as authorized by chapter one hundred and sixty-four of the resolves of nineteen hundred and sixty-three	\$10,000
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- Item
2445-10 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 8164-18 of section two of chapter five hundred and twenty-two of the acts of nineteen hundred and sixty-three, to be allocated with the approval of the commissioner of administration \$350,000

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:

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

Department of Education.

- 2613-18 For expenses of regional public libraries with the approval of the board of library commissioners, prior appropriation continued \$225,000

Division of Youth Service.

- 2613-21 For the commonwealth's share of a delinquency prevention program in the city of Springfield, as authorized by section sixty-nine B of chapter six of the General Laws \$8,500
2613-22 For the commonwealth's share of a delinquency prevention program in the town of Brookline, as authorized by section sixty-nine B of chapter six of the General Laws 4,500
2613-23 For the commonwealth's share of a delinquency prevention program in the town of Arlington, as authorized by section sixty-nine B of chapter six of the General Laws 12,000

Department of Public Welfare.

- 2619-04 } From the unexpended balances remaining in items 2619-04 and 2619-05
2619-05 } of section two of chapter three hundred and thirty-seven of the acts
2619-11 } of the current year, the sum of two hundred thousand dollars from said item 2619-04 and the sum of three hundred thousand dollars from said item 2619-05 are hereby transferred and made available for the purposes of item 2619-11 of section two of said chapter three hundred and thirty-seven.

Department of Public Health.

- 2619-03 } From the unexpended balance remaining in item 2619-03 of section two
2620-03 } of chapter three hundred and thirty-seven of the acts of the current year, the sum of fifteen thousand dollars is hereby transferred and made available for the purposes of the following item:—
2620-03 For expenses in connection with smallpox and other diseases dangerous to the public health, as authorized by chapter three hundred and thirty-nine of the acts of the current year.

HIGHWAY FUND.**STATE PURPOSES APPROPRIATIONS.****Department of Public Works.***Highway Activities.*

The salaries of all officers and employees of the department engaged in projects or activities relating to highways shall be charged for the nineteen hundred and sixty-five fiscal year in full to appropriations providing for personal services authorized under the heading of "Highway Activities" in this act.

Administrative and Engineering Expenses.

Item		
2910-02	For the operation and maintenance of the public works building, including not more than eighty-three permanent positions; provided that the comptroller shall transfer to the Highway Fund the sum of sixty-nine thousand eight hundred and fifty dollars from the General Fund, the sum of four thousand and ninety-five dollars from the Recreational Boating Fund, and the sum of two thousand one hundred dollars from the State Recreation Areas Fund .	\$529
2920-01	From the unexpended balances remaining in items 2920-01, 2920-03 and 2920-10 of section two of chapter three hundred and thirty-seven of the acts of the current year, the sum of one hundred and fifty-five thousand dollars from said item 2920-01, the sum of thirty-seven thousand dollars from said item 2920-03 and the sum of ninety-five thousand dollars from said item 2920-10 are hereby transferred and made available for the purposes of the following item: —	
2920-03		
2920-10		
2910-10		
2910-10	For certain administrative and engineering expenses of the commission, the office of the public works commissioner, and the divisions of administrative services, highway engineering, highway maintenance, highway construction and the district and other highway activity offices .	64,200

Personal Services.

2930-01	Item 2930-01 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in lines three and four, the words "three hundred and eighty-two", and inserting in place thereof the words: — four hundred and thirty-one; and by adding at the end thereof the following: — ; provided that notwithstanding any other provision of law to the contrary, the amount of eight hundred and thirty dollars and forty cents shall be allowed and paid for the salary of a certain employee, earned but not paid, for the period of June thirtieth, nineteen hundred and sixty-three to December fourteenth, nineteen hundred and sixty-three .	\$82,610
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Registry of Motor Vehicles.

2970-01	Item 2970-01 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line two, the word "seventy" and inserting in place thereof the word: — seventy-nine	\$31,840
2970-03	For the payment of a certain judgment by order of the supreme judicial court .	30,367

Department of Public Safety.*Division of State Police.*

2972-01	Item 2972-01 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended, in line one, by inserting after the word "hundred" the following: — and fourteen .	\$83,662
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Metropolitan District Commission.

The following item is to be paid with the approval of the Metropolitan District Commission:

- | | |
|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Item | |
| 2973-06 | Item 2973-06 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by adding at the end thereof the following:—; and, provided further, that notwithstanding any other provision of law to the contrary, a sum of five hundred and forty-one dollars and fifty cents may be expended from this item for a certain prior-year salary earned but not paid; and, provided further, that the commission may erect a suitable memorial plaque on Storrow Drive near the Hatch Shell in memory of deceased police officers. |

LOCAL AID APPROPRIATIONS.

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 December thirty-first, nineteen hundred and sixty-three | \$223,200 |
|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|

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.)

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|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 3304-01 | Item 3304-01 of section two of chapter three hundred and thirty-seven 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: — seventeen. | |
| 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 | \$265 |
| 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 | 1,000 |
| 3304-47 | For fish restoration projects, as authorized by chapter two hundred and seven of the acts of nineteen hundred and fifty-one, including not more than four permanent positions, prior appropriation continued | 12,600 |
| 3304-51 | For expenses of game farms and for wild life research and management, including not more than fifty permanent positions | 8,500 |
| 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 | 3,000 |

RECREATIONAL BOATING FUND.**STATE PURPOSES APPROPRIATION.****Registry of Motor Vehicles.***Division of Motorboats.*

Item	
3401-01	Item 3401-01 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line one, the word "thirty-nine" and inserting in place thereof the word: — forty-seven \$52,593

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 nineteen permanent positions, and for the administration of the activities provided for under item 3601-05 \$12,805
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 7,238
3601-06	For a program of estuarine research 2,111
3601-07	For a special investigation of the coastal lobster fishery program, including not more than one permanent position 608

STATE RECREATION AREAS FUND.**STATE PURPOSES APPROPRIATIONS.****Department of Natural Resources.***Division of Forests and Parks.*

4010-36	For the development of Mount Sugar Loaf State Reservation; provided that the comptroller shall include in the assessment made under the provisions of section five of chapter one hundred and thirty-two A of the General Laws the sum of twenty-five thousand dollars \$25,000
4010-37	For the further development of the Mount Tom State Reservation; provided that the comptroller shall include in the assessment made under the provisions of section five of chapter one hundred and thirty-two A of the General Laws the sum of twenty-five thousand dollars 25,000

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-five fiscal year in full to appropriations authorized under this heading in this act:

Division of Waterways.

4050-02	For the maintenance of Salisbury beach reservation, including not more than three permanent positions \$7,000
4050-05	For the maintenance of Horseneck beach, including not more than one permanent position 12,950
4050-06	For the maintenance of Scusset beach 14,000

METROPOLITAN DISTRICT COMMISSION FUNDS.

STATE PURPOSES APPROPRIATIONS.

The following appropriations are to be assessed upon the several districts in accordance with the methods fixed by law, unless otherwise provided, and to be expended under the direction of the Metropolitan District Commission:

Metropolitan Parks, General.

- | | |
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| Item | |
| 7755-00 | Notwithstanding any other provision of law to the contrary, there shall be allowed and paid the sum of one thousand and eighty-two dollars and eighty cents for certain prior-year salaries earned but not paid. |

Metropolitan Sewerage District.

- | | | |
|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| 8701-00 | Item 8701-00 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by adding at the end thereof the following:—; provided that notwithstanding any other provision of law to the contrary, a sum of nine hundred and eighty dollars may be expended from this item for a certain prior-year salary earned but not paid | \$3,591 |
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Metropolitan Water System.

- | | | |
|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| 8902-00 | For the maintenance and operation of the metropolitan water system, including payments to the state retirement system under the provisions of the General Laws, and including not more than six hundred and eleven permanent positions | \$2,300 |
|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|

Miscellaneous.

- | | | |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| 0101-20 | For a certain payment, as authorized by chapter nine of the resolves of the current year | \$7,800 |
| 0110-04 | Item 0110-04 of section two of chapter three hundred and thirty-seven 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-five and the previous year. | |
| 0259-02 | For the expenses of the Massachusetts Civil War Centennial Commission, as authorized by chapter one hundred and thirty-seven of the resolves of nineteen hundred and fifty-eight | 10,000 |
| 0263-03 | 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 nineteen hundred and sixty-three including the administrative procedures established to determine the qualification of candidates for professional positions | 10,000 |
| 0263-04 | For an investigation and study relative to the need for amendment, revision or simplification of the Constitution of the Commonwealth, as authorized by chapter eighty-eight of the resolves of nineteen hundred and sixty-two | 10,000 |
| 0345-01 | For pensions of retired judges or their widows, as authorized by law | 3,667 |
| 0441-12 | Item 0441-12 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by adding at the end thereof the following:—, including training programs as authorized by chapter five hundred and eighty-one of the acts of the current year, to be in addition to any amounts paid by cities or towns for the purpose. | |
| 0507-01 | For the service of the commission, including not more than one permanent position | 2,600 |

Item		
1010-23	For certain studies, including studies authorized by chapters twenty-five, twenty-six, thirty-three, thirty-four, forty and fifty-eight of the resolves of the current year	\$25,000
1361-00	Massachusetts Bay Community College, including not more than fifty-three permanent positions	5,000
1418-01	Board of registration of real estate brokers and salesmen, including not more than twenty-seven permanent positions; provided that persons employed under this item shall not be subject to the civil service laws and rules	9,500
0483-01	Upon the appointment and qualification of the commissioner of commerce and development pursuant to section one of chapter twenty-three A of the General Laws, as inserted by chapter six hundred and thirty-six of the acts of nineteen hundred and sixty-four, funds available for expenditure in items 0483-01, 0484-01, 0498-01, 1551-01, 1551-21, and 2260-02 of section two of chapter three hundred and thirty-seven of the acts of the current year are hereby transferred and made available for the purposes of the following item: —	
0484-01		
0498-01		
1551-01		
1551-21		
2260-02		
1501-01	For the services of the department, including not more than one hundred and twenty-five permanent positions; provided that section twenty-five of chapter thirty of the General Laws shall not apply to payments made for expenses of the New York office	172,170
1630-01	Item 1630-01 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out, in line one, the word "twenty" and inserting in place thereof the word: — twenty-two	12,787
2002-05	For an investigation and study by the department of public health relative to pollution of the atmosphere, as authorized by chapter eighty-nine of the resolves of the current year, to be in addition to any federal or other funds available for the purpose	25,000
0265-01	For a certain study, as authorized by chapter one hundred and thirty-six of the resolves of nineteen hundred and sixty-three	5,000
0265-02	For an investigation and study of the prospective revenue needs of the government of the commonwealth and of its political subdivisions, and developing proposals for revenue policies as authorized by chapter one hundred and six of the resolves of the current year	5,000
0265-03	For a study and investigation and conducting public hearings relative to housing for low-income families and individuals residing within the commonwealth, particularly to meet the special needs of minorities, as authorized by chapter one hundred and seven of the resolves of the current year	15,000
0265-04	For an investigation and study of the laws governing the registration of voters in the commonwealth as authorized by chapter ninety-eight of the resolves of the current year	500
0265-05	For an investigation and study of the status of women as authorized by chapter seventy-two of the resolves of the current year	10,000
0265-06	For an investigation and study relative to a suitable memorial to the late President John F. Kennedy as authorized by chapter eighty-six of the resolves of the current year	5,000
0265-07	For an investigation and study relative to the sanitary conditions of the waters and shores in Manchester, Beverly, Salem, Lynn and Marblehead, as authorized by chapter ninety-six of the resolves of the current year	15,000
2202-22	For engineering studies of projects for the dredging of certain brooks in the town of Bedford, as authorized by chapter six hundred and twenty of the acts of nineteen hundred and forty-nine	5,000
2202-23	For an investigation and study by the department of public works relative to the dredging and cleaning of the Blackstone River as authorized by chapter one hundred and nine of the resolves of the current year	50,000
2405-01	For the payment of certain annuities and pensions of soldiers and others under the provisions of certain acts and resolves	1,200
2420-09	For the payment of a certain claim, as authorized by chapter six of the resolves of the current year	552

Item		
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
2420-19	For an investigation and study relating to the water resources of central Plymouth county, including the city of Brockton, as authorized by section three of chapter three hundred and seventy-one of the acts of the current year, to be in addition to the amount appropriated in item 2420-16 of section two of chapter eight hundred and thirty-seven of the acts of nineteen hundred and sixty-three	10,000
2610-05	For a payment to the town of Charlemont, as authorized by chapter fifty-three of the acts of the current year	5,461
2940-21	For the construction of bicycle paths, as authorized by chapter five hundred and fifty-three of the acts of the current year	25,000
2970-21	For certain improvements to the air conditioning system, registry of motor vehicles	16,000
2998-06	For the payment of certain claims, as authorized by chapters four and seventeen of the resolves of the current year	12,074
3601-11	For the preparation of plans for a marine field station at Cat Cove in Salem	20,000
8260-17	The unexpended balance of 8260-17 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine, as amended, which reverted to account number 8260-68 of said chapter six hundred and four is hereby reappropriated for the purposes of said item 8260-17, as amended.	
8602-46	For clearing debris from the shores of the Mystic River in Medford and Somerville, on land under the control of the metropolitan district commission	25,000
8602-50	For the payment of a certain claim, as authorized by chapter eight of the resolves of the current year	1,581
8902-40	For a study and for the preparation of plans for the diversion of excess water from the Millers River into Quabbin Reservoir, as authorized by chapter six hundred and six, of the acts of the current year	500,000
0491-01	For the service of the service corps commission as authorized by chapter six hundred and twenty-two of the acts of the current year	500,000
0452-01	For the service of the board of economic advisors as authorized by chapter six hundred and forty-one of the acts of the current year	50,000

DEFICIENCIES.

For deficiencies in certain appropriations of previous years, in certain funds, as follows:

2949-00	Highway Fund	\$2,201
8649-00	Metropolitan District Commission Parks Fund	1,231

SECTION 3. Notwithstanding the provisions of any law to the contrary, unencumbered balances of funds provided for the accelerated highway program prior to the effective date of chapter seven hundred and eighteen of the acts of nineteen hundred and fifty-six shall be available for contracts entered into subsequent to December first, nineteen hundred and sixty-one.

SECTION 4. Notwithstanding any provision of law to the contrary, the comptroller shall reflect under the heading Agency Fund the transactions involving paragraph B of section twenty-eight of chapter sixty-four C of the General Laws, inserted by section six of chapter five hundred and sixty-three of the acts of nineteen hundred and sixty-four.

SECTION 5. This act shall take effect upon its passage.

Approved July 3, 1964.

Chap. 666. AN ACT AUTHORIZING THE CITY OF QUINCY TO CONSTRUCT AN INCINERATOR ADJACENT TO HARDWICK QUARRY ON QUARRY STREET IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any zoning ordinance, or any general or special law to the contrary, the city of Quincy is hereby authorized and empowered to construct a refuse disposal incinerator on land owned by said city on the effective date of this act adjacent to Hardwick quarry on Quarry street in said city.

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

Approved July 3, 1964.

Chap. 667. AN ACT INCREASING THE SALARY OF THE CLERK OF THE SECOND DISTRICT COURT OF SOUTHERN WORCESTER.

Be it enacted, etc., as follows:

Paragraph (1) of section 79 of chapter 218 of the General Laws is hereby amended in *Class I* by striking out lines 14 and 15, as appearing in chapter 725 of the acts of 1962, and inserting in place thereof the following line: — district court of Winchendon, and, — and in *Class III* by striking out, in line 13, the word “and”, — and by striking out line 14, reading “first district court of northern Worcester”, as so appearing, and inserting in place thereof the following two lines: —

first district court of northern Worcester, and
second district court of southern Worcester.

Approved July 3, 1964.

Chap. 668. AN ACT MAKING IT A CRIMINAL OFFENSE TO USE THE TELEPHONE TO MAKE ANNOYING CALLS.

Be it enacted, etc., as follows:

Chapter 269 of the General Laws is hereby amended by adding after section 14 the following section: —

Section 14A. Whoever anonymously telephones another person, or causes any person to be telephoned to, repeatedly, for the sole purpose of harassing, annoying or molesting such person or his family, whether or not conversation ensues, or whoever telephones another person and uses vulgar, indecent or obscene language to a person of the female sex, shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than three months, or both.

Approved July 3, 1964.

Chap. 669. AN ACT INCREASING THE SALARY OF THE STATE AUDITOR.

Be it enacted, etc., as follows:

Section 1 of chapter 11 of the General Laws is hereby amended by striking out the second sentence, as most recently amended by section 5 of chapter 744 of the acts of 1963, and inserting in place thereof the

following sentence: — The state auditor shall receive a salary of twenty thousand dollars and shall give to the state treasurer a bond for the faithful performance of his official duties in a penal sum and with sureties approved by the governor and council.

Approved July 3, 1964.

Chap. 670. AN ACT REGULATING AGENCIES PROCURING THE EMPLOYMENT OF UNITED STATES RESIDENTS AS DOMESTIC AND HOUSEHOLD WORKERS IN THE COMMONWEALTH OF PERSONS NOT RESIDENT THEREIN.

Be it enacted, etc., as follows:

SECTION 1. Chapter 140 of the General Laws is hereby amended by inserting after section 46 under the caption EMPLOYMENT AGENCIES, the following eighteen sections: —

Section 46A. As used in this section and in sections forty-six A to forty-six Q, inclusive, the following words shall have the following meanings: —

“Commissioner”, the commissioner of labor and industries.

“Employment agency”, any agency which, for a fee, procures or attempts to procure, from outside the commonwealth but within the United States one or more employees to do domestic or household work in the commonwealth or which renders vocational guidance or counselling services and charges a fee, all or any part of which is in consideration of such agency’s procuring or attempting to procure one or more employees to do domestic or household work in the commonwealth.

“Fee”, anything of value, including any money or other valuable consideration charged, collected, received, paid or promised for any service, or act rendered or to be rendered by an employment agency, including but not limited to money received by such agency which is more than the amount paid by it for transportation, transfer of baggage, or board and lodging on behalf of any applicant for employment.

“Placement employee”, any placement manager, placement director, counsellor, interviewer, or any other person employed by an employment agency who spends a substantial part of his time interviewing, counselling or conferring with job applicants for domestic or household work.

“Emigrant agent”, any person who, on behalf of an employment agency and for a fee, procures or attempts to procure domestic or household employment in the commonwealth for persons outside the commonwealth seeking such employment, or domestic or household employees from outside the commonwealth for employers in the commonwealth seeking the services of such employees.

Section 46B. No employment agency, directly or indirectly shall accept applications from persons outside the commonwealth but within the United States or procure or offer to procure employment of persons who reside outside of the commonwealth but within the United States, as domestic or household employees in the commonwealth except as provided in sections forty-six C to forty-six Q, inclusive.

Section 46C. No person shall establish or keep an employment agency unless licensed so to do by the commissioner.

Section 46D. Any person desiring to obtain a license to establish or keep an employment agency shall make application for such license to the commissioner. Such application shall be made by the owner or owners of the employment agency, and if the employment agency is owned by a corporation, such application shall be made by the president and treasurer thereof. Each application shall be in writing and in a form prescribed by the commissioner, and shall contain the name and address of the applicant; the name under which the employment agency is to be conducted; the street and number of the building or place where the business is to be conducted; the former business or occupations of the applicant; the name and address of the individual who will actually direct and operate the placement activities of the agency, whether such individual be the applicant or another; the length of time such individual has spent as a placement employee; a description of the duties of such individual when so engaged; and the name and present address of the most recent employer to employ such individual as a placement employee. Such application shall be accompanied by samples or accurate facsimiles of each and every form which the applicant for a license will require applicants for employment to execute, and such forms shall be approved by the commissioner before a license may be issued. The commissioner shall not approve any such form unless it fairly and clearly represents contractual terms and conditions between the proposed employment agency and an applicant for employment, which are permitted under the provisions of this section and sections forty-six E to forty-six Q, inclusive. Each application for a license shall be accompanied by the affidavits of two reputable residents of the town in which the employment agency is to be conducted that the applicant is a person of good moral character.

Section 46E. Upon the receipt of an application for such license, the commissioner shall cause the name and address of the applicant, the name under which the employment agency is to be conducted, and the street and number of the place where it is to be conducted, to be posted in a conspicuous place in his office. The commissioner shall investigate or cause to be investigated the character and responsibility of the applicant and shall examine or cause to be examined the place in which the applicant proposes to conduct such agency. Within one week after such application is so posted in the said office, any person may file a written protest against the issuance of such license, which protest shall be signed by the person filing the same or his authorized agent or attorney, and shall state the reasons why the said license should not be issued. Upon the receipt of such protest the commissioner shall appoint a time and place for a hearing of such application, and shall give at least five days' notice thereof to the applicant and to the person filing such protest. The commissioner may administer oaths, subpoena witnesses and take testimony in respect to the matters contained in such application and protest and may receive evidence in the form of affidavits pertaining to such matters. If after such investigation, examination or hearing the commissioner finds the applicant is not a person of good character or responsibility; that he or the individual who will actually direct and operate the placement activities of the employment agency has not had at least two years' experience as a placement employee, or as a vocation counsellor experienced in group relations work, or in related activities which similarly tend to establish the competence of such

individual to operate the placement activities of the agency; or that the place where the employment agency is to be conducted is not suitable therefor; or that the applicant has not complied with the provisions of section forty-six D, the said application shall be denied and a license shall not be granted. Each application shall be granted or denied within thirty days from the date of its filing. Any license issued hereunder by the commissioner shall be in full force and effect until the first day of May next following the date thereof, unless sooner revoked or suspended. No license shall be issued by the commissioner if the place in which the business of the employment agency is to be conducted is a room used for living purposes or where boarders or lodgers are kept or where meals are served or where persons sleep or in connection with a building or premises where intoxicating liquors are sold to be consumed on the premises, excepting cafes and restaurants in office buildings.

Section 46F. Every license for an employment agency shall contain the name of the licensee, a designation of the town, street and number of the place in which the licensee may establish or keep said employment agency, and the number and the date of issue of such license. The license shall be posted in a conspicuous place in the employment agency office.

Section 46G. A license issued under section forty-six E shall not be valid for any person other than the person to whom it is issued or for any place other than that designated in the license, and shall not be assigned or transferred without the written approval of the commissioner. Application for such approval shall be made in the same manner as an application for a license, as provided in sections forty-six D and forty-six E. The location of an employment agency shall not be changed without the consent of the commissioner and such change of location shall be endorsed upon the license. More than one such license may be issued to the same person. If an applicant desires to establish or keep an employment agency at more than one location, he may apply for a license for each location at which he intends to conduct said employment agency, as provided in section forty-six D.

Section 46H. Each person licensed under section forty-six E to carry on the business of an employment agency shall before such license issues pay to the commissioner a license fee of fifty dollars if such employment agency has less than five placement employees, and a fee of one hundred dollars if the agency has more than five such employees. Each licensee shall, before his license is issued, deposit with the commissioner a bond in the penal sum of three thousand dollars with two or more sureties or a duly authorized surety company, to be approved by the commissioner. The bond shall be payable to the people of the commonwealth and shall be on condition that the licensee will comply with the provisions of sections forty-six B to forty-six Q, inclusive, and shall pay all damages occasioned to any person by reason of any misstatement, misrepresentation, fraud or deceit, or any unlawful act or omission of said licensee, his agents or employees, while acting within the scope of their employment, made, committed or omitted in the business conducted under such license.

Section 46I. All claims or suits brought in any court against a licensee may be brought in the name of the person damaged upon the bond deposited by the licensee. If such licensee has departed from the commonwealth with the intent to defraud his creditors or to avoid the service of a

summons in any action brought under this section, or if the presence of such licensee cannot be discovered by the exercise of reasonable diligence, service shall be made upon the surety and by mailing one copy of the summons to the last known post-office address of the residence of the licensee and a copy of the summons to the place where he conducted such employment agency as shown by the records of the commissioner.

Section 46J. Each licensee shall keep a register, approved by the commissioner, in which shall be entered under the penalties of perjury the date of each application for employment and the name and address of each applicant, a file designation for each such applicant, and the name and address of a former employer of the applicant, or of a person to whom such applicant is known. The licensee shall also enter in the same register or shall enter under the penalties of perjury in a separate register, approved by the commissioner, the name and address of every employer from whom a fee is received or charged, the date of such employer's request or assent that applicants be furnished, the kind of position for which applicants are requested, the names of the applicants sent, the amount of the fee received or charged, and the rate of salary or wages agreed upon. Each licensee shall keep complete and accurate written records of all receipts and income received or derived directly from the operation of his employment agency. Each licensee or his duly authorized agent or employee shall communicate with at least one of the persons given as references by an applicant for domestic or household work, and the result of such communication shall be kept on file in such agency for a period of at least three years. Every register shall be retained on the premises of the agency concerned for three years following the date of the last entry therein. Each employment agency shall also enter into its register the last home address and the birth date of each applicant; the name and address of the emigrant agent, if any, through whom such applicant was obtained; the name and address of all persons to whom the employment agency has made payments in connection with the recruitment of the applicant, and the amounts of such payments; and the total charges made in the employment agency to the applicant. Said charges shall be separately stated by such agency, and shall include:

(a) charges for transportation, (b) other charges, and (c) the agency fee.

Each employment agency shall furnish the commissioner on Wednesday of each week, in writing, the following information with respect to each person placed by that agency during the preceding seven days:

(a) The name, age and out-of-state home address of the applicant and the file designation assigned to the applicant by the agency;

(b) The rate of wage to be paid the applicant, and an itemization of all charges which the employment agency has made to the applicant for its services; and

(c) The name and address of any emigrant agent, or other person or organization to whom the employment agency has made any payment, or who or which helped recruit the applicant.

Section 46K. Each employment agency shall furnish each applicant for employment:—

(1) Information as to the name and address of the person to whom the applicant is to apply for such employment, the kind of service to be performed, the anticipated rate of wages or compensation, the agency fee, whether such employment is permanent or temporary, the name

and address of the person authorizing the hiring of such applicant, and the cost of transportation if the services are required outside of the town where such agency is located;

(2) A true copy of every contract executed between it and such applicant, which shall have printed thereon or attached thereto a copy of the second paragraph of section forty-six O; and

(3) A receipt for every charge made by the employment agency to the applicant and which the applicant has paid.

The original or duplicate-original copy of each such contract and a receipt for any charges by the employment agency to the applicant shall be retained by the employment agency for three years following the date on which the contract is executed or the payment is made, and shall be made available for inspection by the commissioner or his duly authorized agent or inspector, upon his request.

Section 46L. Each employment agency, which directly or indirectly engages or uses the services of an emigrant agent, shall furnish the commissioner a list containing the name and address of all emigrant agents from whom it accepts job applicants. If such emigrant agents are required to be licensed in the places in which they recruit employees, no employment agency, directly or indirectly, shall accept applicants from other than duly licensed emigrant agents.

Each employment agency which is responsible, directly or indirectly, for bringing into the commonwealth applicants from out of the commonwealth but within the United States and which has arranged for their transportation to the town in the commonwealth where the agency is licensed to conduct business shall provide that the transportation of such applicants be by duly licensed common carriers of passengers.

Each employment agency responsible for bringing into the commonwealth an applicant for employment from out of the commonwealth but within the United States shall provide at its own expense suitable lodging and meals for any such applicant who is not placed in employment the day he arrives at the office of the employment agency, from the time he reports at such agency until he is placed, or is returned to the place from which he was recruited, or is given the option of returning to such place as hereinafter provided.

Each employment agency responsible for bringing into the commonwealth an applicant for employment from out of the commonwealth but within the United States shall provide the return fare and reasonable allowance for one day's meals to any such applicant who was not placed in employment, or who was placed in employment and said employment terminated within thirty days thereafter and who is without employment, and desires to return to the place from which he was recruited.

The bond required to be deposited under section forty-six H shall secure performance of the provisions of the preceding two paragraphs. No employment agency shall bring into the commonwealth any applicant for employment without the commonwealth but within the United States unless and until such agency has given such applicant a written statement, on a form approved by the commissioner, showing the nature and duties of the job for which the applicant is recruited, the anticipated wages, the amount of the agency fee, the amount for transportation that the applicant will have to repay if such amount has been advanced by the agency, and the amount of any other advances or charges. Such statement shall indicate when such amounts are payable

to the agency. A copy of such statement shall be kept on file by the agency, and the copy shall have indicated on it the date when, and by whom, the original statement was given to the applicant.

Section 46M. Any employment agency which, directly or indirectly collects, receives or retains a fee or other payment contrary to the provisions of sections forty-six B to forty-six Q, inclusive, shall return the fee or other payment within seven days after receiving a demand therefor.

Section 46N. An employment agency shall not engage in any of the following activities or conduct: —

(1) Publish or cause to be published any false, fraudulent or misleading information, representation, promise, notice or advertisement;

(2) Advertise in newspapers or otherwise, or use letterheads or receipts or other written or printed matter, unless such advertising or other matter contains the name and address of the employment agency and the word "agency";

(3) Direct an applicant to an employer for the purpose of obtaining employment without having first obtained a bona fide order therefor; provided that a qualified applicant may be directed to an employer who has previously requested that he regularly be accorded interviews with applicants of certain qualifications if a confirmation of the order is sent to the employer; and provided, further, that an employment agency may attempt to sell the services of an applicant to an employer from whom no job order has been received as long as this fact is told to the applicant before he is directed to the employer. Any applicant who is referred to an employer contrary to the provisions of clause (3) without obtaining employment thereby, shall be reimbursed by the employment agency for all ordinary and necessary travel expenses incurred by the applicant as a result of such referral, within twenty-four hours of making a demand therefor;

(4) Send or cause to be sent any person to any employer where the employment agency knows, or reasonably should have known, that the prospective employment is or would be in violation of state or federal laws governing minimum wages or child labor or in violation of the law relating to compulsory education or any other state or federal law;

(5) Send or cause to be sent any person to any place which the employment agency knows or reasonably should have known is maintained for immoral or illicit purposes; nor send or cause to be sent any female to any place which the employment agency knows or should have known permits persons known to be prostitutes, gamblers or procurers or intoxicated persons to frequent such place;

(6) Compel any person to enter such agency for any purpose by use of force;

(7) Require applicants for employees or employment to subscribe to any publication or incidental service or contribute to the cost of advertising, or otherwise to make any charge to applicants, other than charges authorized under sections forty-six B to forty-six Q, inclusive; or

(8) Refuse to return on demand of an applicant any baggage or personal property belonging to such applicant.

Section 46O. The commissioner shall establish or otherwise approve the maximum fee which an employment agency may, directly or indirectly, charge any applicant for placement in employment as a domestic or household worker. The commissioner may establish the maximum fee from time to time on the basis of changed conditions and

facts. Before establishing or otherwise approving or reestablishing such maximum fee, the commissioner shall investigate the economic conditions and other factors relating to the business of employment agencies, shall ascertain the pertinent facts necessary to establish maximum fee schedules, and shall conduct at least one public hearing for such purposes. At such hearing, licensed persons and other persons interested shall be given an opportunity to be heard and to submit evidence with respect thereto. The commissioner shall give notice of each such hearing to all licensed persons and other persons in the manner specified by clause (1) of section two of chapter thirty A.

Eighteen dollars of the weekly wage of an employee covered by this act shall be exempt from the payment of any fee or charge authorized to be assessed under sections forty-six B to forty-six Q, inclusive.

Section 46P. Each employment agency shall post in a conspicuous place in each room of such agency a copy of sections forty-six A to forty-six R, inclusive, which shall be printed in large type in languages in which persons commonly doing business with such office can understand. Such poster shall also contain the name and address of the commissioner charged with the enforcement of said sections.

Section 46Q. The commissioner, or any duly authorized agent or inspector designated by him, shall have authority to inspect the premises, registers, contract forms, receipt books, application forms, referral forms, reference forms, reference reports and financial records of fees charged and refunds made of each employment agency, which are essential to the operation of such agency, and of each applicant for an employment agency license; but in no event shall any employment agency be inspected less frequently than once every six months.

The commissioner may establish such rules and regulations as he deems necessary to carry out the provisions of sections forty-six B to forty-six P, inclusive.

Any complaint against any person licensed as an employment agency shall be made to the commissioner by any interested person. The commissioner shall give reasonable notice thereof, not later than five days thereafter, to said licensed person by serving upon him either personally, by registered mail, at his last place of residence, or by leaving with the person in charge of his office, a concise statement of the facts constituting such complaint. The commission shall hold a hearing on such complaint not later than two weeks from the date of the filing of such complaint. The commissioner when investigating any matter pertaining to the issuance, transfer, revocation or suspension of a license may take such testimony as may be necessary on which to base official action. When taking such testimony he may subpoena witnesses and also direct the production before him of necessary material, books and papers. A calendar of all hearings shall be kept by the commissioner and shall be posted in a conspicuous place in his office for at least one day before the date of such hearings. The commissioner shall render his decision within eight days from the time the matter is finally submitted to him. Said commissioner shall keep a record of all such complaints and hearings.

If such hearing reveals that the employment agency or any employee thereof is guilty of any immoral, fraudulent or illegal conduct in connection with the operation of such agency, or of any violation of the provisions of sections forty-six B to forty-six Q, inclusive, the commissioner shall suspend or revoke the license of such employment agency.

If the commissioner suspends or revokes the license of any employment agency, said action shall be subject to judicial review in proceedings brought pursuant to chapter thirty A. If a license is revoked, another license shall not be issued within three years from the date of such revocation to said licensed person or his representative or to any person with whom he has been associated in the business of conducting an employment agency.

Section 46R. Whoever violates any provision of sections forty-six C, forty-six D, forty-six G, forty-six H, forty-six L, forty-six M, forty-six N and forty-six O shall be punished by a fine of not more than five hundred dollars, or by imprisonment in the house of correction for not more than one year, or both. Whoever violates any provision of sections forty-six J, forty-six K and forty-six P, or any rule or regulation made under section forty-six Q, shall be punishable by a fine of not more than twenty-five dollars. The commissioner shall institute proceedings based upon any such violation.

SECTION 2. Any license to establish or keep an intelligence office or employment agency, which is in effect on the effective date of this act, shall continue in effect until May first, nineteen hundred and sixty-five, unless sooner revoked under the provisions of section forty-two of chapter one hundred and forty of the General Laws, and such intelligence office or employment agency shall not be subject to the provisions of sections forty-six A to forty-six R of said chapter one hundred and forty, inserted by section one of this act, until May first, nineteen hundred and sixty-five.

SECTION 3. All sections of the act are to be construed separately and if any section or sections are deemed invalid, or unconstitutional that determination shall not affect the validity of any other section.

Approved July 3, 1964.

Chap. 671. AN ACT GRANTING THE CONSENT OF THE COMMONWEALTH TO THE ACQUISITION BY THE UNITED STATES OF AMERICA OF CERTAIN LAND IN THE CITY OF LAWRENCE FOR GOVERNMENTAL USE AND CEDING JURISDICTION OVER SUCH LAND.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to enable the city of Lawrence to accept this act immediately, 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 consent of the commonwealth is hereby granted to the acquisition by the United States of America by conveyance from the city of Lawrence of a certain parcel of land in said city, hereinafter described, and said city is hereby authorized to convey said parcel to the United States of America upon the terms and conditions herein stated. Said parcel is bounded and described as follows: —

Beginning at the southwest corner of the parcel, said corner being 500 feet from the northeast intersection of the east-line of Crawford street and the north-line of North Parish road measured along the north-line of North Parish road; thence north 350 feet along land of the United States of America to a point; thence turning 90 degrees and running easterly 200 feet by land of the city of Lawrence to a point; thence turn-

ing 90 degrees and running southerly 350 feet by land of the city of Lawrence to a point on the north-line of North Parish road; thence turning 90 degrees and running westerly 200 feet along the north-line of North Parish road to the point of beginning. Said parcel of land contains 70,000 square feet.

The above described parcel of land may be conveyed by said city to the United States of America to have and to hold so long as the premises shall be used for governmental purposes, but subject to an easement providing that said city and the town of Andover may continue to maintain through the premises so conveyed an existing outfall sewer owned jointly by said city and said town and may retain for themselves a right of entry into said premises for the purposes of maintaining and repairing said sewer; and subject, further, to the conditions that if the United States of America shall at any time discontinue the use of the premises for governmental purposes or shall fail to begin construction of the enlargement of its present facilities within two years from the date of conveyance, the title to the aforesaid parcel of land shall revert to and revest in the city of Lawrence.

SECTION 2. Jurisdiction over the above described lands is hereby granted and ceded to the United States of America, but upon the express condition that the commonwealth shall retain concurrent jurisdiction with the United States of America in and over said lands, to the extent that all civil processes and such criminal processes as may issue under the authority of the commonwealth against any person or persons charged with crimes committed without said lands and all processes for collection of taxes levied under authority of the laws of the commonwealth, including the service of warrants, may be executed thereon in the same manner as though jurisdiction had not been ceded; provided that the exclusive jurisdiction in and over such lands shall revert to and revest in the commonwealth whenever such lands shall cease to be used for the purpose set forth in section one.

SECTION 3. This act shall take effect upon its acceptance by the city of Lawrence and upon the depositing in the office of the state secretary on or before October first, nineteen hundred and sixty-four, of a suitable plan of the parcel of land described in section one, but not otherwise.

Approved July 3, 1964.

Chap. 672. AN ACT AUTHORIZING THE COUNTY TREASURER OF MIDDLESEX COUNTY TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the county treasurer of the county of Middlesex is hereby authorized to pay from any available funds in the county treasury the sum of four thousand eighty-eight dollars and forty cents to Scott & Company, Ltd. for unpaid bills incurred eighteen months or more prior to the passage of chapter six hundred and thirty-one of the acts of nineteen hundred and sixty-three, for uniforms and clothing for officers in the Middlesex superior court and for employees of the houses of correction in East Cambridge and Billerica.

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

Approved July 3, 1964.

Chap. 673. AN ACT AUTHORIZING THE COUNTY TREASURER OF MIDDLESEX COUNTY TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the county treasurer of the county of Middlesex is hereby authorized to pay from any available monies in the county treasury certain unpaid bills incurred eighteen months or more prior to the passage of chapter six hundred and thirty-one of the acts of nineteen hundred and sixty-three to the following in the sums set forth after their respective names: — Thomas B. Brennan, ninety-two dollars and sixty-two cents; The Lawyers Co-operative Publishing Co., ninety-seven dollars; Robert N. Rittenhouse, M. D., one hundred and sixty-five dollars; and F. & F. Photo Service, four hundred and eighty dollars.

SECTION 2. Notwithstanding any general or special law to the contrary, the county treasurer of the county of Middlesex is hereby authorized to pay from any available monies in the county treasury certain unpaid bills which are legally unenforceable by reason of their being incurred in the year nineteen hundred and sixty-two in excess of available appropriations to the following in the sums set forth after their respective names: — Acme Visible Records, Inc., one hundred twenty-four dollars and seventy-five cents; Middlesex Supply Company, twenty-eight dollars and eighty-eight cents; and A. G. Pollard Company, three hundred fourteen dollars and fifty-eight cents.

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

Approved July 3, 1964.

Chap. 674. AN ACT RELATIVE TO THE SALARIES OF THE FIFTH ASSISTANT CLERK OF COURTS FOR THE COUNTY OF BRISTOL, THE THIRD ASSISTANT CLERK OF COURTS FOR THE COUNTY OF PLYMOUTH AND THE ASSISTANT CLERK OF COURTS FOR THE COUNTY OF MIDDLESEX.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section three of chapter seven hundred and ninety of the acts of nineteen hundred and sixty-three, any person appointed to the office of fifth assistant clerk of courts for the county of Bristol, third assistant clerk of courts for the county of Plymouth or assistant clerk of courts for the county of Middlesex, between the first day of July and the thirty-first day of December, nineteen hundred and sixty-three, both dates inclusive, shall receive such salary as is provided by section ninety-four of chapter two hundred and twenty-one of the General Laws, said salary to be effective as of the date of his appointment.

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

Approved July 3, 1964.

Chap. 675. AN ACT INCREASING THE NUMBER OF JUDGES OF PROBATE IN THE COUNTY OF PLYMOUTH.

Be it enacted, etc., as follows:

Section 2 of chapter 217 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 1

of chapter 817 of the acts of 1960, and inserting in place thereof the following sentence: — There shall be three judges of probate in the counties of Suffolk, Middlesex and Norfolk, and two judges of probate in each of the counties of Essex, Worcester, Hampden, Bristol and Plymouth.

Approved July 3, 1964.

Chap. 676. AN ACT INCREASING THE SALARY OF THE CLERK OF THE DISTRICT COURT OF SOUTHERN NORFOLK.

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 11, reading “district court of southern Norfolk”, as appearing in chapter 725 of the acts of 1962, and in *Class IV* by inserting after line 13, reading “district court of northern Norfolk”, as so appearing, the following line: — district court of southern Norfolk.

Approved July 3, 1964.

Chap. 677. AN ACT INCREASING THE SALARY OF THE CLERK OF THE DISTRICT COURT OF WESTERN HAMPDEN.

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 5, reading “district court of western Hampden,” 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 western Hampden,.

Approved July 3, 1964.

Chap. 678. AN ACT INCREASING THE SALARIES OF THE CLERKS OF THE FIRST DISTRICT COURT OF BRISTOL AND THE FOURTH DISTRICT COURT OF BRISTOL.

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 1, inserted by section 1 of chapter 761 of the acts of 1962, and lines 3 and 4, as appearing in chapter 725 of the acts of 1962, and inserting in place thereof the following line: — The district court of Fitchburg, — and in *Class IV* by inserting after line 1, as appearing in said chapter 725 of the acts of 1962, the following line: — first district court of Bristol, — and by inserting after line 3, as so appearing, the following line: — fourth district court of Bristol,.

Approved July 3, 1964.

Chap. 679. AN ACT AUTHORIZING THE CITY OF WESTFIELD TO PAY MUNICIPAL PIPE CORPORATION A CERTAIN SUM AS COMPENSATION FOR CERTAIN SERVICES RENDERED TO SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the city of Westfield is hereby authorized to appropriate and pay to Municipal Pipe Corporation, a corporation organized under the laws of the

commonwealth of Pennsylvania, a sum not to exceed fifteen thousand dollars as compensation for services rendered by said corporation, including materials supplied to and labor performed for, said city in the year nineteen hundred and fifty-nine. Said payment shall be in full settlement of any and all claims for such services by said corporation against said city, its employees or agents.

SECTION 2. This act shall take effect upon its acceptance by the city of Westfield.

Approved July 3, 1964.

Chap. 680. AN ACT PROVIDING FOR THE EXAMINATION AND CERTIFICATION OF OIL BURNER TECHNICIANS AND THE ESTABLISHMENT OF FEES THEREFOR.

Be it enacted, etc., as follows:

SECTION 1. Chapter 146 of the General Laws is hereby amended by adding after section 67, under the caption EXAMINATION OF OIL BURNER TECHNICIANS the following section: —

Section 67A. The chief of inspections, the supervising inspector of the division or an inspector of the division shall act as an examiner for the certification of oil burner technicians. The chief of inspections shall cause examinations to be held in such cities and at such times as he may deem necessary.

SECTION 2. Chapter 148 of the General Laws is hereby amended by inserting after section 10B the following six sections: —

Section 10C. No person shall alter, repair or install any oil burning equipment or any of the appurtenances thereto, except for electrical wiring and connections, as defined by rules and regulations promulgated under the provisions of section ten governing the construction, installation and operation of oil burning equipment and the keeping, storage and use of fuel oil or other inflammable products used in connection therewith, unless he holds a certificate granted by an examiner for the certification of oil burner technicians. Notwithstanding the provisions of the preceding sentence, the cleaning of an oil burner strainer or nozzle or the cleaning or replacement of a photo cell, in any building or structure by the owner or manager thereof or by any regular employee of such owner or manager in a building or structure owned or managed by his employer, may be done without the holding by such owner, manager or employee of a certificate as an oil burner technician.

Section 10D. Any person desiring to obtain a certificate as an oil burner technician shall make application to the department. A fee of ten dollars shall accompany each application, five dollars of which shall be for the examination and five dollars shall be for the certificate if issued. The application shall be in such form and contain such information as the commissioner may require. Within three months after the date of receipt of his application the applicant shall be examined as to his experience and ability to alter, repair and install oil burning equipment and, if found by an examiner to be qualified, he shall forthwith be issued a certificate. Said certificate shall be valid throughout the commonwealth for a period of two years from date of issue and may be renewed within two years after its expiration without examination upon the payment of a renewal fee of five dollars. If the applicant fails to qualify, five dollars of the fee paid with his application shall be refunded to him.

A person holding a certificate as an oil burner technician may connect or disconnect for the purpose of repair or replacement, any device or control required by rules and regulations of the board to be a part of an oil burner installation, or being an integral part of the oil burning equipment, at the connection on such device, control or part to be repaired or replaced, notwithstanding any contrary provision of chapter one hundred and forty-one. Any person licensed as an electrician under said chapter one hundred and forty-one may do any electrical work in connection with the alteration, repair or installation of oil burning equipment without being certified as an oil burner technician.

Section 10E. An examiner shall upon payment of three dollars issue without examination an apprentice certificate to any person who applies therefor, which certificate shall permit him to assist and work under the supervision of a person holding a certificate as an oil burner technician in the alteration, repair or installation of oil burning equipment. An apprentice certificate shall be valid for two years from the date of issue, and shall be renewed without examination upon the payment of three dollars.

Section 10F. The board may make such reasonable rules and regulations as it deems suitable for the issuance of various types and classes of certificates to cover the various types of oil burner installations. A certificate may cover one or more or all types of installations or may be limited to a specific type of installation.

Section 10G. Any certificate may, after due notice and hearing, be suspended or revoked by an examiner for a violation by the certificate holder of any rule or regulation promulgated by the board relative to construction, installation and operation of oil burning equipment. Any applicant for an oil burner technician certificate or holder of such certificate aggrieved by the action of an examiner in refusing to issue or in revoking or suspending such certificate may, within ten days, appeal therefrom to the chief of inspections of the department, who shall designate three inspectors to sit as a board and to conduct a hearing on such appeal within thirty days. The decision of said board shall be final.

Section 10H. No firm or corporation engaged in the business of altering, repairing or installing oil burning equipment shall be required to hold a certificate as an oil burner technician; provided that such work is performed for them by persons certified as oil burner technicians.

SECTION 3. The provisions of section ten C of chapter one hundred and forty-eight of the General Laws, inserted by section two of this act, shall not apply to any person holding a certificate of competency to make, alter or repair any oil burning installation which was issued by the state fire marshal prior to the effective date of this act, and such person shall, upon making application prior to July first, nineteen hundred and sixty-five, and upon payment of a fee of five dollars, be entitled to receive without examination a certificate as provided by section ten D of said chapter one hundred and forty-eight; nor shall the provisions of section ten C of chapter one hundred and forty-eight of the General Laws, inserted by section two of this act, apply to any in-plant personnel engaged in the alteration, servicing, installation or repairing of, or maintenance work being done on or to, any oil burning equipment or any of the appurtenances thereto within a manufacturing establishment.

Approved July 3, 1964.

Chap. 681. AN ACT FURTHER REGULATING THE TAX EXEMPTION OF PROPERTY OF CERTAIN ELDERLY PERSONS.

Be it enacted, etc., as follows:

SECTION 1. Clause Forty-first of section 5 of chapter 59 of the General Laws, inserted by section 1 of chapter 808 of the acts of 1963, is hereby amended by inserting after the word "years," in line 10, the words: — or, if such person has not so owned such real property for the preceding five years consecutively, has so owned and occupied as his domicile such real property and other real property in the same city or town, for the preceding five years consecutively.

SECTION 2. This act shall apply to taxes assessed for the year nineteen hundred and sixty-five and subsequent years.

Approved July 3, 1964.

Chap. 682. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO CONSTRUCT AND MAINTAIN A HIGH LEVEL BRIDGE OVER THE CHARLES RIVER FROM LEVERETT CIRCLE TO THE VICINITY OF CITY SQUARE IN THE CITY OF BOSTON, AND AUTHORIZING THE MASSACHUSETTS PORT AUTHORITY TO CONSTRUCT CERTAIN CONNECTIONS THERETO AND TO CONTRIBUTE TO THE COST THEREOF.

Be it enacted, etc., as follows:

SECTION 1. In order to relieve congestion, to expedite the flow of vehicular traffic, and to promote the public safety, the metropolitan district commission, hereinafter referred to as the commission, is hereby authorized and directed to construct and maintain a high level bridge over the Charles river from Leverett circle in the city of Boston northeasterly over said river, over mainline tracks of the Boston and Maine Railroad Company, and over the proposed relocated mainline tracks of the Metropolitan Transit Authority, then back to grade to intersect with the proposed reconstructed Rutherford avenue in the vicinity of City Square in the Charlestown district of said city, together with the necessary approaches thereto.

SECTION 2. The commission may expend such sums, not exceeding one million five hundred thousand dollars, as may be appropriated for the construction authorized in section one, in addition to such sums as may be received from the Massachusetts Port Authority, hereinafter referred to as the authority, together with any federal funds available for the purpose.

SECTION 3. The authority is hereby authorized to construct and maintain, as a southerly extension of the Mystic River bridge, such connections between the Mystic River bridge and said high level bridge and such other ways in the area in the vicinity of the present southerly end of said bridge, as may be necessary or desirable.

SECTION 4. No monies shall be expended by the commission under this act unless the authority shall have entered into an agreement with the commission, approved as to form by the attorney general, to pay to the commission a sum equal to one half the cost of the construction authorized in section one, if the total cost thereof does not exceed three million dollars; and if the total cost of said construction exceeds

three million dollars, to pay to the commission that part of such total cost which is in excess of one and one half million dollars.

The authority is hereby authorized to enter into such agreement and do all things necessary under this act, notwithstanding any contrary provision of chapter four hundred and sixty-five of the acts of nineteen hundred and fifty-six.

SECTION 5. For the purposes of this act, the commission may, on behalf of the commonwealth, take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, waters, water rights, rights of way, easements or other property or interest in property including railroad property, and shall have all the rights, powers and duties and be subject to the limitations of sections thirty-two, thirty-three and thirty-five of chapter ninety-two of the General Laws. The commission shall have all the rights, powers and duties provided by chapter twenty-eight of the General Laws and all other applicable provisions of said chapter ninety-two; provided, however, that for the purposes of this act, the commission may accept grants or properties, rights or monies and enter into agreements, in forms approved by the attorney-general, with any department, commission or agency of the commonwealth or any railroad or other public franchise holder or agency as provided by said chapter ninety-two.

SECTION 6. The commission may, on behalf of the commonwealth, make application for and use any federal funds or assistance or both as may be obtainable in the planning or construction of said high level bridge or any part of the total project.

Approved July 3, 1964.

Chap. 683. AN ACT AUTHORIZING THE CITY OF MALDEN TO RETIRE GEORGE E. HOOD, A POLICE OFFICER OF SAID CITY AT FULL SALARY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of promoting the public good, the retirement board of the city of Malden shall, subject to the provisions of section eighty-five F of chapter thirty-two of the General Laws, retire George E. Hood, a police officer of said city who is incapacitated as a result of injuries sustained by him when shot on September fourteenth, nineteen hundred and sixty-three while in the performance of his duty at a yearly amount of pension equal to the annual rate of regular compensation which would have been paid to said George E. Hood had he continued in service as a police officer of said city at the grade held by him at the time of his retirement; provided that in the event said George E. Hood is gainfully employed in the future his pension shall be diminished by the amount of such gainful employment.

SECTION 2. Upon his death leaving Elizabeth Hood, his wife, surviving him, said city shall pay to her, so long as she remains unmarried, an annuity of twenty-five hundred dollars.

SECTION 3. This act shall take effect upon its acceptance by the city of Malden.

Approved July 3, 1964.

Chap. 684. AN ACT PLACING THE OFFICES AND POSITIONS IN THE DEPARTMENT OF PUBLIC WORKS OF THE TOWN OF ANDOVER UNDER THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

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

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

Approved July 3, 1964.

Chap. 685. AN ACT PROVIDING FOR THE RETURN OF A CERTAIN BID DEPOSIT TO THOMAS MULLANE & SONS, INC.

Be it enacted, etc., as follows:

There shall be paid from the state treasury to Thomas Mullane & Sons, Inc. the sum of two thousand dollars, which sum was paid by said corporation as a bid deposit for roofing work to be done at the state college at Boston, all other bid deposits for the same work having been returned to other bidders because there were not sufficient funds available to let a contract based on such bids.

Approved July 3, 1964.

Chap. 686. AN ACT LIMITING THE LOCATION OF RACING MEETINGS IN CONNECTION WITH STATE OR COUNTY FAIRS.

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 128A of the General Laws is hereby amended by adding after clause (p), added by chapter 1 of the acts of 1961, the following clause: —

(q) No license shall be issued to hold or conduct a horse or dog racing meeting in connection with a state or county fair, or any exhibition for the encouragement or extension of agriculture if said racing meeting is to be conducted at a race track located outside of the county where

said licensee conducted its fair prior to December thirty-first, nineteen hundred and sixty-one.

SECTION 2. The provisions of clause (q) of section three of chapter one hundred and twenty-eight A of the General Laws, inserted by section one of this act, shall not apply to a state or county fair or any exhibition for the encouragement or extension of agriculture in connection with which a licensed horse or dog racing meeting was operated in the year nineteen hundred and sixty-four. *Approved July 3, 1964.*

Chap. 687. AN ACT DESIGNATING THE BRIDGE OVER THE GENERAL CASIMIR PULASKI SKYWAY AT DORCHESTER AVENUE IN THE CITY OF BOSTON AS THE JUDGE STANLEY W. WISNOSKI BRIDGE.

Be it enacted, etc., as follows:

The bridge over the General Casimir Pulaski Skyway at Dorchester avenue in the city of Boston shall be designated and known as the Judge Stanley W. Wisnioski bridge, in memory of Stanley W. Wisnioski, a justice of the superior court. A suitable marker bearing said designation shall be attached thereto by the department of public works.

Approved July 3, 1964.

Chap. 688. AN ACT FIXING THE DATE OF APPROVAL OF A DEFINITIVE PLAN UNDER THE SUBDIVISION CONTROL LAW AS THE DATE OF ENDORSEMENT OF APPROVAL.

Be it enacted, etc., as follows:

Section 7A of chapter 40A of the General Laws is hereby amended by striking out the first paragraph, as appearing in section 2 of chapter 435 of the acts of 1961, and inserting in place thereof the following paragraph: — When a preliminary plan referred to in section eighty-one S of chapter forty-one has been submitted to a planning board, and written notice of the submission of such plan has been given to the city or town clerk, the land shown on such preliminary plan and on the definitive plan evolved therefrom, or in the absence of a preliminary plan, the land shown on a definitive plan submitted under the provisions of the subdivision control law, shall be governed by applicable provisions of the zoning ordinance or by-law in effect at the time of submission of the plan first submitted while such plan or plans are being processed under said subdivision control law; and, if said definitive plan becomes approved, or is disapproved and thereafter amended and duly approved, said provisions of the ordinance or by-law in effect at the time of the submission of the first submitted plan shall govern the land shown on such approved definitive plan for a period of five years from the date of endorsement of such approval notwithstanding any other provision of law; provided that, if a preliminary plan is submitted, the definitive plan is duly submitted within seven months from the date on which the preliminary plan was submitted.

Approved July 3, 1964.

Chap. 689. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BERKSHIRE 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 Berkshire 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 purposes such sums as may be included in appropriation acts for said county.

Approved July 3, 1964.

Chap. 690. 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 1 of chapter 640 of the acts of 1963, and inserting in place thereof the following schedule: —

Essex.....	\$6,655
Worcester.....	6,655
Middlesex.....	7,260
Hampden.....	5,445
Norfolk.....	5,445
Bristol.....	5,445
Plymouth.....	4,840
Barnstable.....	4,840
Berkshire.....	4,840
Franklin.....	3,630
Hampshire.....	3,630
Dukes County.....	1,650

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

Approved July 3, 1964.

Chap. 691. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO RECONSTRUCT THE MIDLAND DIVISION BRIDGE OF THE NEW YORK, NEW HAVEN AND HARTFORD RAILROAD OVER EAST STREET IN THE TOWN OF WESTWOOD.

Be it enacted, etc., as follows:

In order to provide necessary increased clearance and width, the department of public works is hereby authorized and directed to reconstruct the Midland Division bridge of the New York, New Haven and Hartford railroad over East street in the town of Westwood. Specifications for the reconstruction of said bridge shall include a minimum clearance of at least fourteen feet and a minimum overall width of at least fifty feet. For such purpose the department may expend such sums as may be appropriated therefor.

Approved July 3, 1964.

Chap. 692. AN ACT PROVIDING FOR A FOURTH AND FIFTH ASSISTANT CLERK FOR THE THIRD DISTRICT COURT OF EASTERN MIDDLESEX.

Be it enacted, etc., as follows:

Section 10 of chapter 218 of the General Laws is hereby amended by inserting after the third paragraph, as most recently amended by chapter 778 of the acts of 1963, the following paragraph: —

A fourth and fifth assistant clerk with salaries payable by the county may be appointed in the third district court of eastern Middlesex.

Approved July 3, 1964.

Chap. 693. AN ACT PROVIDING THAT PAYMENT FOR CERTAIN PUBLIC CONSTRUCTION CONTRACTS SHALL NOT BE BARRED BY REASON OF BEING IN EXCESS OF APPROPRIATIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 44 of the General Laws is hereby amended by inserting after section 31B the following section: —

Section 31C. No contract for the construction, reconstruction, alteration, remodeling, repair or demolition of any public building or public work by any city or town costing more than two thousand dollars shall be deemed to have been made until the auditor or accountant or other officer of the city or town having similar duties has certified thereon that an appropriation in the amount of such contract is available therefor. No order to the contractor for a change in or addition to the work to be performed under a contract subject to this section, whether in the form of a drawing, plan, detail or any other written instruction, unless it is an order which the contractor is willing to perform without any increase in the contract price, shall be deemed to have been given until the auditor or accountant, or other officer of the city or town having similar duties, has certified thereon that an appropriation in the amount of such order is available therefor; but such certificate shall not be construed as an admission by the city or town of its liability to pay for such work. The certificate of the auditor or accountant or other officer of the city or town having similar duties, that an appropriation in the amount of such contract or order is available shall bar any defense by the city or town on the grounds of insufficient appropriation; and any law barring payment in excess of appropriations shall not apply to amounts covered by any certificate under this section.

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 July 3, 1964.

Chap. 694. AN ACT RELATIVE TO THE SALARY OF THE JUSTICE OF THE BOSTON JUVENILE COURT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 218 of the General Laws is hereby amended by striking out section 76, as most recently amended by section 13 of chapter 810 of the acts of 1963, and inserting in place thereof the follow-

ing section: — *Section 76.* The salary of the justice of the Boston juvenile court shall be twenty thousand dollars.

SECTION 2. This act shall take effect as of January first, nineteen hundred and sixty-four.

Approved July 3, 1964.

Chap. 695. AN ACT INCREASING THE SALARY OF THE CLERK OF THE DISTRICT COURT OF SOUTHERN ESSEX.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (1) of section 79 of chapter 218 of the General Laws is hereby amended by striking out *Class V*, as appearing in section 2 of chapter 841 of the acts of 1963, and inserting in place thereof the following: —

Class V. — The Boston juvenile court,
district court of southern Essex,
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 2. *Class IV* of said paragraph (1) of said section 79 of said chapter 218, as appearing in chapter 725 of the acts of 1962, is hereby amended by striking out line 8, reading “district court of southern Essex,”.

Approved July 3, 1964.

Chap. 696. AN ACT PERMITTING IMPLAIDER IN CIVIL CASES.

Be it enacted, etc., as follows:

Chapter 231 of the General Laws is hereby amended by inserting after section 4A the following section: —

Section 4B. Before the filing of his answer, or within thirty days thereafter, a defendant, on notice to plaintiff, may, as third-party plaintiff, enter a writ and have served a summons and third-party declaration upon a person not a party to the action who is or may be liable to him for all or part of the plaintiff's claim against him. Subsequent to thirty days after filing his answer, the defendant may move on notice to the plaintiff for leave so to enter a writ and have served a summons and declaration upon such person, hereinafter entitled the third-party

defendant. Such third-party defendant shall make his defenses to the third-party plaintiff's claim, and may also assert against the plaintiff any defenses which the third-party plaintiff has to the plaintiff's claim. The plaintiff may by amendment assert any claim against the third-party defendant arising out of the transaction or occurrence that is the subject matter of the plaintiff's claim against the third-party plaintiff, and the third-party defendant thereupon shall assert his defenses. A third-party defendant may proceed under this section against any person not a party to the action who is or may be liable to him for all or part of the claim made in the action against the third-party defendant, and subsequent parties defendant may, likewise, proceed under this section against persons not parties to the action who may in turn be liable to such subsequent parties defendant for all or part of the claims made against such subsequent parties defendant.

Approved July 3, 1964.

Chap. 697. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO ERECT A SEA WALL IN THE GUN ROCK AREA OF THE TOWN OF HULL.

Be it enacted, etc., as follows:

SECTION 1. The department of public works, through its division of waterways, is hereby authorized and directed to construct a sea wall in the Gun Rock area of the town of Hull for the purpose of protecting the shore in said area from erosion by the sea and to perform such other work as it may deem necessary in connection therewith. No work shall be begun until there has been paid into the state treasury by said town an amount equal to twenty-five per cent and by the county of Plymouth an amount equal to twenty-five per cent of the cost of the work to be performed.

SECTION 2. For the purpose of meeting its share of the cost of the work provided in section one, the town of Hull may borrow such sums as may be necessary, not exceeding, in the aggregate, seventy-five thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Town of Hull Sea Wall Loan, Act of 1964. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than twenty years from their dates. Indebtedness incurred under this act shall be within the statutory limit and shall be subject to the provisions of chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 3. For the purpose of meeting its share of the cost of the work provided in section one, the county of Plymouth may borrow such sums as may be necessary, not exceeding, in the aggregate, seventy-five thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, County of Plymouth Sea Wall Loan, Act of 1964. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than twenty years from their dates.

Approved July 3, 1964.

Chap. 698. AN ACT AUTHORIZING THE TOWN OF NORTH ANDOVER TO PENSION IRA D. CARTY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of promoting the public good, the town of North Andover shall retire Ira D. Carty, who has been the highway surveyor for said town for thirty-one years, at the expiration of his present term of office, on an annual pension of twenty-five hundred dollars to be paid by said town in monthly instalments.

SECTION 2. This act shall be submitted for acceptance to the voters of the town of North Andover at the biennial state election in the current year in the form of the following question, which shall be placed upon the official ballot to be used at said election: — “Shall an act passed by the General Court in the year nineteen hundred and sixty-four, entitled ‘An Act authorizing the town of North Andover to pension Ira D. Carty’, 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 July 3, 1964.

Chap. 699. AN ACT PROVIDING FOR TWO ADDITIONAL COURT OFFICERS FOR THE THIRD DISTRICT COURT OF EASTERN MIDDLESEX.

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 639 of the acts of 1964, 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 third district court of eastern Middlesex five 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 municipal court of the West Roxbury district and in the district court of Somerville 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 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 3, 1964.

Chap. 700. AN ACT INCREASING THE SALARY OF THE CLERK OF THE DISTRICT COURT OF WESTERN NORFOLK.

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 12, reading “district

court of western Norfolk," as appearing in chapter 725 of the acts of 1962, and in *Class IV* by inserting after line 13 reading "district court of northern Norfolk," as so appearing, the following line: — district court of western Norfolk.
Approved July 3, 1964.

Chap. 701. AN ACT INCREASING THE SALARY OF THE CLERK OF THE FIRST DISTRICT COURT OF EASTERN WORCESTER.

Be it enacted, etc., as follows:

Paragraph (1) of section 79 of chapter 218 of the General Laws is hereby amended in *Class II* by striking out line 10, reading "first district court of eastern Worcester," as appearing in chapter 725 of the acts of 1962, and in *Class III* by striking out, in line 13, as so appearing, the word "and", — and by inserting after said line 13 the following line: — first district court of eastern Worcester, and.

Approved July 3, 1964.

Chap. 702. AN ACT RELATIVE TO THE COMPENSATION PLAN FOR MUNICIPAL PUBLIC WELFARE EMPLOYEES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to expedite any change in the compensation plan for certain municipal employees in order to prevent undue hardships and alleviate financial burdens, 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 47E of chapter 31 of the General Laws, as most recently amended by section 1 of chapter 579 of the acts of 1962, is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

Any amendment or change in such compensation plan shall become effective within ninety days after the date on which such amendment or change is made for such position, or on an earlier date at the request of the city or town and the approval of the director, and each person shall be paid the salary rate set forth in such compensation plan, as so amended or changed, which is equivalent in relative standing to the salary grade in effect prior to the amendment or change, as the case may be, commencing on such effective date. *Approved July 3, 1964.*

Chap. 703. AN ACT ESTABLISHING THE SOUTHEASTERN MASSACHUSETTS TECHNOLOGICAL INSTITUTE BUILDING AUTHORITY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to enable the Southeastern Massachusetts Institute of Technology to forthwith construct, equip, maintain and repair dining commons, dormitories and other buildings and structures for the use of said institute, its students, staff and their dependents, therefore it is

hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. *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 Southeastern Massachusetts Technological Institute Building Authority, created by section two of this act or, if said Authority shall be abolished, the board, body or commission succeeding to the principal functions thereof or to which the powers given by this act to the Authority shall be given by law.

(b) "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 thereof 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.

(c) "Federal government", the United States of America and any agency, board, bureau, commission, department or other instrumentality thereof.

(d) "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.

(e) "Trust agreement", a trust agreement made and entered into by and between the Authority and a Trustee under the provisions of section eight.

(f) "Trustee", the bank or trust company acting as trustee under a trust agreement.

(g) "Trustees", the board of trustees of the Southeastern Massachusetts Technological Institute or if such trustees shall hereafter be abolished, the board, body or commission succeeding to the principal func-

tions thereof or to which the powers given by chapter seventy-five B of the General Laws shall be given by law.

(h) "Institute", the Southeastern Massachusetts Technological Institute.

SECTION 2. *Southeastern Massachusetts Technological Institute Building Authority.* — There is hereby created and placed in the department of education a body politic incorporate to be known as the Southeastern Massachusetts Technological Institute Building Authority, which shall not be subject to the supervision or regulation of the department of education or of any department, commission, board, bureau or agency of the commonwealth, except to the extent and in the manner provided in this act. The Authority is hereby constituted a public instrumentality and the exercise by the Authority of the powers conferred by this act shall be deemed and held to be the performance of an essential government function.

The Authority shall consist of nine members to be appointed by the governor with the advice and consent of the council. The governor shall appoint three members of the Authority from members of the board of trustees, 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. The members of the Authority first appointed shall continue in office for terms expiring on June thirtieth in the years 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, nineteen hundred and seventy-two and nineteen hundred and seventy-three, respectively, the terms 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 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 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, or offices, in the town of Dartmouth 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 Institute, 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 the sole judgment of the board of trustees, who shall 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, with the approval of the board of trustees of the Institute, 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 obligation 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 the town of Dartmouth, or grant easements, licenses or any other rights or privileges therein to the Authority, and the provisions of sections sixteen and seventeen of chapter seventy-

five B 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;

(c) Make available to the Authority the services of officers and employees of the Institute and office space and facilities in the Institute for, among other things, billing and collecting rents, fees, rates and other charges for the use and occupancy of property of the Authority by the Institute or any person, organization or association referred to in section three; renting and leasing rooms and other accommodations in the buildings and structures of the Authority; cleaning, heating, daily operation of and repairs to and maintenance of such buildings and structures and other property of the Authority; and keeping all books of account for the Authority; and

(d) Do any and all 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 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, 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 property and projects 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-one to be paid to the treasurer and receiver-general out of such revenues; (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 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-one 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-one 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 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 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 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 or of 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 and 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 or 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, maintenance and operation 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 and their commercial departments and, within the limits set by section forty of chapter one hundred and seventy-two of the General Laws, banking associations, investment companies, executors, trustees and other fiduciaries, and all other persons whatsoever who are now or may hereafter be authorized to invest in bonds or other obligations of a similar nature may properly and legally invest funds, including capital in their control or belonging to them. Such bonds are hereby made securities which may properly and legally be deposited with and received by any state or municipal officer or any agency or political subdivision of the commonwealth for any purpose for which the deposit of bonds or other obligations of the commonwealth is now or may hereafter be authorized by law.

SECTION 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 section thirty-nine F and thirty-nine G 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. *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 chapter seventy-five B of the General Laws, derived from and for the operation of any such building or other property 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 20. *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 21. *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 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.

If one or more of the dormitories at the Institute with respect to which special maintenance appropriations shall have been made, or subsequently made, by the general court 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 Institute 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.

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 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. Any funds expended by the commonwealth acting through the trustees, for the planning of buildings which are thereafter built by the Authority shall be reimbursed by the Authority to the commonwealth.

SECTION 26. Section 12 of chapter 63 of the General Laws is hereby amended by adding after paragraph (aa), inserted by section 3 of chapter 563 of the acts of 1964, the following paragraph: —

(bb) Bonds, notes or other evidences of indebtedness issued by the Southeastern Massachusetts Technological Institute Building Authority.

Approved July 6, 1964.

Chap. 704. AN ACT AUTHORIZING THE BOARD OF TRUSTEES OF THE SOUTHEASTERN MASSACHUSETTS TECHNOLOGICAL INSTITUTE TO GRANT CERTAIN EASEMENTS THROUGH THE CAMPUS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to allow for the relocation of an existing on-campus power line to another on-campus location on property of the Southeastern Massachusetts Technological Institute, and thereby facilitate immediate construction, 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 543 of the acts of 1960 is hereby amended by adding at the end the following sentence: — Said board of trustees may, in the name of the commonwealth, grant easements to public utility companies for the purpose of relocating existing power lines on the campus to other locations thereon.

Approved July 6, 1964.

Chap. 705. 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 seven of chapter three hundred and ninety-eight of the acts of the current year, to provide for a special capital outlay program for the commonwealth, shall be issued and may be renewed one or more times for terms not exceeding one year, and the final maturities of such notes, whether original or renewal, shall be not later than June thirtieth, nineteen hundred and sixty-seven, as recommended by the governor in a message to the general court, dated July third, nineteen hundred and sixty-four, 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 three of chapter four hundred and three of the acts of the current year, directing the metropolitan district commission to construct additional water supply mains in the cities of Everett, Revere and Somerville, shall be issued and may be renewed one or more times for terms not exceeding one year, and the final maturities of such notes, whether original or renewal, shall be not later than three years from the date of the original issue, and the bonds which the state treasurer is authorized to issue under section four of said chapter four hundred and three, 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-six, as recommended by the governor in a message to the general court, dated July third, nineteen hundred and sixty-four, 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 three of chapter four hundred and forty-one of the acts of the current year, directing the metropolitan district commission to construct an athletic plant in the Cleveland circle section of the Brighton district of the city of Boston, shall be issued for maximum terms of twenty years, the initial maturities of which shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and eighty-six, as recommended by the governor in a message to the general court, dated July third, nineteen hundred and sixty-four, 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 two of chapter six hundred and thirty-seven of the acts of nineteen hundred and sixty-two, as amended by chapter four hundred and fifty of

the acts of the current year, providing additional funds to the department of public works to cover the cost of providing recreational facilities at Fort Phoenix Beach in the town of Fairhaven, shall be issued for maximum terms of thirty years, and shall be payable not later than June thirtieth, nineteen hundred and ninety-three, as recommended by the governor in a message to the general court, dated July third, nineteen hundred and sixty-four, 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 six hundred and thirty-eight of the acts of nineteen hundred and sixty-two, as amended by chapter four hundred and ninety-two 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 Westfield flood protection project, shall be issued for maximum terms of ten years, the initial maturities of which shall be payable not later than one year from the date of issue thereof, as recommended by the governor in a message to the general court, dated July third, nineteen hundred and sixty-four, in pursuance of section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

Notwithstanding any provision of law to the contrary, the agreement with the Secretary of the Army which the governor and council may request the state treasurer to enter into under the provisions of section ten of said chapter six hundred and thirty-eight shall provide for the payment with interest of the eligible portion of the non-federal costs under the provisions of section 203 of the Flood Control Act of 1960 within fifty years of the date of the agreement.

SECTION 6. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under chapter four hundred and ninety-four of the acts of the current year, increasing the amount of money which the commonwealth may borrow to meet the non-federal cost of certain works of improvement for flood prevention and related purposes in the watershed of the Sudbury, Assabet and Concord rivers, 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-nine, as recommended by the governor in a message to the general court, dated July third, nineteen hundred and sixty-four, in pursuance of section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 7. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section three of chapter five hundred and seven of the acts of the current year, to provide for a special outdoor recreation capital outlay program for the commonwealth, 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 July third, nineteen hundred and sixty-four, 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

two of chapter six hundred and thirteen of the acts of the current year, providing for the installation of closed circuit television systems and television transmission facilities in buildings in the health, welfare and education service center, shall be issued for maximum terms of twenty years, the initial maturities of which shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and eighty-five, as recommended by the governor in a message to the general court, dated July third, nineteen hundred and sixty-four, in pursuance of section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 9. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section four of chapter six hundred and forty 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 seventy, and the bonds which the state treasurer is authorized to issue under section five of said chapter six hundred and forty, 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 ninety, as recommended by the governor in a message to the general court, dated July third, nineteen hundred and sixty-four, in pursuance of section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

Approved July 6, 1964.

Chap. 706. AN ACT AUTHORIZING THE HARVARD CO-OPERATIVE SOCIETY TO CONSTRUCT AND MAINTAIN A STRUCTURE BRIDGING PALMER STREET IN THE CITY OF CAMBRIDGE.

Be it enacted, etc., as follows:

SECTION 1. Upon petition and after seven days' notice published in at least one newspaper published in the city of Cambridge, and a public hearing thereon, the city council of said city by a two-thirds vote, with the approval of the city manager, may grant and issue a permit to the Harvard Co-operative Society, a corporation duly established and existing under the laws of the commonwealth, its successors and assigns, to construct and maintain a structure bridging Palmer street in said city for the purpose of connecting the existing and proposed buildings owned and occupied by said corporation on opposite sides of said street.

SECTION 2. No structure, bridging said street under a permit issued as provided in section one, shall be constructed or maintained at a height less than twenty-one feet above the grade line of said street, nor shall such structure be more than twelve feet in width nor more than fifty-three feet in height, and no part of the bridge or its supports shall rest upon the surface of the street, nor shall any such bridge be constructed or maintained over any portion of said street not owned in fee by said corporation without the written consent of the owners of such portion in each instance.

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

Approved July 6, 1964.

Chap. 707. AN ACT DESIGNATING CERTAIN ROADS UNDER THE CONTROL OF THE METROPOLITAN DISTRICT COMMISSION AS THE CHARLES W. GREENOUGH BOULEVARD.

Be it enacted, etc., as follows:

SECTION 1. The so-called Memorial drive extension from Memorial drive and Ash street in the city of Cambridge to Arsenal street in the town of Watertown, and Charles River road from Arsenal street to Galen street in said town, including that part of North Beacon street which lies between the two sections of Charles River road, shall be known and designated as the Charles W. Greenough Boulevard, in memory of Charles W. Greenough, the late commissioner and associate commissioner of the metropolitan district commission, and suitable tablets and markers bearing said designation shall be erected and maintained along said boulevard by said commission.

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

Approved July 6, 1964.

Chap. 708. 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 three hundred and thirty-seven of the acts of the current year for the fiscal year ending June thirtieth, nineteen hundred and sixty-five, 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		
0265-08	For an investigation and study relative to matters affecting workmen's compensation, as authorized by chapter one hundred and eight of the resolves of the current year	\$15,000

Judiciary.

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:

Plymouth:		
0332-01	Item 0332-01 of section two of chapter three hundred and thirty-seven of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following: — Two judges of Probate	\$17,000

Boards and Commissions Serving under Governor and Council.*Massachusetts Aeronautics Commission.*

Item		
0490-03	For the expense of establishing and maintaining air navigation facilities as authorized by section thirty-nine A of chapter ninety of the General Laws	\$15,000

Auditor of the Commonwealth.

0701-01	For the salary of the auditor	\$4,000
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Department of Education.

1301-16	For expenses in connection with the establishment of special programs for certain disadvantaged children as authorized by chapter six hundred and fifty of the acts of the current year, including the commonwealth's share of such programs established in local school systems, to be in addition to any federal or other funds available for the purpose	\$50,000
1301-17	For expenses in connection with the establishment of special programs for certain academically talented children, as authorized by chapter six hundred and fifty-one of the acts of the current year, including the commonwealth's share of such programs established in local school systems, to be in addition to any federal or other funds available for the purpose	50,000

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	\$25,000
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SECTION 3. This act shall take effect upon its passage.

Approved July 6, 1964.

Chap. 709. AN ACT PROVIDING FOR A BRANCH OFFICE OF THE REGISTRY OF MOTOR VEHICLES IN THE TOWN OF GREAT BARRINGTON.

Be it enacted, etc., as follows:

The registrar of motor vehicles, subject to appropriation therefor, is hereby authorized and directed to establish and maintain in the town of Great Barrington a branch office of the registry of motor vehicles.

Approved July 6, 1964.

Chap. 710. AN ACT INCREASING THE NUMBER OF ASSISTANT CLERKS OF THE SUPERIOR COURT FOR CIVIL BUSINESS IN THE COUNTY OF SUFFOLK.

Be it enacted, etc., as follows:

SECTION 1. Section 6 of chapter 221 of the General Laws, as most recently amended by section 1 of chapter 555 of the acts of 1957, is hereby further amended by striking out, in line 3, the word "eighteen" and inserting in place thereof the word: — nineteen, — so as to read as follows: — *Section 6.* The justices of the superior court may appoint, for a term of three years from the date of their appointment, nine-

teen assistant clerks of said court for civil business in the county of Suffolk, one of whom shall perform the duties of clerk pertaining to the equity proceedings in said court.

SECTION 2. This act shall take effect upon its passage by the city of Boston.

Approved July 6, 1964.

Chap. 711. AN ACT DIRECTING THE WACHUSETT REGIONAL SCHOOL DISTRICT TO CONVEY CERTAIN LAND TO ESKEL S. ERICKSON AND INGRID E. ERICKSON.

Be it enacted, etc., as follows:

The Wachusett Regional School District is hereby authorized and directed to convey by a deed, without covenants, to Eskel S. Erickson and Ingrid E. Erickson, husband and wife, of the town of Holden, whatever right, title and interest said District acquired from said Eskel S. Erickson and Ingrid E. Erickson under an order of taking for school purposes dated July 9, 1951, and recorded on August 7, 1951, in the Worcester District Registry of Deeds, Book 3355, Page 151, in the following described parcel of land:

Beginning at a point in the easterly line of the premises described in the Deed from Helen L. Warren to Wachusett Regional School District, dated August 7, 1951, and recorded with said Deeds in Book 3355, Page 154, which point is distant southerly 1665.66 feet from the angle of said easterly line and Main Street in said Holden; thence south 7° 55' 30" east, 112.73 feet to stake and stones; thence south 37° 41' 18" west, 969.82 feet to stake and stones; thence south 35° 10' 34" west, 413.95 feet to stake and stones; thence south 41° 10' 31" west, 380.83 feet to stake and stones; thence south 53° 18' 10" west, 229.47 feet to stake and stones; thence south 2° 3' 33" west, 132 feet to a point at land of Eskel S. Erickson; thence south 49° 42' 40" west, 794.60 feet to a point; thence turning and running north 36° 17' 20" west still by land of said Eskel S. Erickson, 417 feet to a point; thence north 39° 47' 20" west, 966 feet to a point; thence turning and running north 10° 6' 42" west, 1207.35 feet to the point of beginning.

Approved July 6, 1964.

Chap. 712. AN ACT PROVIDING FOR THE APPOINTMENT OF AN ASSISTANT COMMISSIONER IN THE DEPARTMENTS OF EDUCATION AND MENTAL HEALTH, RESPECTIVELY, FOR THE EDUCATION OF MENTALLY OR PHYSICALLY HANDICAPPED CHILDREN AND OF EMOTIONALLY DISTURBED CHILDREN AND TO SUPERVISE PROGRAMS FOR MENTALLY RETARDED PERSONS.

Be it enacted, etc., as follows:

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

Section 1D. The board shall appoint, and may in its discretion remove, an assistant commissioner of education who shall be in charge of the education of mentally handicapped, physically handicapped, and emotionally disturbed children.

Said assistant commissioner shall have a graduate degree in education or psychology from a recognized college or university and shall have had five years' experience in the administration of programs affecting the education of mentally handicapped or physically handicapped children or emotionally disturbed children.

SECTION 2. Section 4 of said chapter 15 is hereby amended by inserting after the fourth sentence the following sentence:— The director of the division of special education shall be under the direction of the assistant commissioner of education who shall be responsible to the commissioner.

SECTION 3. Section 15A of said chapter 15 is hereby amended by striking out the first sentence, as appearing in section 2 of chapter 514 of the acts of 1954, and inserting in place thereof the following two sentences:— The division of special education shall consist of the assistant commissioner of education and a director. Said director shall be appointed by the board at such salary as it may determine.

SECTION 4. Section 1 of chapter 19 of the General Laws, as most recently amended by section 1 of chapter 511 of the acts of 1939, is hereby further amended by striking out the third sentence and inserting in place thereof the following sentence:— There shall be in the department an assistant commissioner, qualified as hereinafter provided, who shall perform such duties as the commissioner may prescribe, a second assistant commissioner qualified as hereinafter provided who shall, under the direction of the commissioner, have charge of the financial matters relating to the department and perform such other duties as the commissioner may prescribe, and a third assistant commissioner, qualified as hereinafter provided, who shall supervise all programs conducted by the department for mentally retarded persons.

SECTION 5. Said section 1 of said chapter 19, as so appearing, is hereby further amended by inserting after the fifth sentence the following sentence:— The third assistant commissioner shall have a doctorate in psychiatry, psychology, medicine or social work, and shall have had five years' experience in the field of mental retardation.

SECTION 6. Section 2 of said chapter 19, is hereby amended by striking out the second, third and fourth sentences, as appearing in chapter 722 of the acts of 1951, and inserting in place thereof the following three sentences:— Upon the expiration of the term of office of the assistant commissioner, the second assistant commissioner or the third assistant commissioner, his successor shall be appointed for four years by the commissioner, with the approval of the governor and council. The assistant commissioner, the second assistant commissioner and the third assistant commissioner shall receive such salaries as may be fixed under and in accordance with sections forty-five to fifty, inclusive, of chapter thirty, and shall devote their entire time to the affairs of the department. The commissioner, the assistant commissioner, the second assistant commissioner and the third assistant commissioner shall be reimbursed for expenses necessarily incurred in the performance of their duties.

SECTION 7. The third assistant commissioner in the department of mental health, initially appointed under the provisions of this act, shall serve for a term of four years.

Approved July 6, 1964.

Chap. 713. AN ACT 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.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized and directed to construct and thereafter maintain a swimming pool and skating rink within the Washington Park urban renewal area of the Roxbury district of the city of Boston. Said commission shall expend such sums as may be appropriated therefor.

Approved July 6, 1964.

Chap. 714. AN ACT EXEMPTING THE OFFICES OF DIRECTOR AND ASSISTANT TO THE DIRECTOR OF THE INDUSTRIAL DEVELOPMENT COMMISSION OF THE CITY OF NEW BEDFORD FROM THE PROVISIONS OF THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

SECTION 1. The offices of director and assistant to the director of the Industrial Development Commission of the city of New Bedford shall, upon the effective date of this act, be exempt from the provisions of chapter thirty-one of the General Laws.

SECTION 2. This act shall take effect upon its acceptance by the city of New Bedford.

Approved July 6, 1964.

Chap. 715. AN ACT PROVIDING AN ABATEMENT ON REAL PROPERTY TAXES FOR WIDOWS OF CERTAIN POLICE OFFICERS.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 59 of the General Laws is hereby amended by inserting after clause Forty-first, inserted by section 1 of chapter 808 of the acts of 1963, the following clause: —

Forty-second, Real estate of the widow, until she remarries, of a police officer, killed in the line of duty as such police officer, to the amount of eight thousand dollars; provided that such real estate is owned and occupied by her as her domicile, and provided, further, no real estate shall be so exempt which the assessors shall adjudge has been conveyed to such widow to evade taxation.

SECTION 2. This act shall apply to taxes assessed for the year nineteen hundred and sixty-five and subsequent years.

Approved July 6, 1964.

Chap. 716. AN ACT PROVIDING FOR A BRANCH OFFICE OF THE REGISTRY OF MOTOR VEHICLES IN THE TOWN OF PLYMOUTH.

Be it enacted, etc., as follows:

The registrar of motor vehicles, subject to appropriation therefor, is hereby authorized to establish and maintain a branch office of the registry of motor vehicles in the town of Plymouth.

Approved July 6, 1964.

Chap. 717. AN ACT PERMITTING WALTER A. SWIFT AND SHIRLEY SWIFT TO PETITION LATE FOR ASSESSMENT OF DAMAGES RESULTING TO THEM FROM THE TAKING OF THEIR CERTAIN LAND IN THE TOWN OF LEICESTER.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of chapter seventy-nine of the General Laws with regard to the time within which a petition for assessment of damages may be filed, Walter A. Swift and Shirley Swift may file a petition for assessment of damages under said chapter within the current year for damages resulting to them from the taking by the town of Leicester of their land on Pleasant street in said town; provided, however, that such damages, including interest and costs, shall not exceed twelve hundred dollars.

Approved July 6, 1964.

Chap. 718. AN ACT REGULATING THE SOLICITATION OF CHARITABLE CONTRIBUTIONS FROM THE PUBLIC.

Be it enacted, etc., as follows:

SECTION 1. Chapter 68 of the General Laws is hereby amended by adding after section 17 the following fourteen sections:—

Section 18. When used in this section, and in sections nineteen to thirty-one, inclusive, the following terms shall have the following meanings:—

“Charitable organization”, any benevolent, educational, philanthropic, humane, patriotic or eleemosynary individual, trustee, organization, trust, foundation, group, association, partnership, corporation, society or any combination of them, or one holding itself out to be a charitable organization or one which has received a tax exemption from the United States Government or any state or municipality by reason of its charitable nature;

“Contributions”, the promise or grant of any money or property or anything of value except payments by members of an organization for membership fees, dues, fines or assessments or for services rendered to individual members if membership in such organizations confers a bona fide right, privilege, professional standing honors or other direct benefit;

“Director”, the director of the division of public charities in the department of the attorney general;

“Division”, the division of public charities in the department of the attorney general;

“Parent organization”, that part of a charitable organization which co-ordinates, supervises or exercises control over policy, fund-raising and expenditures; or assists or advises one or more chapters, branches or affiliates in this commonwealth;

“Person”, any individual, organization, trust, foundation, group, association, partnership, corporation, society or any combination of them;

“Professional fund-raising counsel”, any person who, for a flat fixed fee, under a written contract plans, conducts, manages, carries on, advises or acts as a consultant whether directly or indirectly in connection with soliciting contributions for or on behalf of any charitable organization but who actually solicits no contributions as a part of such services. A bona fide salaried officer or regular nontemporary employee of a char-

itable organization maintaining a permanent establishment within the commonwealth shall not be deemed to be a professional fund-raising counsel;

"Professional solicitor", any person who is retained for a financial or other consideration, whether on a percentage or other basis, by a charitable organization or by any person who acts on behalf of a charitable organization to solicit contributions directly or in the form of payment for goods or services in this commonwealth for charitable purposes whether such solicitation is done individually or through the agents, servants or employees of any such person so retained or through agents, servants or employees specially recruited for a charitable solicitation on the payroll of a charitable organization who are engaged in the solicitation of contributions under the direction of such person so retained. A bona fide salaried officer or regular, nontemporary employee of a charitable organization maintaining a permanent establishment within the commonwealth shall not be deemed to be a professional solicitor. No attorney, investment counselor or banker who advises an individual corporation or association to make a charitable contribution shall be deemed, as the result of such advice, to be a professional fund-raising counsel or a professional solicitor.

Section 19. Every charitable organization, except those granted exemption in section twenty of this chapter, which intends to solicit contributions from persons in this commonwealth or have funds solicited on its behalf by other charitable organizations shall, prior to any solicitation, file a registration statement with the division upon prescribed forms, which shall be refiled in the next and each following year in which such charitable organization is engaged in solicitation activities. Provided that the provisions of this chapter have been complied with, the director of the division shall issue a certificate of registration to a charitable organization within ten days of receipt of the registration statement. No charitable organization required to be registered under this section shall solicit funds without a valid certificate of registration. The president, chairman or principal officer of such charitable organization shall file the statements required under sections eighteen to thirty-one, of this chapter. Such statements shall be sworn to and shall contain the following information: (1) The name of the organization and the purpose for which it was organized; (2) the address of the organization and the address of any offices in this commonwealth or, if the organization does not maintain an office, the name and address of the person having custody of its financial records; (3) the place where and the date when the organization was legally established, the form of its organization and its tax exempt status for federal income tax purposes; (4) the names and addresses of the officers, directors and trustees and the principal salaried executive staff officers; (5) a copy of the balance sheet and income and expense statement for the organization's immediate preceding fiscal year audited by an independent public accountant; provided, however, that if the charitable organization has filed the information required under section eight of chapter twelve, within six months prior to the filing of the registration statement, the fiscal statement required hereby need not be filed; (6) whether the organization intends to solicit contributions from the public; (7) whether the organization is authorized by any other governmental authority to solicit contributions and whether it is or has ever been enjoined by any court from soliciting con-

contributions; (8) the principal purpose or purposes for which the contributions to be solicited shall be used; (9) the name or names under which it intends to solicit contributions; (10) the names of the individuals or officers of the organization who shall have final responsibility for the custody of the contributions; (11) the names of the individuals or officers of the organization responsible for the final distribution of the contributions. The registration forms and any other documents prescribed by the division shall be signed by any two authorized officers, including the chief fiscal officer, of the charitable organization and shall be verified under oath. Every charitable organization except those granted exemption under section twenty of this chapter shall pay a registration fee of ten dollars. Every charitable organization having one or more chapters, branches or affiliates in this commonwealth and filing in behalf of such chapters, branches or affiliates shall pay a single registration fee.

Section 20. The following shall not be required to file registration statements with the division or to have a certificate of registration under section nineteen: (1) any religious corporation, trust or organization incorporated or established for religious purposes, nor any agency or organization incorporated or established for charitable, hospital or educational purposes and engaged in effectuating one or more of such purposes, which is affiliated with, operated by, or supervised or controlled by a corporation sole or other religious corporation, trust or organization incorporated or established for religious purposes, nor any other religious agency or organization which serves religion by the preservation of religious rights and freedom from persecution or prejudice or by fostering religion, including the moral and ethical aspects of a particular religious faith; (2) educational institutions which by ruling of the United States Treasury Department are exempt from federal income taxation; (3) parent-teacher associations; (4) persons requesting contributions for the relief of any individual specified by name at the time of the solicitation when all of the contributions collected, without any deductions whatsoever, are turned over to the named beneficiary for his use; (5) charitable organizations which do not actually raise or receive contributions from the public in excess of five thousand dollars during a calendar year or do not receive contributions from more than ten persons during a calendar year, if all of their functions, including fundraising activities, are carried on by persons who are unpaid for their services and if no part of their assets or income inures to the benefit of, or is paid to any officer or member; provided, if the contributions raised from the public, whether or not all is received by any charitable organization during any calendar year, is in excess of five thousand dollars, it shall within thirty days after the date it shall have received total contributions in excess of five thousand dollars, register with and report to the division as required by section nineteen; (6) nonprofit and charitable hospitals; (7) public libraries; (8) organizations which solicit only from their own memberships; (9) persons soliciting contributions solely from charitable foundations; (10) foundations or associations exclusively for the benefit of religious organizations, educational institutions, nonprofit or charitable hospital and public libraries; (11) volunteer fire companies.

Section 21. (a) No charitable organization required to have a certificate of registration pursuant to the provisions of sections eighteen to thirty-one, inclusive, shall agree to pay a professional solicitor or its

agents, servants or employees, including agents, servants or employees assigned to work under the direction of a professional solicitor, in the aggregate a total amount in excess of fifteen per cent of the total moneys, pledges or other property raised or received by reason of any solicitation activities or campaigns, including reimbursement for expenses incurred.

(b) For purposes of this section, the total moneys, funds, pledges or other property raised or received shall be computed by first deducting therefrom the actual cost to the charitable organization or professional solicitor of goods sold or services provided to the public in connection with the soliciting of contributions. (c) Every contract between a professional fund-raising counsel and a charitable organization and every contract or a written statement of the nature of the arrangement to prevail in the absence of a contract between a professional solicitor and a charitable organization required to have a certificate of registration pursuant to the provisions of sections eighteen to thirty-one, inclusive, shall be filed with the director of the division within ten days after such contract or written arrangement is concluded. If the contract or arrangement with a professional solicitor does not provide for compensation on a percentage basis, the director shall examine the contract to ascertain whether the compensation to be paid in such circumstances is likely to exceed fifteen per cent of the total moneys, pledges or other property raised or received as a result of the contract or arrangement. If the reasonable probabilities are that the compensation will exceed such fifteen per cent, the director shall disapprove such contract within ten days after its filing. No charitable organization or professional solicitor shall carry out or execute a disapproved contract or receive or perform services or receive or make payments pursuant to a disapproved contract. Any party to a disapproved contract shall upon request be given a hearing before the division within fifteen days.

Section 22. The director shall not issue a certificate of registration to any charitable organization which devotes more than fifty per cent of its gross income to salaries, wages and expenses related to soliciting or receiving contributions on behalf of the organization unless it is determined by the director after investigation and an opportunity for a hearing by the organization before an adverse decision is made that it would be in the public interest to allow the organization to solicit funds from the public, notwithstanding the fact that the charitable organization devotes more than fifty per cent of its gross income to salaries, wages and expenses related to soliciting or receiving contributions on behalf of the organization. There shall be a right of review of the decision of the director in accordance with the provisions of chapter thirty A.

Section 23. (a) No person shall act as a professional fund-raising counsel or professional solicitor for a charitable organization required to have a certificate of registration pursuant to the provisions of sections eighteen to thirty-one, inclusive, unless he has first registered with the division. Applications for such registration shall be in writing under oath in the form prescribed by the division and shall contain such information as the division may require. The application for registration by a professional fund-raising counsel or professional solicitor shall be accompanied by an annual fee in the sum of ten dollars. A partnership or corporation which is a professional fund-raising counsel or professional solicitor may register for and pay a single fee on behalf of all its members,

officers, agents and employees. (b) The applicant shall, at the time of making application, file with and have approved by the division a bond in which the applicant shall be the principal obligor in the sum of ten thousand dollars with one or more sureties satisfactory to the division whose liability in the aggregate shall at least equal said sum. Said bond shall run to the division for the use of the commonwealth and to any charitable organization which may have a cause of action against the obligor of said bond for any malfeasance or misfeasance in the conduct of solicitation activities. A partnership or corporation which is a professional fund-raising counsel or professional solicitor may file a consolidated bond on behalf of all its members, officers and employees. The aggregate liability of the surety for all breaches of the conditions of the bond shall, in no event, exceed the sum of said bond. (c) Each registration shall be valid for a period of one year or a part thereof and may be renewed for additional one-year periods upon written application under oath in the form prescribed by the division and containing such information as it may require and the filing of the bond and the fee prescribed herein. (d) The director of the division shall examine each application and, if he finds it to be in conformity with the requirements of this section and sections nineteen to thirty-one and all relevant rules and regulations and the registrant to have complied with the requirements of said sections and all relevant rules and regulations, he shall approve the registration. Any applicant who is denied approved registration may within fifteen days from the date of notification of such denial request in writing a hearing before the division which hearing shall be held within fifteen days from the date of the request.

Section 24. Registration statements and applications, reports, professional fund-raising counsel contracts or professional solicitor contracts and all other documents and information required to be filed under sections nineteen to thirty-one, inclusive, or by the division shall be public records in the office of the division and shall be open to the general public for inspection at such time and under such conditions as the division may describe.

Section 25. Every charitable organization required to have a certificate of registration under section nineteen, shall, in accordance with the rules and regulations prescribed by the division, keep true fiscal records as to such activities in Massachusetts as may be covered by sections eighteen to thirty-one, inclusive, in such form as will enable it or him accurately to provide the information required by said sections. Upon demand such records shall be made available to the division for inspection. Such records shall be retained for a period of at least three years after the end of the period of registration to which they relate.

Section 26. The division may enter into reciprocal agreements with the appropriate authority of any other state for the purpose of exchanging information with respect to charitable organizations, professional fund-raising counsel and professional solicitors. Pursuant to such agreements the division may accept information filed by a charitable organization with the appropriate authority of another state in lieu of the information required to be filed by the charitable organization in accordance with the provisions of sections nineteen to thirty-one, inclusive, if such information is substantially similar to the information required under said sections.

Section 27. (a) No charitable organization, professional fund-raising counsel or professional solicitor subject to the provisions of sections nineteen to thirty-one, inclusive, shall use or exploit the fact of registration so as to lead the public to believe that such registration in any manner constitutes an endorsement or approval by the commonwealth. (b) No person shall, in connection with the solicitation of contributions for or the sale of goods or services of a person other than a charitable organization, misrepresent to or mislead any one by any manner, means, practice or device whatsoever to believe that the person on whose behalf such solicitation or sale is being conducted is a charitable organization or that the proceeds of such solicitation or sale will be used for charitable purposes if such is not the fact. (c) No person shall in connection with the solicitation of contributions or the sale of goods or services for charitable purposes represent to or lead any one by any manner, means, practice or device whatsoever to believe that any other person sponsors or endorses such solicitation of contributions, sale of goods or services for charitable purposes or approves of such charitable purposes or a charitable organization connected therewith when such other person has not given consent to the use of his name for these purposes. Any member of a board of directors or trustees of a charitable organization or any other person who has agreed either to serve or to participate in any voluntary capacity in the campaign shall be deemed thereby to have given his consent to the use of his name in connection with the progress of such campaign. (d) No person shall make any representation that he is soliciting contributions for or on behalf of a charitable organization or shall use or display any emblem, device or printed matter belonging to or associated with a charitable organization for the purpose of soliciting or inducing the contribution of funds from the public without first being authorized to do so by the charitable organization. (e) No professional solicitor shall solicit in the name of or on behalf of any charitable organization unless such solicitor has (1) written authorization of two officers of such organization, a copy of which shall be filed with the division. Such written authorization shall bear the signature of the solicitor and shall expressly state on its face the period for which it is valid, which shall not exceed one year from the date issued; (2) such authorization with him when making solicitations and exhibits the same on request to persons solicited or police officers or agents of the division.

Section 28. No charitable organization shall conduct or make any solicitation of contributions by means of paid telephone operators whose principal duties are the conducting of such telephone solicitation.

Section 29. Any charitable organization or professional fund-raising counsel or professional solicitor having its principal place of business without the commonwealth or organized under and by virtue of the laws of a foreign state which solicits contributions from people in this commonwealth subject to sections nineteen to thirty-one, inclusive, shall be subject to the provisions of said sections, and shall be deemed to have irrevocably appointed the state secretary as its agent upon whom may be served any summons, subpoena duces tecum or other process directed to such charitable organization or any partner, principal officer or director thereof, professional fund-raising counsel or professional solicitor in any action or proceeding brought under the provisions of said sections. Service of such process upon the secretary shall be made by personally

delivering to and leaving with him a copy thereof at the office of said secretary in Boston and such service shall be sufficient service; provided notice of such service and a copy of such process shall be forthwith sent by said secretary to such charitable organization or professional fund-raising counsel or professional solicitor by registered mail, with return receipt requested at its or his office as set forth in the registration form required to be filed in the division pursuant to sections nineteen and twenty-three, or in default of the filing of such form at the last address known to said secretary.

Section 30. (a) If any registered charitable organization, professional fund-raising counsel or professional solicitor fails to file any registration application or statement, annual report or other information required to be filed by the division under sections nineteen to thirty-one, inclusive, the division shall notify the delinquent charitable organization, professional fund-raising counsel or professional solicitor by mailing a notice by registered mail to its last known address. If the required registration application or statement, annual report or other information is not filed within two weeks after the formal notification of receipt of such notice, the division may cancel or suspend the registration of such delinquent charitable organization. (b) The division, upon its own motion or upon complaint of any person, may investigate any charitable organization and any professional fund-raising counsel or professional solicitor to determine whether such charitable organization, professional fund-raising counsel or professional solicitor has violated the provisions of sections nineteen to thirty-one, inclusive, or has filed any application required under said sections which contains false or misleading information. If the division finds that any information contained in an application is false or misleading or that a registrant under sections nineteen to thirty-one, inclusive, has violated said sections, it may suspend or cancel the registration and revoke the certificate of registration. (c) The registration of any charitable organization, professional fund-raising counsel or professional solicitor which or who knowingly makes a false statement in any registration application or statement, annual report or other information required to be filed by the division or sections nineteen to thirty-one, inclusive, shall be revoked by the division. (d) Any person who knowingly violates any provision of sections nineteen to thirty-one, inclusive, or who wilfully and knowingly gives false or incorrect information to the division in filing statements or reports required by said section, whether such report or statement is verified or not, may be fined not more than one thousand dollars or imprisoned not more than one year or both. (e) Whenever the attorney general or any district attorney has reason to believe that any charitable organization, professional fund-raising counsel or professional solicitor is operating in violation of the provisions of sections nineteen to thirty-one, inclusive, or has knowingly and wilfully made any false statement in any registration application or statement, report or other information required to be filed under said sections, or whenever a charitable organization has failed to file a registration statement required under said sections, or whenever there is employed or is about to be employed in any solicitation or collection of contributions for a charitable organization any device, scheme or artifice to defraud or to obtain money or property by means of any false pretense, representation or promise, or whenever any of the principal officers of any charitable organization have refused or

failed after notice to produce any records of such organization, in addition to all other actions authorized by law, the attorney general or district attorney may bring an action in the name of the commonwealth against such charitable organization and its officers, such professional fund-raising counsel or professional solicitor or any other person who has violated said sections or who has participated or is about to participate in any solicitation or collection by employing any device, scheme, artifice, false representation or promise, to defraud or obtain money or other property, to enjoin such charitable organization or professional fund-raising counsel or professional solicitor or other person from continuing such violation, solicitation or collection or engaging therein or doing any acts in furtherance thereof and for such other relief as to the court seems appropriate.

Section 31. Every person and every corporation or other organization, association, firm or group of persons, collecting or expending contributions for charitable purposes solicited from the public, and every officer and employee of any such corporation, organization, association, firm or group concerned with the collection or expenditure of such funds shall be deemed to be a fiduciary and acting in a fiduciary capacity.

SECTION 2. Section seventeen of said chapter sixty-eight is hereby repealed.

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

Approved July 6, 1964.

Chap. 719. AN ACT PROVIDING FOR CENTRAL TABULATION FACILITIES FOR STATE ELECTIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 105 of chapter 54 of the General Laws is hereby amended by inserting after the second paragraph, as most recently amended by section 12 of chapter 374 of the acts of 1963, the following paragraph:—

At state elections, the city or town clerk, or such person as he shall designate in each precinct or polling place, shall immediately transmit to such central tabulation facilities as the state secretary shall designate, by telephone or telegraph, the vote cast for candidates for offices to be voted for by all the voters of the commonwealth and for congressman, by precincts or by polling places as the count for each such office is completed.

SECTION 2. Said chapter 54 is hereby further amended by inserting after section 110 the following section:—

Section 110A. The returns transmitted under section one hundred and five shall be considered unofficial and shall be in addition to returns required under this chapter, and shall be disseminated as received by the state secretary from the central tabulation facilities established by him under said section one hundred and five. Subject to the approval of the governor and council, the state secretary may make, and from time to time amend, rules governing the establishment of such central tabulation facilities and the administration thereof.

Approved July 6, 1964.

Chap. 720. AN ACT EXTENDING PROVISIONAL APPOINTMENTS AND TEMPORARY TRANSFERS IN POSITIONS WHERE LISTS HAVE NOT BEEN ESTABLISHED AS RESULT OF EXAMINATIONS AND CLARIFYING MARKING OF EXPERIENCE IN COMPETITIVE EXAMINATIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 31 of the General Laws is hereby amended by striking out section 15, as most recently amended by chapter 455 of the acts of 1964, and inserting in place thereof the following section: —
Section 15. No person shall be appointed or promoted to any position in the classified civil service except upon requisition by the appointing officer and upon certification by the director from an eligible list prepared in accordance with this chapter and the rules made thereunder. If there is no suitable eligible list, or if the director is unable to comply with a requisition, he may, subject to section twenty-five, authorize a provisional appointment. Such a provisional appointment, whether by appointment or promotion, may be authorized to fill a permanent position for a period of not more than one year, or to fill a temporary position other than one in the service of the commonwealth for not more than six months, or to fill a temporary position in the service of the commonwealth for the period for which approval has been granted by the director of personnel and standardization; provided that if sufficient reason is forwarded to the director by the appointing authority to justify a request made by him for an extension of the provisional appointment to a temporary position, such authorization, where such position is not in the service of the commonwealth, may be extended for not more than eighteen months or until the establishment of an eligible list, whichever occurs first and where such temporary position is in the service of the commonwealth, be extended until the establishment of an eligible list or until two years from the date of the authorization first granted for such provisional appointment, whichever occurs first; and provided, further, that in any office or position in the commonwealth or any agency or political subdivision thereof where compliance with the federal standards for a merit system of personnel administration is a condition for the granting of federal funds, such examination shall be held within a year from the date of the approval of the provisional authorization.

The director, upon authorizing a provisional appointment for a permanent position, shall forthwith proceed to conduct an examination and establish an eligible list for such position, and, upon authorizing the extension of a provisional appointment to a temporary position, shall forthwith proceed to conduct an examination and to establish an eligible list for such position prior to the expiration of eighteen months from the date of the authorization of the extension where such position is not in the service of the commonwealth, and prior to the expiration of two years from the date of the original authorization for provisional appointment, where such position is in the service of the commonwealth; provided that in any office or position in the commonwealth or any agency or political subdivision thereof where compliance with the federal standards for a merit system of personnel administration is a condition for the granting of federal funds, such examination shall be held within a year from the date of the approval of the provisional authorization.

If, as a result of any examination, no suitable eligible list is established, authorization for a further extension of the provisional appointment, whether to a permanent or temporary position, may be granted by the director pending the establishment of an eligible list, upon the request of the appointing authority; provided that the director shall forthwith make arrangements to conduct another examination and establish an eligible list within eighteen months from the date of the determination of the results of such examination; and provided, further, that in any office or position in the commonwealth or any agency or political subdivision thereof where compliance with the federal standards for a merit system of personnel administration is a condition for the granting of federal funds, such examination shall be held within a year from the date of the last examination.

Authorization to make a provisional appointment shall be void if not exercised within two weeks.

A provisional appointment 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.

The director shall not authorize any provisional appointment to fill a position, permanent or temporary, until a statement, in such form as he may prescribe, is filed with him stating in detail the duties of such position and a proposal as to the type of examination desired. A requisition to make an appointment to fill a vacancy in a permanent position or in a newly created position for which funds have been appropriated or are available on a permanent basis shall state that such vacancy is to be filled on a permanent basis.

No provisional appointment 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 open competitive examination, 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 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.

Any alteration in the nature of the employment of a person holding such a provisional appointment or any increase in salary thereof shall immediately terminate such an appointment.

Except as otherwise provided in sections nineteen A, twenty A, twenty C, twenty-two, forty-two, forty-seven A, forty-eight, and forty-nine A of this chapter, section thirty-six of chapter forty-eight, section four of chapter two hundred and seventy-three of the acts of nineteen hundred and thirteen, and section four of chapter three hundred and seventy-two of the acts of nineteen hundred and fourteen, no person shall receive an original appointment to the official service of the commonwealth or any city or town thereof otherwise than by virtue of a

competitive examination, unless (a) the director shall certify that he has previously held a competitive examination for the position involved and has been unable to establish an eligible list of at least two available persons; provided, however, if one person passes a competitive examination his name shall be certified by the director to the appointing authority; or unless (b) a position not under civil service is placed thereunder by virtue of a statute or rule and the director makes recommendations supported by four affirmative votes of the commission to include under civil service any present incumbent of the position, subject to passing a qualifying examination, prescribed by the director. In cases arising under the provisions of clause (a), a person to be selected by the appointing officer in accordance with this chapter and rules made thereunder may be appointed subject to passing a non-competitive or qualifying examination, as the director may authorize.

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.

In case of an emergency except as otherwise provided in this paragraph which could not have been foreseen and where the public business would be seriously impeded by delay in filling any position in the manner provided by law, an appointing authority may make an emergency appointment without requisition; but in no case, except as otherwise provided in this paragraph, shall such emergency appointment continue for more than thirty days within the sixty consecutive days next following, and in every such case he shall forthwith report the same to the director, stating the reason therefor, in such form and detail as the director may prescribe, and the time, not exceeding thirty days within the sixty consecutive days next following, for which such employment is to last. No such emergency appointment shall be renewed except with the consent of the director or be renewed more than once, except that in departments, institutions or hospitals the functions of which are connected with the public safety or public health where the public service would otherwise suffer, the director may renew such emergency appointment for one additional period; but no person shall receive more than one such appointment and renewal or renewals, as the case may be, in any twelve-month period. In case of an emergency in the position of laborer, which could not have been foreseen and where the public business would be seriously impeded by delay in filling the position in the manner provided by law, an appointing authority may make an emergency appointment without requisition; but in no case shall such emergency appointment continue for more than thirty days within the sixty consecutive days next following, except that the appointing authority may renew the emergency appointment for one additional period, as provided in this paragraph or, at his discretion, renew the emergency appointment immediately for a period not to exceed an additional fifteen days, in which event no further emergency appointment under this section may be given such laborer within the twelve-month period from the date that the thirty-day emergency appointment began; and in every such case the appointing authority shall forthwith report the same to the director, stating the reason therefor, in such form and de-

tail as the director may prescribe, and the time, not exceeding thirty days within the sixty consecutive days next following, or the additional fifteen days provided for in this section, for which such employment is to last. If the person given such an emergency appointment as a laborer has had prior emergency employment under another title in the classified civil service within the twelve consecutive months next following the date of his first employment under the emergency appointment, the total emergency employment in any position, including that of laborer, shall not exceed a total of sixty days in any twelve-month period. Vacancies of which an appointing authority has had, or might with due diligence have, reasonable knowledge shall not be considered an emergency under this section.

A. An appointing authority, with the approval of the director, may promote in the same department or division of a department in the official service a permanent employee in one grade to the next higher grade as determined by the director; provided that such employee has been employed after certification for at least three years in the lower grade, is the oldest employee, the second oldest employee or the third oldest employee in length of service, and that such employee passes a qualifying examination prescribed by the director. In case of promotions of more than one employee, the next oldest employees in succession in length of service may be selected from the same number of such oldest employees as that provided in the civil service rules governing certification for more than one vacancy. This paragraph shall not apply in any case where a promotion is required to be made as provided in section twenty.

B. Except as authorized in paragraph A, and except as otherwise provided in section twenty, all promotions in the official service shall be made after a competitive promotional examination open in succession to all permanent employees who have been employed after certification for at least one year in the next lower grades, as determined by the director, in the same department or division of a department, until a sufficient number of applicants to hold a competitive examination is obtained. In case an eligible list of at least two available persons is not established from such promotional examination, then a competitive promotional examination may be held open to any class within the service of the same or any other department; or division of a department, as the director may determine. In case an eligible list of at least two available persons is not established from either of such promotional examinations, the positions shall be filled after open competitive examination; provided that if there be one person on either eligible list, the director shall certify such person.

C. In each instance when the appointing authority appoints or promotes, as the case may be, any person other than the person whose name appears highest on a list certified by the director for a position and such person is willing to accept such appointment or promotion, the appointing authority shall forthwith deliver to the director a written statement of his or its reason for so appointing or promoting the person so appointed or promoted, and no appointment or promotion of any person other than the person whose name appears highest on such list shall become effective until such statement has been received by the director. Every such statement shall be filed in the office of the division and shall be open to public inspection.

Notwithstanding the provisions of this section relative to promotions, all competitive examinations for positions in the department of public works shall be open to eligible employees in the next lower grade or grades, as determined by the director, in said department and in the case of promotional qualifying examinations length of service shall be computed on total length of permanent service, as set forth in section fifteen D, regardless of the unit to which assigned.

For positions in the classified labor service, districts established under section three of chapter sixteen shall not be changed except in accordance with section eighteen A of this chapter and certification shall be made in accordance with the provisions of said section.

The word "department", as used in this section, shall mean a department, or any division, institutional unit or other unit of a department in case such a unit is established by law, ordinance or by-law or under authority thereof.

SECTION 2. Said chapter 31 is hereby further amended by striking out section 16A, as most recently amended by section 3 of chapter 743 of the acts of 1962, and inserting in place thereof the following section: — *Section 16A.* Except as otherwise provided by law, any person who has been permanently appointed in accordance with the civil service law and rules, and who has actually been employed after permanent appointment for at least one year in the official or labor service, may, after application in writing to the director by the appointing authority and with the consent of the director, be transferred to another similar position, provided the appointing authority submits sound and sufficient reasons, in the opinion of the director, to show that the transfer will be for the public good. No position shall be considered as similar which is higher in grade or for which there are substantially dissimilar requirements for appointment. Requests to make an appointment by transfer of a civil service employee to fill permanent vacancies or newly created positions for which funds have been appropriated or are available on a permanent basis shall state that such vacancies are to be filled on a permanent basis and not on a temporary basis.

A temporary transfer, without regard to the class or grade of the positions involved, may be authorized by the director, if in his opinion the appointing authority submits sound and sufficient reasons to show that the transfer will be for the public good. Such a temporary transfer may be authorized to fill a permanent position for a period of not more than one year, or to fill a temporary position other than one in the service of the commonwealth for not more than six months, or to fill a temporary position in the service of the commonwealth for the period for which approval has been granted by the director of personnel and standardization; provided that if sufficient reason is forwarded to the director by the appointing authority to justify a request made by him for an extension of the temporary transfer to a temporary position, such authorization may, where such position is not in the service of the commonwealth, be extended for not more than eighteen months or until the establishment of a suitable eligible list, whichever occurs first, and where such temporary position is in the service of the commonwealth, be extended until the establishment of a suitable eligible list or until two years from the date of the authorization first granted for such temporary transfer, whichever occurs first; and provided, further, that in any office or position in the commonwealth or any agency or political subdivision

thereof where compliance with the federal standards for a merit system of personnel administration is a condition for the granting of federal funds, such examination shall be held within a year from the date of the approval of the temporary transfer.

The director, upon authorizing a temporary transfer for a permanent position, shall forthwith proceed to conduct an examination and establish an eligible list for such position, and, upon authorizing the extension of a temporary transfer to a temporary position, shall forthwith proceed to conduct an examination and to establish an eligible list for such position prior to the expiration of eighteen months from the date of the authorization of the extension where such position is not in the service of the commonwealth, and prior to the expiration of two years from the date of the original authorization for temporary transfer where such position is in the service of the commonwealth; provided that in any office or position in the commonwealth or any agency or political subdivision thereof where compliance with the federal standards for a merit system of personnel administration is a condition for the granting of federal funds, such examination shall be held within a year from the date of the approval of the temporary transfer.

If, as a result of any examination, no suitable eligible list is established, authorization for a further extension of the temporary transfer, whether to a permanent or temporary position, may be granted by the director pending the establishment of an eligible list, upon the request of the appointing authority; provided that the director shall forthwith make arrangements to conduct another examination and establish an eligible list within eighteen months from the date of the determination of the results of such examination; and provided, further, that in any office or position in the commonwealth or any agency or political subdivision thereof where compliance with the federal standards for a merit system of personnel administration is a condition for the granting of federal funds, such examination shall be held within a year from the date of the last examination.

The director shall not authorize any temporary transfer to fill a position, permanent or temporary, until a statement, in such form as he may prescribe, is filed with him stating in detail the duties of such position and a proposal as to the type of examination desired.

No 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 a request for authorization to transfer is made and such eligible person is willing to accept an 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 open competitive examination, 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 of section fifteen of this chapter, a temporary transfer of a person from within his department may be authorized in accordance with the provisions of this chapter.

A 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.

Any alteration in the nature of the employment of a person holding such a temporary transfer shall immediately terminate such transfer.

No transfer shall be made without the consent of the employee and the approval and consent of the appointing authority in the department or departments involved.

Nothing herein contained shall affect the rights of disabled veterans as provided in section twenty-three.

SECTION 3. Paragraph (b) of section 2 of said chapter 31 is hereby amended by adding the following sentence:—In the grading of the subject of training and experience in any competitive examination, no credit shall be allowed, either in the original marking of the examination, upon review of the original marking by the director, or by the commission, whether upon an appeal from the decision of the director or otherwise, for employment or experience in the position for which the examination is held, unless such employment or experience in the position was the result of an appointment or promotion after certification from an eligible list for the position.

Approved July 6, 1964.

Chap. 721. AN ACT PROVIDING FOR THE REHABILITATION OF DWELLING ACCOMMODATIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith decent, safe and sanitary housing in urban renewal areas by rehabilitating existing housing which is substandard and relieving housing shortages, and by making loans to home owners in such areas for the purposes of bringing their homes up to the housing code requirements of the local communities and rehabilitation standards of the urban renewal areas, 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 121 of the General Laws is hereby amended by inserting after section 26 HHH the following two sections:—

Section 26III. It is hereby declared (a) that there exist in certain cities and towns in the commonwealth substandard dwelling houses in urban renewal project areas which constitute a serious and growing menace and create a housing shortage, injurious to the public health, safety, morals and welfare of the residents of the commonwealth, and the declarations heretofore made in the housing authority law with respect to such areas are hereby reaffirmed; (b) that while many of such dwelling houses may require acquisition and clearance as provided in the Housing Authority Law because their state of deterioration may make impracticable their reclamation by conservation or rehabilitation, others in such areas are in such condition that they may, through the means provided in section twenty-six JJJ, be conserved or rehabilitated in such a manner that the conditions and evils hereinbefore enumerated may be alleviated or eliminated so that such dwelling houses may be returned to or remain in private ownership and be available as decent, safe and sanitary housing; and (c) that all powers conferred by said section twenty-six JJJ are for public uses and purposes for which public money may be expended.

Section 26JJJ. The commonwealth, acting by and through the 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 notes and bonds of a housing authority issued to finance the acquisition and rehabilitation of dwellings within the limits of an urban renewal project area. The guarantee of the commonwealth of notes and bonds of a housing authority shall be executed on each note and bond by the chairman of the board. The amount of notes and bonds guaranteed by the commonwealth under this section shall not exceed twenty million dollars.

In addition to its other powers, a housing authority may plan and undertake the rehabilitation of dwellings within the limits of an urban renewal project area, and may acquire by purchase, deed or grant or take by eminent domain, hold, improve, rent, lease for a period not in excess of five years, with options to lessees or tenants to purchase during such five-year period, grant, sell, convey, as condominiums, or deliver possession, of such property in accordance with such terms and conditions as it may determine, and shall have the power to make mortgage loans for the purpose of financing the rehabilitation of dwellings within the urban renewal project area, subject to such regulations as the board may make as to interest rates, maturity dates and other terms and conditions.

A rehabilitation project shall be any work or undertaking involving the rehabilitation of a dwelling or dwellings in an urban renewal project so as to provide decent, safe and sanitary housing; such work or undertaking may include buildings, land, equipment, facilities and other real or personal property for necessary, convenient or desirable appurtenances, site preparation or improvement.

Whenever the board determines a public emergency or distress no longer exists in a particular city or town, a rehabilitation project, or a part of any such project with the land appurtenant thereto, rehabilitated or reconstructed under this section may, at the direction of the board, be sold for the fair market value thereof, as determined by the board, but not for less than the total of the outstanding obligations of the housing authority with respect to such project if the whole is sold, or not for less than that percentage of the total cost which the cost of the part sold bears to the total cost of the entire project if a part is sold. So long as any notes and bonds issued by a housing authority to finance the cost of such project and guaranteed by the commonwealth are outstanding, the proceeds of any sale of such project shall be paid by the housing authority into the Housing Authority Bonds Sinking Fund and shall be expended from time to time by the state treasurer to pay interest and principal of any notes and bonds issued by such housing authority to finance such project.

Owners of dwellings rehabilitated under this section shall, during the period of five years following the completion of such rehabilitation and in any event during the period any mortgage loan made under this section to finance such rehabilitation is outstanding, and subject to such regulations as the board may establish, give preference in the selection of tenants for such dwellings, first to the individuals or families in occupancy thereof last prior to such rehabilitation and second to other residents of the city or town in which such dwellings are located, and who

are able to pay rents charged other individuals or families for similar or comparable dwellings in the urban renewal project area.

The provisions of sections twenty-six I to twenty-six HH, inclusive, excluding sections twenty-six AA, twenty-six BB, twenty-six FF and twenty-six GG shall, so far as apt, be applicable to projects rehabilitated under this section and to housing authorities while engaged in developing and administering such projects; provided that the limitations on the powers of a housing authority with respect to families of low income, as appearing in section twenty-six P, shall not apply to rehabilitation projects.

Approved July 6, 1964.

Chap. 722. AN ACT PROVIDING THAT THE NATIONAL LANCERS SHALL BE INCLUDED IN THE ACTIVE ORGANIZED MILITIA OF THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to include forthwith the national lancers in the active or organized militia, 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 4 of chapter 33 of the General Laws, as amended by chapter 408 of the acts of 1963, is hereby further amended by inserting after the word "ten", in line 4, the words: —, the National Lancers.

SECTION 2. Said chapter 33 is hereby further amended by inserting after section 4 the following section: —

Section 4A. The National Lancers shall be organized as the commander-in-chief directs, and may retain its name and the right to wear such distinctive uniform as may be approved by the commander-in-chief, and its ancient privileges, including its method of selecting its officers and conducting its internal affairs, so long as the same are not repugnant to the laws of the commonwealth or of the United States. No funds of the commonwealth shall be used or expended for the maintenance of said organization and the equipment thereof, except that said organization may use land and stable facilities belonging to the commonwealth for its activities, equipment and exercises without charge when such land and facilities are not being used for any other purpose.

SECTION 3. Section 129 of said chapter 33, as amended by section 1 of chapter 263 of the acts of 1962, is hereby further amended by inserting after the word "commonwealth," in line 5, the word: — and, — and by striking out, in line 6, the words " , and the National Lancers".

SECTION 4. Section one hundred and thirty-two A of said chapter thirty-three is hereby repealed.

SECTION 5. This act shall take effect upon its acceptance by vote of the National Lancers, in conformity to its constitution and by-laws and the swearing in of the members of the National Lancers as members of the organized militia of the commonwealth; provided, however, that no member of said organization shall become a member of the organized militia of the commonwealth against his will.

Approved July 6, 1964.

Chap. 723. AN ACT CONSOLIDATING, REARRANGING AND REVISING THE LAWS RELATING TO DOMESTIC BUSINESS CORPORATIONS.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by inserting after chapter 156A the following new chapter:—

CHAPTER 156B.

CERTAIN BUSINESS CORPORATIONS.

GENERAL PROVISIONS.

Section 1. This chapter shall be known and may be cited as the Business Corporation Law.

Section 2. In this chapter, unless a contrary intention appears:

(a) “corporation” shall mean a corporation to which, under section three, this chapter applies; and

(b) “articles of organization” of a corporation shall mean the articles of organization, including any special act of incorporation, as from time to time amended.

Section 3. This chapter shall apply to all domestic corporations having capital stock whether established before or after October first, nineteen hundred and sixty-five or by general or special law for the purpose of carrying on business for profit—

(a) except corporations organized for the purpose of carrying on the business of a bank, savings bank, co-operative bank, trust company, credit union, surety or indemnity company, or safe deposit company, or for the purpose of carrying on within the commonwealth the business of an insurance company, railroad, electric railroad, street railway or trolley motor company, telegraph or telephone company, gas or electric light, heat or power company, canal, aqueduct or water company, cemetery or crematory company, and except any other corporations which now have or may hereafter have the right to take land within the commonwealth by eminent domain or to exercise franchises in public ways granted by the commonwealth or by any county, city or town;

(b) except corporations subject to chapter one hundred and fifty-seven; and

(c) except so far as such application may be inconsistent with provisions still in force of any special acts of incorporation, enacted before March eleventh, eighteen hundred and thirty-one, and not subject to amendment, alteration or repeal by the general court, or with provisions of any special acts of incorporation enacted after October first, nineteen hundred and sixty-five.

Section 4. All corporations existing on October first, nineteen hundred and sixty-five and their directors, officers and stockholders shall be entitled to all the rights, privileges and immunities and be subject to all the liabilities set forth in this chapter to the same extent as corporations formed under this chapter and their directors, officers and stockholders; provided that this chapter shall not take away or impair any remedy which may exist by law against a corporation existing on said date, its directors, officers or stockholders, for a liability incurred previous thereto.

Section 5. Corporations which would otherwise be within the application of this chapter pursuant to section three, but which were created before March eleventh, eighteen hundred and thirty-one by any special act not subject to amendment, alteration or repeal by the general court, may, at a legal meeting of the stockholders duly called therefor, by vote of two thirds of each class of stock outstanding and entitled to vote, adopt the provisions of this chapter. A certificate of such vote signed under the penalties of perjury by the president or a vice president and the clerk or an assistant clerk shall be submitted to the state secretary. Such vote shall become effective when such certificate is filed in accordance with section six, and thereupon such corporation and its directors, officers and stockholders shall be entitled to all the rights, privileges and immunities and be subject to all the liabilities set forth in this chapter, and no director, officer or stockholder in such corporation shall be liable for debts of the corporation contracted after the filing of such certificate except for the causes and in the manner provided in this chapter.

Section 6. The state secretary shall examine each document submitted to him under the provisions of this chapter. If he finds that the provisions of law relative thereto have been complied with, he shall endorse his approval thereon; and upon such approval and payment of the fee provided in section one hundred and fourteen such document shall be deemed to be filed with the state secretary. The state secretary shall keep a record, conveniently indexed, of each such document, of his endorsement of approval, if given, of the date of submission, and of the date on which such document is filed, and shall keep such documents on file in his office in a manner convenient for public inspection. He shall cause a photographic or other copy to be made of articles of organization and amendments thereof so filed showing his approval endorsed thereon, and shall deliver the same to the corporation.

The state secretary shall report to the attorney general instances of neglect or omission on the part of corporations to comply with the provisions of law so that the attorney general may enforce the penalties therefor. For the purpose of this section the words "articles of organization and amendments thereof" shall include

(a) a certificate of a vote adopting this chapter filed pursuant to section five;

(b) articles of organization filed pursuant to section twelve;

(c) a certificate of a vote establishing a series filed pursuant to section twenty-six;

(d) articles of amendment filed pursuant to section seventy-two or section seventy-three;

(e) restated articles of organization filed pursuant to section seventy-four;

(f) articles of consolidation or merger filed pursuant to section seventy-eight, section seventy-nine, section eighty-two or section eighty-three; and

(g) a certificate as to the revival of a corporation filed pursuant to section one hundred and eight.

Section 7. All corporations shall be subject to such laws as may be enacted after October first, nineteen hundred and sixty-five affecting or altering their corporate rights or duties or dissolving them.

Section 8. Whenever, with respect to any action to be taken by the

stockholders of a corporation, the articles of organization or by-laws require the vote or concurrence of the holders of all of the shares, or of any class or series thereof, or a greater proportion thereof than required by this chapter with respect to such action, the provisions of the articles of organization or by-laws shall control.

ORGANIZATION.

Section 9. Except as otherwise provided in its articles of organization, every corporation shall have power in furtherance of its corporate purposes:

- (a) to have perpetual succession in its corporate name, unless a period for its duration is limited by special law or in its articles of organization;
- (b) to sue and be sued;
- (c) to have a corporate seal, which it may alter at pleasure;
- (d) to elect or appoint directors, officers, employees and other agents, to fix their compensation and define their duties and obligations, and to indemnify such corporate personnel;
- (e) to purchase, receive, take by grant, gift, devise, bequest or otherwise, lease, or otherwise acquire, own, hold, improve, employ, use and otherwise deal in and with, real or personal property, or any interest therein, wherever situated;
- (f) to sell, convey, lease, exchange, transfer or otherwise dispose of, or mortgage, pledge, encumber or create a security interest in, all or any of its property, or any interest therein, wherever situated;
- (g) to purchase, take, receive, subscribe for, or otherwise acquire, own, hold, vote, employ, sell, lend, lease, exchange, transfer, or otherwise dispose of, mortgage, pledge, use and otherwise deal in and with, bonds and other obligations, shares, or other securities or interests issued by others, whether engaged in similar or different business, governmental, or other activities;
- (h) to make contracts, give guarantees and incur liabilities, borrow money at such rates of interest as the corporation may determine, issue its notes, bonds and other obligations, and secure any of its obligations by mortgage, pledge or encumbrance of, or security interest in, all or any of its property or any interest therein, wherever situated;
- (i) to lend money, invest and reinvest its funds, and take and hold real and personal property as security for the payment of funds so loaned or invested;
- (j) to do business, carry on its operations, and have offices and exercise the powers granted by this chapter in any jurisdiction within or without the United States;
- (k) to make donations, irrespective of corporate benefit, for the public welfare or for community fund, hospital, charitable, religious, educational, scientific, civic or similar purposes, and in time of war or other national emergency in aid thereof;
- (l) to pay pensions, establish and carry out pension, profit-sharing, share bonus, share purchase, share option, savings, thrift and other retirement, incentive and benefit plans, trusts and provisions for any or all of its directors, officers and employees;
- (m) to purchase, receive, take, or otherwise acquire, own, hold, sell, lend, exchange, transfer or otherwise dispose of, pledge, use and otherwise deal in and with its own shares;

(n) to participate as a subscriber in the exchanging of insurance contracts specified in section ninety-four B of chapter one hundred and seventy-five; and

(o) to have and exercise all powers necessary or convenient to effect any or all of the purposes for which the corporation is formed; provided that no such power shall be exercised in a manner inconsistent with this chapter or the general laws of the commonwealth.

Section 10. Upon an information in equity by the attorney general at the relation of the state secretary, the supreme judicial or superior court may restrain by injunction any corporation from assuming or exercising any franchise or privilege or transacting any kind of business not authorized by its articles of organization and the laws of the commonwealth.

Section 11. (a) A corporation may assume any name which, in the judgment of the state secretary, indicates that it is incorporated; but it shall not assume the name or trade name of another corporation established under the laws of the commonwealth, or of a corporation wherever established, firm, association or person carrying on business in the commonwealth, at the time of incorporation or change of name of the corporation assuming any such name or within three years prior thereto, or assume a name which is under reservation under the laws of the commonwealth for another or proposed corporation wherever established, or assume a name so similar to any of the foregoing as to be likely to be mistaken for it, except with the written consent of the said corporation, firm or association or of such person previously filed with the state secretary. The supreme judicial or superior court shall have jurisdiction in equity, upon the application of any person interested or affected, to enjoin such corporation from doing business under a name assumed in violation of any provision of this section, although articles of organization or articles of amendment may have been approved and filed.

(b) If within thirty days after the date when articles of organization or articles of amendment effecting a change of name of any corporation are filed in the office of the state secretary, any corporation or person in whose name a corporate name is under reservation, or any other corporation or any firm, association or person carrying on business in the commonwealth at the time when such articles are so filed, or within three years prior thereto, shall protest in writing to the state secretary that the name assumed by the corporation is the same as the name, under reservation or trade name of the party protesting or so similar thereto as to be likely to be mistaken for it, the state secretary shall, as soon as reasonably may be, hear the party protesting and the corporation which assumed the name, giving written notice of the hearing to each. If after the hearing the state secretary shall be of the opinion that the assuming of the name violates any provision of this section he shall file a statement withdrawing his approval of said articles of organization or articles of amendment insofar as they relate to the name assumed by the corporation and give written notice thereof to the party protesting and to the corporation, such withdrawal to take effect sixty days after the date of filing. After the expiration of said period of sixty days, the corporation shall have no right to use the name assumed and may be enjoined from doing business under such name by the supreme judicial or superior court upon application of the attorney general or any person interested or affected.

(c) Any person intending to organize a corporation, or any corporation intending to change its name may reserve the exclusive right to the use of a corporate name. The reservation shall be made by filing with the state secretary an application to reserve a specific corporate name, signed by the applicant. If the name is available for corporate use under the laws of the commonwealth, the state secretary shall reserve the name for the exclusive use of the applicant for a period of thirty days. The state secretary may extend the reservation for an additional thirty days upon written request of the applicant.

(d) The filing fee for the reservation of a name, or the extension of a reservation, shall be two dollars and payment of the fee shall accompany the application.

Section 12. Three or more natural persons of the age of twenty-one years or more may act as incorporators of a corporation to be formed under this chapter. Such incorporators shall hold a meeting at which by-laws shall be adopted, and the initial directors, a president, treasurer and clerk elected. At such meeting the incorporators may also elect or appoint any other officers.

Articles of organization signed by all of the incorporators shall be submitted to the state secretary. The articles of organization shall become effective when they are filed in accordance with section six, and thereupon the existence of the corporation shall begin. A certified statement of the fact of incorporation by the state secretary shall be conclusive evidence of incorporation.

Section 13. (a) The articles of organization shall state:

(1) that the incorporators (stating their names, including their given names, and post-office addresses) associate themselves with the intention of forming a corporation;

(2) the name of the corporation;

(3) the purposes for which the corporation is formed;

(4) the total number of shares and the par value, if any, of each class of stock which the corporation is authorized to issue;

(5) if more than one class of stock is authorized, a description of each class with the preferences, voting powers, qualifications, special or relative rights or privileges as to each class thereof and any series then established.

(b) The articles of organization, in addition, may state:

(1) any restrictions imposed upon the transfer of shares of stock of any class;

(2) any other lawful provisions for the conduct and regulation of the business and affairs of the corporation, for its voluntary dissolution, or for limiting, defining or regulating the powers of the corporation, or of its directors or stockholders, or of any class of stockholders

(c) The form on which articles of organization are filed shall also contain the following information which shall not for any purpose be treated as a permanent part of said articles:

(1) the post-office address of the initial principal office of the corporation in the commonwealth;

(2) the name, residence and post-office address of each of the initial directors and the president, treasurer and clerk of the corporation;

(3) the fiscal year of the corporation initially adopted;

(4) the date initially fixed in the by-laws for the annual meeting of stockholders of the corporation.

Section 14. The directors of a corporation may at any time, and from time to time, change the principal office of the corporation in the commonwealth, provided that no such change shall be effective until a certificate of such change, specifying the post-office address of its new principal office in the commonwealth, signed under the penalties of perjury by the clerk or an assistant clerk of the corporation, has been filed with the state secretary.

Section 15. No corporation, unless authorized by a special act still in force, shall purchase, acquire, take or hold, directly or indirectly, more than ten per cent of the total capital stock of any domestic corporation authorized to carry on within the commonwealth the business of a railroad, street railway, electric railroad, elevated railway, trolley motor, gas or electric light, heat or power company; provided that the foregoing provisions shall not prohibit a corporation having its principal place of business in the commonwealth from purchasing, acquiring, taking or holding more than ten per cent of the capital stock of a domestic corporation carrying on within the commonwealth the business of a gas company.

BY-LAWS.

Section 16. A corporation may make by-laws which may contain any provisions not inconsistent with law or the articles of organization for the regulation and management of the affairs of the corporation. Whenever any section of this chapter refers to the by-laws, a provision included in the articles of organization shall be treated, for the purposes of such section, as if it had been included in the by-laws.

Section 17. The power to make, amend or repeal by-laws shall be in the stockholders; provided that if authorized by the articles of organization, the by-laws may provide that the directors may make, amend or repeal the by-laws in whole or in part, except with respect to any provision thereof which by law, the articles of organization or the by-laws requires action by the stockholders. Any by-law adopted by the directors may be amended or repealed by the stockholders.

STOCK.

Section 18. Capital stock may be issued for cash, tangible or intangible property, services or expenses. Stock having par value shall not be issued for cash, property, services or expenses worth less than the par value. For the purpose of this section, a debt or note of the purchaser secured or unsecured shall not be considered property.

Section 19. Stock issued for cash may be paid for in full before it is issued or by instalments. If it is paid for by instalments, the stock certificate shall be legibly stamped with the words " per cent paid up, balance payable (stating manner and time of payment) and shares subject to forfeiture if unpaid," the facts being truly stated; and, as each instalment is paid, the certificate shall be stamped accordingly.

Except as provided in section twenty-five, stock shall not be transferred on the books of a corporation if any instalments thereon remain overdue and unpaid.

Section 20. No stockholder shall have any preemptive right to acquire stock of the corporation except to the extent provided in the

articles of organization or in a by-law adopted by and subject to amendment only by the stockholders.

Section 21. Any unissued capital stock from time to time authorized under the articles of organization may be issued by vote of the stockholders, or by vote of the directors under authority of a provision of the by-laws or a vote of the stockholders, which provision or vote may be adopted before or after the stock is authorized. No stock shall be issued unless the cash, so far as due, or the property, services or expenses for which it was authorized to be issued, has been actually received or incurred by, or conveyed or rendered to, the corporation, or is in its possession as surplus.

Section 22. In the case of capital stock authorized to be issued for cash, whether or not to be paid in full before issue, the directors may require payment in such proportions and at such times and places as they deem proper, by making demand therefor according to the by-laws, or, in the absence of such by-law, by notice mailed to each subscriber or stockholder at least seven days before his subscription or any portion thereof, or any instalment due upon stock already issued, is payable.

Section 23. Shares of stock issued in accordance with section twenty-one shall be fully paid stock and not liable to any further call or assessment thereon.

Section 24. If, under the articles of organization, capital stock issued for cash is to be paid for in full before it is issued, and the subscriber refuses or neglects to pay the amount demanded for thirty days after the time limited for payment in the demand made under section twenty-two, his rights of subscription may be sold by public auction by the treasurer of the corporation, who, out of the proceeds of such sale, shall pay to the corporation the amount then due from such subscriber with interest and incidental charges, first giving notice by mail to such subscriber, not less than ten days prior to such sale, of the time and place appointed therefor and of the amount due and payable by him. Upon the sale of such rights as aforesaid, the directors shall give the purchaser a certificate thereof. If the rights of such subscriber do not sell for an amount sufficient to pay the amount due from him with interest and charges of sale he shall be liable to the corporation in an action at law for the deficiency; if they sell for more, he shall be entitled to the surplus. At the expiration of thirty days after the time limited for payment as aforesaid, the directors may waive their right to offer such rights for sale, and may elect to proceed at law against such delinquent subscriber to recover all amounts due and payable by him with interest. If said rights are not sold at said auction, or if a judgment rendered in an action against a subscriber remains unsatisfied for thirty days, all amounts previously paid by him shall be forfeited to the corporation.

Section 25. If, under the articles of organization, capital stock is issued payable by instalments, and a stockholder refuses or neglects to pay an instalment for thirty days after the time limited for payment in the demand under section twenty-two, the treasurer of the corporation may sell such stockholder's shares by public auction, and, out of the proceeds of such sale, shall pay to the corporation all instalments then due from such stockholder with interest and incidental charges. A notice stating the time and place of such sale and the amount of the instalment due and payable and also the number of the certificate and number of shares of stock thus offered for sale shall be sent by the

treasurer by mail not less than ten days prior to such sale to such stockholder and also the person who originally subscribed to the said delinquent stock. Upon the sale of such stock as aforesaid, the directors shall transfer the shares so sold to the purchaser, who shall be entitled to a certificate therefor, so stamped as to indicate the instalments paid, and shall be liable under this section for all subsequent instalments. Upon the issue of such certificate, the certificate outstanding shall be void except as provided in Article 8 of chapter one hundred and six. The balance, if any, of the proceeds of such sale shall be held by the corporation for such stockholder, his representatives or assigns, and be paid to him or them at any time upon surrender and delivery to the corporation of his certificate. If no person offers an amount sufficient to pay all instalments due upon such stock with interest and incidental charges, it may or may not be sold, and the delinquent stockholder shall be liable to the corporation in an action at law for such instalments, interest and incidental charges, if the stock is not sold, or for the deficiency, if it is sold, and if a judgment rendered in such action remains unsatisfied for thirty days, the original subscriber shall be so liable. Instead of offering such stock for sale, the directors, at the expiration of the time limited in the notice for payment of such instalments, may proceed by an action at law against the delinquent stockholder, and, if a judgment rendered against him in such action remains unsatisfied for thirty days, against the original subscriber, for the recovery of such instalments, interest and incidental charges. The delinquent stockholder or the original subscriber, as the case may be, upon the payment of such instalments, interest and incidental charges, or of the judgment therefor, shall be entitled to a certificate of the stock, so stamped as to indicate the instalments paid, and, thereupon, the certificate outstanding for such stock shall be void, except as provided in Article 8 of chapter one hundred and six. If a judgment rendered in an action against the original subscriber remains unsatisfied for thirty days, said stock shall be forfeited to the corporation, an entry of transfer to it shall be made on its books, and, thereupon, the certificate outstanding shall be void as aforesaid. While the stock remains the property of the corporation, no dividends shall be declared nor instalments paid upon it; but it shall remain subject to the control of the corporation according to its by-laws.

Section 26. If the articles of organization provide that any class of stock may be divided into two or more series, the different series shall be established and designated, and the variations in the relative rights and preferences as between the different series shall be fixed and determined, by the articles of organization or, to the extent expressly so authorized by said articles, by the directors, provided that all shares of the same class shall be as identical except that there may be variations so fixed and determined between different series as to dividend rate, right of redemption and the price, terms and manner of redemption, special and relative rights on liquidation, sinking fund provisions, conversion rights and conditions under which the several series shall have separate voting rights.

Prior to the issue of any shares of a series established by the directors, the corporation shall submit to the state secretary a certificate signed under the penalties of perjury by the president or a vice president and by the clerk or an assistant clerk setting forth a copy of the vote of the directors establishing and designating the series and fixing and deter-

mining the relative rights and preferences thereof, the date of adoption of such vote, and a certification that such vote was duly adopted by the directors.

Such certificate shall constitute an amendment of the articles of organization, and shall become effective when filed in accordance with section six.

Section 27. Each stockholder shall be entitled to a certificate stating the number and the class and the designation of the series, if any, of the shares held by him. Such certificate shall be signed by the president or a vice president and by the treasurer or an assistant treasurer. Such signatures may be facsimiles if the certificate is signed by a transfer agent, or by a registrar, other than a director, officer or employee of the corporation. In case any officer who has signed or whose facsimile signature has been placed on such certificate shall have ceased to be such officer before such certificate is issued, it may be issued by the corporation with the same effect as if he were such officer at the time of its issue.

Every certificate issued by a corporation for shares of stock which are subject to any restriction on transfer pursuant to the articles of organization, the by-laws or any agreement to which the corporation is a party shall have set forth upon the face or back of the certificate, either

(a) the full text of the restriction, or

(b) a statement that the corporation will furnish a copy thereof to the holder of such certificate upon written request and without charge.

Every stock certificate issued by a corporation while it is authorized to issue more than one class of stock shall set forth upon the face or back of the certificate either

(a) the full text of the preferences, voting powers, qualifications and special and relative rights of the shares of each class and series, if any, authorized to be issued, as set forth in the articles of organization, or

(b) a statement that the corporation will furnish a copy thereof to the holder of such certificate upon written request and without charge.

Section 28. Except as otherwise provided in the articles of organization or by-laws, a corporation may issue fractional shares of stock, and may issue in lieu thereof scrip in registered or bearer form which shall entitle the holder to receive a certificate for a full share upon the surrender of such scrip aggregating a full share. A fractional share shall, but scrip shall not unless otherwise provided therein, entitle the holder to exercise voting rights, to receive dividends thereon, or to participate in any of the assets of the corporation in the event of liquidation. The directors shall fix the terms and conditions and manner of issue of such scrip, which may include a condition that it shall become void if not exchanged for certificates representing full shares before a specified date, or a condition that the shares for which such scrip is exchangeable may be sold by the corporation and the proceeds thereof distributed to the holders of such scrip.

Section 29. The directors of a corporation may, subject to section 8-405 of chapter one hundred and six and to the by-laws of the corporation, determine the conditions upon which a new certificate of stock may be issued in place of any certificate alleged to have been lost or destroyed. They may, in their discretion, require the owner of a lost or destroyed certificate, or his legal representative, to give a bond, suffi-

cient in their opinion, with or without surety, to indemnify the corporation against any loss or claim which may arise by reason of the issue of a certificate in place of such lost or destroyed stock certificate.

Section 30. A pledgee of stock transferred as collateral security shall be entitled to a new certificate if the instrument of transfer substantially describes the debt or duty which is intended to be secured thereby. Such new certificate shall express on its face that it is held as collateral security, and the name of the pledgor shall be stated thereon, who alone shall be liable as a stockholder, and entitled to vote thereon.

Section 31. Every corporation shall, once in every five years, publish three times successively in a newspaper in Boston, and also in a newspaper in the county where the corporation is established a list of all dividends which have remained unclaimed for two years or more and the names of the persons to whose credit such dividends stand.

Section 32. The original, or attested copies, of the articles of organization, by-laws, and records of all meetings of incorporators and stockholders, and the stock and transfer records, which shall contain the names of all stockholders and the record address and the amount of stock held by each, shall be kept in the commonwealth by every corporation at its principal office or an office of its transfer agent or of its clerk, for the inspection of its stockholders. Said copies and records need not all be kept in the same place. Said stock and transfer records and said attested copies and records shall be competent evidence in any court of the commonwealth. If any officer or agent of a corporation having charge of such copies or records refuses or neglects to exhibit them in legible form or to produce for examination a list of stockholders with the record address and amount of stock owned by each, he or the corporation shall be liable to any stockholder for all actual damages sustained by reason of such refusal or neglect, but in an action for damages or a proceeding in equity under this section for neglect or refusal to exhibit for inspection the stock and transfer records, it shall be a defence that the actual purpose and reason for the inspection sought are to secure a list of stockholders or other information for the purpose of selling said list or information or copies thereof or of using the same for a purpose other than in the interest of the applicant, as a stockholder, relative to the affairs of the corporation. The supreme judicial or superior court shall have jurisdiction in equity, upon application of a stockholder, to order any or all of said copies or records to be exhibited in legible form to him and to such other stockholders as may become parties to said petition, at such a place and time as may be designated in the order.

STOCKHOLDERS.

Section 33. There shall be an annual meeting of stockholders on the date fixed in the by-laws, which shall be within six months after the end of the fiscal year of the corporation. The hour and place of the annual meeting and the manner of conducting it shall be fixed in or determined in the manner provided in the by-laws. In the event an annual meeting has not been held on the date fixed in the by-laws, a special meeting in lieu of the annual meeting may be held with all the force and effect of an annual meeting.

Section 34. Special meetings of the stockholders may be called by the president or by the directors, and shall be called by the clerk, or in case

of the death, absence, incapacity or refusal of the clerk, by any other officer, upon written application of one or more stockholders who hold at least one tenth part in interest of the capital stock entitled to vote thereat. In case none of the officers is able and willing to call a special meeting, the supreme judicial or superior court, upon application of one or more stockholders who hold at least one tenth part in interest of the capital stock entitled to vote thereat, shall have jurisdiction in equity to authorize one or more of such stockholders to call a meeting by giving such notice as is required by law.

Section 35. Meetings of stockholders shall be held within the commonwealth or, to the extent permitted by the articles of organization, elsewhere in the United States.

Section 36. A written notice of the place, date and hour of all meetings of stockholders stating the purposes of the meeting shall be given by the clerk (or other person authorized by the by-laws or empowered pursuant to section thirty-four) at least seven days before the meeting to each stockholder entitled to vote thereat and to each stockholder who, under the articles of organization or under the by-laws, is entitled to such notice, by leaving such notice with him or at his residence or usual place of business, or by mailing it, postage prepaid, and addressed to such stockholder at his address as it appears in the records of the corporation.

Section 37. Notice of a meeting need not be given to a stockholder if a written waiver of notice, executed before or after the meeting by such stockholder or his attorney thereunto authorized, is filed with the records of the meeting.

Section 38. No change in the date fixed in the by-laws for the annual meeting shall be made within sixty days before the date stated in the by-laws. Notice of any change of the date fixed in the by-laws for the annual meeting shall be given to all stockholders at least twenty days before the new date fixed for such meeting.

Following any change in the date of the annual meeting or any change in the fiscal year previously adopted, a certificate of such change, signed under the penalties of perjury by the clerk or an assistant clerk, shall be filed forthwith with the state secretary. Any corporation which fails to submit a certificate as aforesaid within thirty days after such a change has been made, shall forfeit not more than one hundred dollars, to be recovered in the manner prescribed by section one hundred and thirteen.

Section 39. Unless the articles of organization or by-laws otherwise provide, a majority in interest of all stock issued, outstanding and entitled to vote on any matter shall constitute a quorum with respect to such matter.

Section 40. No corporation shall directly or indirectly vote any share of its own stock.

Section 41. Stockholders entitled to vote shall have one vote for each share of stock owned by them and a proportionate vote for a fractional share; provided that in corporations having two or more classes or series of stock, the voting powers of the different classes or series may be fixed in the manner provided by section thirteen or section twenty-six. Capital stock shall not be voted if any instalment of the subscription therefor has been duly demanded under section twenty-two and is overdue and unpaid. Stockholders may vote in person or by proxy. No proxy dated more than six months before the meeting named therein

shall be valid and no proxy shall be valid after the final adjournment of such meeting. A proxy with respect to stock held in the name of two or more persons shall be valid if executed by any one of them unless at or prior to exercise of the proxy the corporation receives a specific written notice to the contrary from any one of them. A proxy purporting to be executed by or on behalf of a stockholder shall be deemed valid unless challenged at or prior to its exercise and the burden of providing invalidity shall rest on the challenger.

Section 42. The directors may fix in advance a time, which, unless a shorter period is provided in the articles of organization or the by-laws, shall be not more than sixty days before the date of any meeting of stockholders or the date for the payment of any dividend or the making of any distribution to stockholders or the last day on which the consent or dissent of stockholders may be effectively expressed for any purpose, as the record date for determining the stockholders having the right to notice of and to vote at such meeting and any adjournment thereof or the right to receive such dividend or distribution or the right to give such consent or dissent, and in such case only stockholders of record on such record date shall have such right, notwithstanding any transfer of stock on the books of the corporation after the record date; or without fixing such record date the directors may for any of such purposes close the transfer books for all or any part of such period.

Section 43. Any action to be taken by stockholders may be taken without a meeting if all stockholders entitled to vote on the matter assent to the action by a writing filed with the records of the meetings of stockholders. Such assent shall be treated for all purposes as a vote at a meeting.

Section 44. Prior to the initial issue of stock by a corporation, the incorporators may exercise all rights of stockholders and take any action required or permitted by law, the articles of organization or the by-laws to be taken by stockholders.

Section 45. Stockholders to whom a corporation makes any distribution, whether by way of dividend, purchase of its own stock, or otherwise (other than a distribution of stock of the corporation), if the corporation is, or is thereby rendered, bankrupt or insolvent and if the corporation is thereafter duly adjudicated bankrupt, shall be liable to the corporation in an amount equal to the debts and contracts of the corporation existing at the time of such distribution but only to the extent of the amount paid or distributed to them respectively. A stockholder who pays on a judgment or otherwise more than his proportionate share of such debts and contracts shall have a claim for contribution against the other stockholders, which, unless otherwise provided in the articles of organization, shall be in proportion to the amounts so withdrawn and paid to them respectively.

Section 46. No stockholder shall institute or maintain any suit or proceeding in the right of the corporation against stockholders, directors or officers of the corporation as such, based on liability under this chapter or otherwise with respect to any alleged act or default of such stockholders, directors or officers unless the stockholder owned stock in the corporation at the time of the act or default complained of or his stock devolved upon him thereafter by operation of law from one who was a stockholder at such time.

DIRECTORS AND OFFICERS.

Section 47. Except as reserved to the stockholders pursuant to section fifty-four, the business of every corporation shall be managed and conducted by a president, a board of directors the number of which shall be fixed by or determined in the manner provided in the by-laws but shall be not less than three, a treasurer and a clerk and such other officers and such agents as the corporation by its by-laws shall authorize. The board of directors may be enlarged by the stockholders at any meeting or, if authorized by the by-laws, by vote of a majority of the directors then in office. The treasurer may be required to give a bond for the faithful performance of his duty in such form and with such sureties as the by-laws may prescribe. The clerk, who shall be a resident of the commonwealth, shall record all proceedings of the stockholders in a book to be kept therefor. Unless another officer is designated in the by-laws, the clerk shall record all proceedings of the directors in a book to be kept therefor.

Section 48. Except as otherwise provided in sections forty-nine, fifty and fifty-two or in the articles or organization, the directors shall be elected at the annual meeting of the stockholders by such stockholders as have the right to vote thereon. The treasurer and the clerk shall be elected at the annual meeting of the stockholders by such stockholders as have the right to vote thereon, unless the by-laws provide for their election by the directors. Any such elections shall be by ballot if so requested by any stockholder entitled to vote thereon. The president shall be elected by and from the board of directors at their first meeting following the annual meeting of the stockholders, and the treasurer and the clerk shall also be elected at such first meeting if the by-laws provide for their election by the directors. All other officers and agents shall be chosen or appointed in the manner prescribed in the by-laws. Unless required by the articles of organization or the by-laws, no director or officer need be a stockholder.

Section 49. A manufacturing corporation may provide by by-law for the nomination and election by its employees of one or more of them as members of its board of directors. All such elections shall be held at the works of the corporation on the day of the annual meeting, and the voting shall be by secret ballot. If less than a majority of those entitled to vote participate in the election there shall be no election, and the vacancy shall be filled as provided in section fifty-two. A director elected by the employees shall have the same rights and powers and shall be subject to the same duties and responsibilities as a director elected by the stockholders.

Section 50. Subject to the provisions of section fifty-one, the directors and the officers shall hold office until the next annual meeting and until their respective successors are chosen and qualified, provided that the articles of organization may require the division of the directors into classes and prescribe the tenure of office of the several classes and the class of stock by which each class of directors shall be elected, but no class shall be elected for a shorter period than one year, or for a longer period than five years, and the term of office of at least one class shall expire in each year; and provided further that the articles of organization may require that the term of office of a director (or of an officer elected by stockholders) shall terminate upon the occurrence of an event

or events specified in the articles of organization and may determine the manner, if any, by which any vacancy so created shall be filled.

Section 51. Except as otherwise provided in the articles of organization or by-laws,

(a) directors and officers elected by stockholders may be removed from their respective offices with or without cause by the vote of the holders of a majority of the shares entitled to vote in the election of directors or such officers, as the case may be, provided that the directors of a class elected by a particular class of stockholders and officers elected by a particular class of stockholders may be removed only by the vote of the holders of a majority of the shares of the particular class of stockholders entitled to vote for the election of such directors or officers, as the case may be;

(b) officers elected or appointed by the directors may be removed from their respective offices with or without cause by vote of a majority of the directors then in office;

(c) any director, and any officer elected by the stockholders, may be removed from his office for cause by vote of a majority of the directors then in office.

A director or officer may be removed for cause only after a reasonable notice and opportunity to be heard before the body proposing to remove him.

Section 52. Unless the articles of organization provide otherwise, any vacancy in the board of directors, however occurring, including a vacancy resulting from the enlargement of the board, and any vacancy in any other office may be filled in the manner prescribed in the by-laws or, in the absence of such by-law, by the directors.

Section 53. Whenever any change is made in the directors or in the president, treasurer or clerk of a corporation, except at the annual meeting of the stockholders or at the first meeting of the directors following such annual meeting, the corporation shall forthwith file in the office of the state secretary a certificate of such change signed under the penalties of perjury by the clerk or an assistant clerk. Any corporation which omits to file a certificate as aforesaid within thirty days after such change has been made or shall fail to have a clerk of the corporation who is a resident of the commonwealth shall forfeit not more than five hundred dollars to be recovered in the manner described by section one hundred and thirteen.

Section 54. The directors may exercise all the powers of the corporation, except such as by law, by the articles of organization or by the by-laws of the corporation are conferred upon or reserved to the stockholders.

Section 55. If and to the extent authorized by its articles of organization or by its by-laws, a corporation may provide for an executive committee or other committees to be elected from and by its board of directors, and the directors may delegate to any such committee or committees some or all of its powers, except, however, the power

(a) to change the principal office of the corporation;

(b) to amend by-laws;

(c) to issue stock;

(d) to establish and designate series of stock and fix and determine the relative rights and preferences of any series of stock;

- (e) to elect officers required by this chapter to be elected by the stockholders or directors and to fill vacancies in any such offices;
- (f) to change the number of the board of directors and to fill vacancies in the board of directors;
- (g) to remove officers or directors from office;
- (h) to authorize the payment of any dividend or distribution to shareholders;
- (i) to authorize the reacquisition for value of stock of the corporation; or
- (j) to authorize a merger pursuant to section eighty-two or section eighty-three.

Except as otherwise provided in the articles of organization or the by-laws, the directors may determine the manner of conducting committee business, whether at a meeting or otherwise, and the number of members required to constitute a quorum or required to take specified types of action. The designation of any such committee and the delegation of any authority thereto shall not operate to relieve the directors from any responsibility imposed upon them by law.

Section 56. Meetings of the directors may be held within or without the commonwealth. Unless otherwise provided by the by-laws, regular meetings of the directors, including the first meeting of the board following the annual meeting of the stockholders, may be held without notice if the time and place of such meetings are fixed by the by-laws or by the board. Special meetings of the directors shall be held only upon notice to the directors.

Section 57. Unless otherwise provided in the by-laws, the number of directors required to constitute a quorum shall be a majority of the directors then in office. If a quorum is present, a majority of the directors present may take any action on behalf of the board except to the extent that a larger number is required by law or the articles of organization or the by-laws.

Section 58. The by-laws may prescribe what shall constitute proper notice of meetings of the directors. A notice or waiver of notice need not specify the purpose of any special meeting of the directors unless required by the by-laws. Notice of a meeting need not be given to any director, if a written waiver of notice, executed by him before or after the meeting, is filed with the records of the meeting, or to any director who attends the meeting without protesting prior thereto or at its commencement the lack of notice to him.

Section 59. Unless the articles of organization or the by-laws otherwise provide, any action required or permitted to be taken at any meeting of the directors may be taken without a meeting, if a written assent thereto is signed by all the directors and such written assent is filed with the minutes of the directors. Such assent shall be treated as a vote for all purposes.

Section 60. If stock of a corporation is issued for a consideration which does not comply with the requirements of sections eighteen or twenty-one, the directors who voted to authorize such issuance and the president and the treasurer of the corporation shall be jointly and severally liable to any stockholder to the extent of the actual damage sustained by such stockholder by reason of such issuance. Nothing in this section shall limit any liability imposed on such director or officer

in respect of stock issued in contravention of any provision of the articles of organization.

Section 61. Directors of a corporation who vote to authorize any distribution by the corporation to one or more of its stockholders, whether by way of dividend, purchase of its own stock or otherwise (other than a distribution of stock of the corporation), if the corporation is, or is thereby rendered, insolvent or bankrupt, shall be jointly and severally liable to the corporation in an amount equal to the debts and contracts of the corporation but only to the extent of such distribution not repaid to the corporation. Nothing in this section shall limit any liability imposed on any such director in respect of any distribution made in contravention of any provision of the articles of organization.

Section 62. If a corporation shall lend any of its assets to any director or officer of the corporation, or to any person who is the holder of record of shares of stock entitled to one per cent or more of the voting power to elect directors, all directors voting for or assenting to any such loan and each officer knowingly participating in the making of such loan shall be jointly and severally liable to the corporation in an amount equal to the debts and contracts of the corporation but only to the extent that such loan has not been repaid to the corporation. If a corporation shall lend any of its assets to any person who owns beneficially shares of stock entitled to one per cent or more of the voting power to elect directors, the directors who know of such beneficial ownership and vote for or assent to the loan and each officer who knows of such beneficial ownership and knowingly participates in the making of such loan, shall be jointly and severally liable to the corporation in an amount equal to the debts and contracts of the corporation but only to the extent that such loan has not been repaid to the corporation.

Section 63. The directors and officers of a corporation who sign any statement or report required by this chapter which is false in any material representation and which they know or have reason to know to be false shall be jointly and severally liable for all the debts and contracts of the corporation but only to a creditor who has relied upon such false representation and only to the extent of the actual damage sustained by him by reason of such reliance; provided that if a report of condition as a whole states the condition of the corporation with substantial accuracy, in accordance with generally accepted accounting principles, it shall not be deemed to be false; and, provided, also, that the officers and directors signing a false report of condition shall not be liable to creditors for debts contracted or contracts entered into after the filing of a report of condition or a corrected report of condition which is not false in any material representation.

Section 64. The incorporators and officers of a corporation who sign any articles of organization, articles of amendment, or articles of consolidation or merger required by this chapter which is false in any material respect and which they know or have reason to know to be false shall be jointly and severally liable to any stockholder of the corporation or of the resulting or surviving corporation, as the case may be, for the actual damage sustained by him by reason of reliance on such false statement.

Section 65. No liability shall be imposed under sections sixty to sixty-four, inclusive, upon any director, incorporator or officer who shall have discharged the duties of his position in good faith and with that

degree of diligence, care and skill which prudent men would ordinarily exercise under similar circumstances in a like position.

Section 66. Any director or officer who pays on a judgment rendered on a claim asserted under sections sixty to sixty-four, inclusive, shall be entitled to contribution from the other directors and officers against whom judgment has been entered on the same claim or who shall be ascertained to be liable to the plaintiff upon the same claim.

Section 67. Indemnification of directors and of officers elected by the stockholders (including persons elected by directors to fill vacancies in the board or in such offices) of a corporation may be provided by it to whatever extent shall be specified in or authorized by (i) the articles of organization or (ii) a by-law adopted by the stockholders or (iii) a vote adopted by the holders of a majority of the shares of stock entitled to vote on the election of directors or such officers. Except as the articles of organization or by-laws otherwise require, indemnification of officers elected by the directors, but who are not directors, and of employees and other agents of a corporation (including persons who serve at its request as directors or officers of another organization in which it owns shares or of which it is a creditor) may be provided by it to whatever extent shall be authorized by the directors. Any such indemnification may be provided although the person to be indemnified is no longer an officer, director, employee or agent of the corporation.

Section 68. Whoever knowingly makes, executes, files or publishes any report or statement required by law to be made, executed, filed or published by a corporation in this commonwealth, or whoever causes the same to be done, which report or statement is false in any material representation, shall be punished by a fine of not more than five thousand dollars or by imprisonment for not more than three years, or both.

Section 69. Whoever knowingly makes, executes or publishes any report or statement required by the law of another state or country to be made, executed, or published by a corporation, or whoever causes the same to be done, within this commonwealth, which report or statement is false in any material representation, shall be punished by a fine of not more than five thousand dollars or by imprisonment for not more than three years, or both.

AMENDMENTS AFTER ORGANIZATION.

Section 70. A corporation may authorize, at a meeting duly called for the purpose, an amendment of its articles of organization, by vote of a majority of each class of stock outstanding and entitled to vote thereon effecting any one or more of the following:

(a) an increase or a reduction of its capital stock of any class then authorized;

(b) a change of the par value of its authorized shares with par value or any class thereof;

(c) a change of its authorized shares with par value or any class thereof into any number of shares without par value, or the exchange thereof pro rata for any number of shares without par value;

(d) a change of its authorized shares without par value or any class thereof into a greater or lesser number of shares without par value, or the exchange thereof pro rata for a greater or lesser number of shares without par value;

(e) a change of its authorized shares with par value or any class thereof into a greater or lesser number of shares with par value, or the exchange thereof pro rata for a greater or lesser number of shares with par value;

(f) a change of its authorized shares without par value or any class thereof into any number of shares with par value, or the exchange thereof pro rata for any number of shares with par value;

(g) a change of its corporate name.

Any reference in this section to any change with respect to authorized shares shall be deemed to refer to and include both the unissued and the outstanding shares; provided, however, that any change which impairs or diminishes the preferences, voting powers, restrictions (including restrictions on transfer), qualifications, special or relative rights or privileges of any outstanding shares may be authorized only in accordance with the provisions of section seventy-one. The aggregate par value of shares becoming outstanding by virtue of any change or exchange effected pursuant to the provisions of this section or of section seventy-one shall not exceed the amount of capital shown on the balance sheet of the corporation with respect to the outstanding shares so changed or exchanged, plus the amount of any surplus which shall be appropriated to capital in connection with such change or exchange.

Section 71. A corporation may authorize, at a meeting duly called for the purpose, by vote of two thirds of each class of stock outstanding and entitled to vote thereon and of each other class or series of stock whose rights are adversely affected thereby, any amendment of its articles of organization; provided, only, that any provision added to or changes made in its articles of organization by such amendment could have been included in, and any provision deleted thereby could have been omitted from, original articles of organization filed at the time of such meeting.

Section 72. Within sixty days after any meeting at which any amendment of the articles of organization has been adopted, articles of amendment, signed under the penalties of perjury by the president or any vice president and by the clerk or an assistant clerk, setting forth such amendment and the due adoption thereof, shall be submitted to the state secretary. The amendment shall become effective when the articles of amendment are filed in accordance with section six, unless said articles specify, in accordance with the vote adopting the amendment, a later effective date not more than thirty days after such filing, in which event the amendment shall become effective on such later date.

Section 73. (a) Any corporation, a plan of reorganization of which, pursuant to the provisions of any applicable statute of the United States relating to reorganizations of corporations, has been or shall be confirmed by the decree or order of a court of competent jurisdiction, may put into effect and carry out the plan and the decrees and orders of the court relative thereto and may take any proceeding and do any act provided in the plan or directed by such decrees and orders, without further action by its directors or stockholders. Such power and authority may be exercised, and such proceedings and acts may be taken, as may be directed by such decrees or orders, by the trustee or trustees of such corporation appointed by the court in the reorganization proceedings (or a majority thereof), or if none be appointed and acting, by designated officers of the corporation, or by a master or other repre-

sentative appointed by the court, with like effect as if exercised and taken by unanimous action of the directors and stockholders of the corporation.

(b) Such corporation may, in the manner provided in subsection (a), but without limiting the generality or effect of the foregoing, alter, amend or repeal its by-laws; constitute or reconstitute and classify or reclassify its board of directors, and name, constitute or appoint directors and officers in place of or in addition to all or some of the directors or officers then in office; amend its articles of organization, and make any change in its authorized and issued capital stock, or any other amendment, change, or alteration, or provision, authorized by this chapter; be dissolved, transfer all or part of its assets or merge or consolidate as permitted by this chapter; in no such case, however, shall any stockholder have any statutory right to demand payment for his stock.

(c) Articles of amendment made by such corporation pursuant to the foregoing provisions of this section shall be signed under the penalties of perjury by the person or persons authorized by the court, in accordance with the provisions of subsection (a) and submitted to the state secretary. The amendment shall become effective when the articles of amendment are filed in accordance with section six, unless said articles specify a later effective date not more than thirty days after such filing, in which event the amendment shall become effective on such later date.

(d) The provisions of this section shall cease to apply to such corporation upon the entry of a final decree in the reorganization proceedings closing the case and discharging the trustee or trustees, if any.

Section 74. Every corporation may authorize, at a meeting duly called for the purpose, by vote of two thirds of each class of stock outstanding and entitled to vote thereon, and of each other class of stock adversely affected thereby, a restatement of its articles of organization. The restated articles of organization may effect further amendments of the articles of organization provided that every such further amendment might be lawfully adopted in accordance with the provisions of section seventy-one. Within sixty days after any meeting at which restated articles of organization have been adopted, such restated articles, signed under the penalties of perjury by the president or any vice president and by the clerk or an assistant clerk, shall be submitted to the state secretary. Such restated articles of organization shall set forth all matter that would be required or permitted to be set forth in original articles of organization filed at the time of such meeting, other than the names and addresses of the incorporators, and shall indicate in a manner prescribed by the state secretary each amendment effected by such restated articles of organization.

The restated articles of organization shall become effective when filed in accordance with section six, unless the restated articles or the vote adopting the restated articles specify a later effective date not more than thirty days after such filing, in which event the restated articles of organization shall become effective on such later date. From and after the effective date thereof the restated articles of organization shall be deemed for all purposes to have superseded the original articles of organization and amendments and shall constitute the articles of organization of the corporation.

Section 75. Every corporation may authorize, at a meeting duly

called for the purpose, by vote of two thirds of each class of stock outstanding and entitled to vote thereon, the sale, mortgage, pledge, lease or exchange of all or substantially all its property and assets, including its goodwill, upon such terms and conditions as it deems expedient.

Section 76. A stockholder in any corporation which shall have voted to sell, lease or exchange all or substantially all its property and assets, or which shall have adopted any amendment of its articles of organization which adversely affects the rights of such stockholder, who objects to such action, in the manner provided in section eighty-six, shall be entitled, if such sale, lease or exchange shall have been consummated or such amendment shall have become effective, as the case may be, to demand payment for his stock from the corporation and an appraisal thereof in accordance with the provisions of sections eighty-six to ninety-eight, inclusive, and such stockholder and the corporation shall have the rights and duties and follow the procedure set forth in those sections.

Section 77. For the purpose of this chapter, the rights of a stockholder shall not be considered adversely affected by any amendment of its articles of organization unless the amendment (otherwise than as permitted by the articles of organization) —

(a) alters or abolishes any preferential right of his stock having preferences;

(b) creates, alters or abolishes any right in respect of redemption of his stock;

(c) alters or abolishes any preemptive right in respect of his stock;

(d) creates or alters (other than to abolish) any restriction on transfer applicable to his stock; or

(e) excludes or limits his right as a stockholder to vote on a matter except as such right may be limited by voting rights given to new shares then being authorized of an existing or new class.

CONSOLIDATION AND MERGER.

Section 78. (a) Any two or more corporations may consolidate to form a new corporation, or may merge into a single corporation, which may be any one of the constituent corporations, in the manner specified in this section.

(b) Such corporations as desire to consolidate or merge shall enter into an agreement of consolidation or merger signed by the president or a vice president and the treasurer or an assistant treasurer and under the corporate seals of the respective corporations, which shall set forth:

(1) The names of the corporations proposing to consolidate or merge and the name of the resulting or surviving corporation;

(2) The purposes of the resulting or surviving corporation;

(3) The total number of shares and the par value, if any, of each class of stock which the resulting or surviving corporation is authorized to issue;

(4) If more than one class of stock is to be authorized at the effective date of the agreement, a description of each class, with the preferences, voting powers, qualifications, special or relative rights or privileges as to each class and any series thereof then established;

(5) The terms and conditions of the consolidation or merger;

(6) The manner of converting the shares of each of the constituent corporations into shares or securities of the resulting or surviving cor-

poration; provided, however, that the aggregate par value of the shares with a par value of the resulting or surviving corporation plus the aggregate principal amount of any securities representing indebtedness of the surviving or resulting corporation substituted upon conversion for previously issued and outstanding shares of the constituent corporations shall not exceed the aggregate value of the assets less the aggregate amount of the liabilities of the constituent corporations, and that any such agreement may provide for the payment of cash in lieu of the issuance of fractional shares of the resulting or surviving corporation; and

(7) The manner of fixing the effective date of the consolidation or merger, which may be the date of filing the articles of consolidation or articles of merger with the state secretary pursuant to subsection (d), or any specified date not more than thirty days after such filing.

The agreement of consolidation or merger may contain such other provisions as are permitted by section thirteen of this chapter to be included in the articles of organization of a corporation, together with any provisions deemed necessary or desirable in connection with the consolidation or merger, including without limitation a provision permitting the abandonment thereof, which are not inconsistent with the provisions of this chapter.

(c) The agreement of consolidation or merger shall be submitted to the stockholders of each constituent corporation at a meeting thereof called for the purpose of considering and acting upon the same. Notice of the time, place and purposes of such meeting shall be given to each stockholder of record, whether or not entitled to vote thereat, of each such corporation in the manner provided in section thirty-six but at least thirty days prior to the date of such meeting. The vote of two thirds of the stockholders of each class of stock of each constituent corporation outstanding and entitled to vote on the question shall be necessary for the approval of such agreement.

(d) Unless such agreement is abandoned pursuant to provisions contained therein, articles of consolidation or articles of merger shall be submitted to the state secretary within sixty days after the last of the meetings of the stockholders of the constituent corporations at which such agreement was approved. Such articles of consolidation or merger shall set forth in full the agreement of consolidation or merger, shall state the effective date of the consolidation or merger determined pursuant to such agreement, and shall be signed by the president or a vice president and the clerk or an assistant clerk of each constituent corporation, who shall state under the penalties of perjury that the agreement has been duly executed on behalf of such corporation and approved by the stockholders of such corporation in the manner required by this section.

The form on which articles of consolidation or merger are filed shall also contain the following information which shall not for any purpose be treated as a permanent part of the articles of organization of the resulting or surviving corporation:

(1) The post-office address of the initial principal office of the resulting or surviving corporation in the commonwealth;

(2) the name, residence and post-office address of each of the initial directors and president, treasurer and clerk of the resulting or surviving corporation;

(3) the fiscal year of the resulting or surviving corporation initially adopted;

(4) the date initially fixed in the by-laws for the annual meeting of stockholders of the resulting or surviving corporation.

The agreement of consolidation or merger shall become effective when the articles of consolidation or merger are filed in accordance with section six, unless said articles specify a later effective date not more than thirty days after such filing, in which event the agreement shall become effective on such later date.

(e) The resulting or surviving corporation shall within twenty days of the filing of the articles of consolidation or merger with the state secretary file a copy thereof certified by the state secretary in the registry of deeds in each district within the commonwealth in which real property of any constituent corporation is situated, or in lieu of such certified copy a certificate issued pursuant to section eighty-four.

Section 79. (a) Any one or more corporations may consolidate or merge with one or more other corporations organized under the laws of any other state or states of the United States, if the laws of such other state or states permit. The constituent corporations may consolidate to form a new corporation, which may be a corporation of the state under the laws of which any one of the constituent corporations is organized, or they may merge into a single corporation, which may be any one of the constituent corporations.

(b) Such corporations as desire to consolidate or merge shall enter into an agreement of consolidation or merger which shall specify the state under the laws of which the resulting or surviving corporation is organized. If the resulting or surviving corporation is to be a Massachusetts corporation such agreement of consolidation or merger shall comply with the provisions of section seventy-eight, and if the resulting or surviving corporation is to be governed by the laws of another state the agreement of consolidation or merger shall comply with the applicable provisions of the laws of such other state. If the resulting or surviving corporation is to be governed by the laws of another state, the resulting or surviving corporation shall agree that it may be sued in this commonwealth for any prior obligation of any constituent domestic corporation, any prior obligation of any constituent foreign corporation qualified under chapter one hundred and eighty-one, and any obligation thereafter incurred by the resulting or surviving corporation, including the obligation created by section eighty-five, so long as any liability remains outstanding against the corporation in this commonwealth, and it shall irrevocably appoint the state secretary as its agent to accept service of process in any action for the enforcement of any such obligation, including taxes, in the same manner as provided in chapter one hundred and eighty-one.

(c) The agreement of consolidation or merger shall be adopted by each of the constituent corporations in accordance with the laws of the state under which it is organized, and in the case of a Massachusetts corporation in the manner provided in section seventy-eight. Unless such agreement is abandoned pursuant to provisions contained therein, articles of consolidation or merger shall be submitted to the state secretary within sixty days after the approval of the agreement by the last constituent corporation to do so. Such articles of consolidation or merger shall set forth in full the agreement of consolidation or merger, shall state the effective date of the consolidation or merger determined pursuant to such agreement, and shall be signed by the president or a

vice president and the clerk or an assistant clerk of each constituent corporation, or in the case of a corporation organized under the laws of another state, by officers having corresponding powers and duties, who shall make affidavit or state under the penalties of perjury (1) in the case of each constituent corporation not organized under the laws of Massachusetts, that the agreement has been duly adopted under the laws of the state under which such constituent corporation is organized, and (2) in the case of each constituent corporation organized under the laws of Massachusetts, that the agreement has been duly executed by the officers and approved by the stockholders of such corporation in the manner required by section seventy-eight. If the resulting or surviving corporation is to be governed by the laws of Massachusetts, the form on which articles of consolidation or merger are filed shall contain the information required by subsection (d) of section seventy-eight in the case of articles of consolidation or merger filed thereunder, which shall not for any purpose be treated as a permanent part of the articles of organization of the resulting or surviving corporation. The agreement of consolidation or merger shall become effective when the articles of consolidation or merger are filed in accordance with section six, unless said articles specify a later effective date not more than thirty days after such filing, in which event the agreement shall become effective on such later date.

(d) The resulting or surviving corporation shall within twenty days of the filing of the articles of consolidation or merger with the state secretary file a copy thereof certified by the state secretary in the registry of deeds in each district within the commonwealth in which real property of any constituent corporation is situated, or in lieu of such certified copy a certificate issued pursuant to section eighty-four.

Section 80. Upon the effective date of the consolidation or merger under articles of consolidation or merger filed pursuant to sections seventy-eight or seventy-nine, for all purposes of the laws of Massachusetts:

(1) the separate existence of all the constituent corporations parties to the agreement of consolidation or merger, except any corporation into which any other constituent corporation or corporations have been merged, shall cease;

(2) the constituent corporations shall become a new corporation or be merged into one of such corporations in accordance with the provisions of said agreement of consolidation or merger;

(3) the articles of merger shall be deemed to be an amendment of the articles of organization of any constituent corporation organized under the laws of Massachusetts and surviving the merger and may thereafter be further amended in the manner provided in this chapter; and

(4) the articles of consolidation shall be deemed to be the articles of organization of any corporation resulting from the consolidation and organized under the laws of Massachusetts and may thereafter be amended in the manner provided in this chapter;

(5) all of the estate, property, rights, privileges, powers and franchises of the constituent corporations and all of their property, real, personal and mixed, and all the debts due on whatever account to any of them, as well as all stock subscriptions and other choses in action belonging to any of them, shall be transferred to and vested in the resulting or surviving corporation, without further act or deed, and all claims, demands,

property and other interest shall be the property of the resulting or surviving corporation, and the title to all real estate vested in any of the constituent corporations shall not revert or be in any way impaired by reason of the merger or consolidation, but shall be vested in the resulting or surviving corporation.

The rights of creditors of any constituent corporation shall not in any manner be impaired, nor shall any liability or obligation, including taxes due or to become due, or any claim or demand in any cause existing against such corporation, or any stockholder, director, or officer thereof, be released or impaired by any such consolidation or merger, but such resulting or surviving corporation shall be deemed to have assumed, and shall be liable for, all liabilities and obligations of each of the constituent corporations in the same manner and to the same extent as if such resulting or surviving corporation had itself incurred such liabilities or obligations. The stockholders, directors, and officers of the constituent corporations shall continue to be subject to all the liabilities, claims and demands existing against them as such at or before the consolidation or merger. No action or proceeding then pending before any court or tribunal of the commonwealth in which any constituent corporation is a party, or in which any such stockholder, director, or officer is a party, shall abate or be discontinued by reason of such consolidation or merger, but any such action or proceeding may be prosecuted to final judgment as though no consolidation or merger had taken place, or such resulting or surviving corporation may be substituted as a party in place of any constituent corporation by the court in which such action or proceeding is pending.

Section 81. When two or more corporations are consolidated or merged, the corporation resulting from or surviving such consolidation or merger (i) may issue bonds or other obligations, negotiable or otherwise, and with or without coupons or interest certificates thereto attached, to an amount sufficient with its capital stock to provide for all the payments it will be required to make, or obligations it will be required to assume, in order to effect such consolidation or merger, to secure the payment of which bonds and obligations it shall be lawful to mortgage its corporate franchise, rights, privileges and property, real, personal or mixed, and (ii) may issue certificates of its capital stock and other securities to the stockholders of such constituent corporations in exchange or payment for the original shares, in such amount as shall be necessary in accordance with the terms of the agreement of consolidation or merger in order to effect such consolidation or merger in the manner and on the terms specified in such agreement.

Section 82. (a) (1) A corporation owning at least ninety per cent of the outstanding shares of each class of the stock of another corporation or corporations, or one or more foreign corporations organized or existing under the laws of any state or states of the United States, and (2) a foreign corporation so organized and existing owning at least ninety per cent of the outstanding shares of each class of the stock of any corporation or corporations, may merge into itself a corporation or corporations the stock of which it owns by vote of its directors, if the laws of such other state or states, when applicable, permit such a merger. Such vote shall specify the manner of determining the effective date of the merger, which may be the date of filing the articles of merger, or any specified date not more than thirty days after such filing, and may pro-

vide for the manner in which such merger may be abandoned. In case the parent corporation shall not own all the outstanding stock of all the subsidiary corporations parties to such a merger, such vote shall also state the terms and conditions of the merger, including the shares, securities, cash or other consideration to be issued, paid or delivered by the parent corporation in respect of each share of the subsidiary corporation or corporations not owned by the parent corporation.

(b) Unless such merger is abandoned pursuant to the terms of the directors' vote adopted under paragraph (a), articles of merger shall be submitted to the state secretary within sixty days after the meeting of the board of directors at which such merger has been voted. Such articles of merger shall set forth the vote of the directors, shall state the effective date of the merger, and if the parent corporation is organized under the laws of another state shall contain an agreement by such corporation that it may be sued in this commonwealth for any prior obligation of the Massachusetts corporation or corporations with which it has merged and any obligation thereafter incurred by the parent corporation, including the obligation created by paragraph (e), so long as any liability remains outstanding against the parent corporation in this commonwealth, and it shall irrevocably appoint the state secretary as its agent to accept service of process in any action for the enforcement of any such obligation, including taxes, in the same manner as provided in chapter one hundred and eighty-one. Such articles of merger shall be signed by the president or a vice president and the clerk or an assistant clerk of the parent corporation, or in the case of a parent corporation organized under the laws of another state, by officers having corresponding powers and duties, who shall make affidavit or state under the penalties of perjury that such vote has been duly adopted by the directors and that the parent corporation at the date of such vote owned not less than ninety per cent of the outstanding shares of each class of stock of the subsidiary corporation or corporations with which it has voted to merge. The merger shall become effective when the articles of merger are filed in accordance with section six, unless said articles specify a later effective date not more than thirty days after such filing, in which event the merger shall become effective on such later date.

(c) The provisions of subsection (e) of section seventy-eight, section eighty and section eighty-one shall, so far as appropriate, apply to mergers effected under this section.

(d) Any merger which requires or contemplates any changes in respect of the parent corporation, other than those specifically authorized by the terms of this section, shall be effected under the provisions of sections seventy-eight or seventy-nine.

(e) If all the stock of a subsidiary Massachusetts corporation party to a merger effected under this section is not owned by the parent corporation immediately prior to the merger, any stockholder in such subsidiary Massachusetts corporation (but no stockholder in a parent Massachusetts corporation) who objects to such merger may demand payment for his stock from the parent corporation and an appraisal thereof. Within ten days after the filing of the articles of merger the parent corporation shall send written notice by registered or certified mail to each stockholder of such subsidiary Massachusetts corporation at his last known address as it appears in the records of such subsidiary corporation, stating:

1. The date upon which such articles were filed.
2. The terms and conditions of the merger.
3. The right of any stockholder of such subsidiary Massachusetts corporation who objects to the merger to demand in writing from the parent corporation within twenty days after the mailing of such notice payment for his stock and an appraisal thereof.

If any such stockholder shall demand in writing from the parent corporation within twenty days after the mailing of such notice payment for his stock and an appraisal thereof, such stockholder and the parent corporation shall thereafter have the rights and duties and follow the procedures set forth in sections eighty-nine to ninety-eight, inclusive.

Section 83. (a) The following words as used in this section shall have the following meanings: "association," a voluntary association under a written instrument or declaration of trust, as defined in chapter one hundred and eighty-two, which has filed a copy of such instrument or declaration with the state secretary in compliance with said chapter; "trust," a trust operating under a written instrument or declaration of trust, as defined in chapter one hundred and eighty-two, which has filed a copy of such instrument or declaration with the state secretary in compliance with said chapter.

(b) An association or trust at least ninety per cent of the outstanding certificates of participation or shares of each class of which are owned by a corporation, or which owns at least ninety per cent of the outstanding shares of each class of the stock of a corporation, may be merged into such corporation, if the written instrument or declaration of trust under which such association or trust was formed or is regulated so provides. Such corporation and such association or trust shall enter into an agreement in writing which shall prescribe the terms and conditions of the merger and the manner of determining the effective date of the merger, which may be the date of filing the articles of merger with the state secretary or any date not more than thirty days after such filing, and may provide for the manner in which such merger may be abandoned. In case the corporation shall not own all the outstanding certificates of participation or shares of the association or trust, the agreement shall also state the shares, securities, cash or other consideration to be issued, paid or delivered by the corporation in respect of each certificate of participation or share of such association or trust not owned by the corporation.

(c) Such agreement shall be approved by the directors of the corporation and shall be executed under the corporate seal by the president or a vice president and the treasurer or an assistant treasurer of the corporation, and shall be approved and executed by the association or trust in the manner provided in the written instrument or declaration of trust under which such association or trust was formed or is regulated.

(d) Unless such agreement is abandoned pursuant to provisions contained therein, articles of merger shall be submitted to the state secretary within sixty days after the agreement of merger has been approved by the last party thereto to do so. Such articles of merger shall set forth the agreement of merger, shall state the effective date of the merger, and shall be signed by the president or a vice president and the clerk or an assistant clerk of the corporation and by the persons authorized to execute such agreement for the association or trust, who shall state under the penalties of perjury that at least ninety per cent of

the outstanding certificates of participation or shares of each class of the association or trust are owned by the corporation, or that at least ninety per cent of the outstanding shares of each class of stock of the corporation are owned by the association or trust, and that the agreement was duly approved by the corporation and by the association or the trust pursuant to the provisions of this section. The agreement of merger shall become effective when the articles of merger are filed in accordance with section six, unless said articles specify a later effective date not more than thirty days after such filing, in which event the agreement shall become effective on such later date.

(e) The provisions of subsection (e) of section seventy-eight, section eighty and section eighty-one shall, so far as appropriate, apply to mergers effected under this section, the word "corporation" as used in such sections being for this purpose deemed to include associations and trusts. In addition to the requirements of subsection (e) of section seventy-eight a copy of the articles of merger or in lieu thereof a certificate issued pursuant to section eighty-four shall be filed in the office of the clerk of the city or town in which such association or trust has its principal place of business.

(f) If the corporation shall own immediately prior to the merger ninety per cent or more but less than all of the outstanding certificates of participation or shares of the association or trust, each holder of certificates of participation or shares of the association or trust (but no holder of stock of the corporation) who objects to such merger may demand payment for his certificates of participation or shares from the corporation and an appraisal thereof. If the association or trust shall own immediately prior to the merger ninety per cent or more but less than all of the outstanding shares of each class of stock of the corporation, each holder of stock of the corporation (but no holder of certificates of participation or shares of the association or trust) who objects to such merger may demand payment for his stock from the corporation and an appraisal thereof. In each such case within ten days after the filing of the articles of merger the corporation shall send written notice by registered or certified mail, to each holder of certificates of participation or shares of the association or trust (if the corporation is the parent) or of stock of the corporation (if the association or trust is the parent), at his last known address as it appears in the records of such association, trust or corporation, stating:

1. The date upon which articles of merger were filed.
2. The terms and conditions of the merger.
3. The right of any stockholder of the corporation or holder of certificates of participation or shares in the association or trust, as the case may be, who objects to the merger to demand in writing from the corporation within twenty days after the mailing of such notice payment for his stock, certificates of participation, or shares and an appraisal thereof.

If any such holder shall demand in writing from the corporation within twenty days after the mailing of such notice payment for his stock, certificates of participation, or shares and an appraisal thereof, such holder and the corporation shall thereafter have the rights and duties and follow the procedures set forth in sections eighty-nine to ninety-eight, inclusive.

Section 84. Upon the payment of a fee of two dollars, the state

secretary shall issue a certificate in such form as he shall prescribe evidencing the filing and approval of articles of consolidation or merger in his office pursuant to sections seventy-eight, seventy-nine, eighty-two or eighty-three.

Section 85. A stockholder in any corporation organized under the laws of Massachusetts which shall have duly voted to consolidate or merge with another corporation or corporations under the provisions of sections seventy-eight or seventy-nine who objects to such consolidation or merger may demand payment for his stock from the resulting or surviving corporation and an appraisal in accordance with the provisions of sections eighty-six to ninety-eight, inclusive, and such stockholder and the resulting or surviving corporation shall have the rights and duties and follow the procedure set forth in those sections.

APPRAISAL.

Section 86. If a corporation proposes to take a corporate action as to which any section of this chapter provides that a stockholder who objects to such action shall have the right to demand payment for his shares and an appraisal thereof, sections eighty-seven to ninety-eight, inclusive, shall apply except as otherwise specifically provided in any section of this chapter. Except as provided in sections eighty-two and eighty-three, no stockholder shall have such right unless (i) he files with the corporation written objection to the proposed action before the taking of the vote thereon and (ii) his shares are not voted in favor of the proposed action.

Section 87. The notice of the meeting of stockholders at which the approval of such proposed action is to be considered shall contain a statement of the rights of objecting stockholders. The giving of such notice shall not be deemed to create any rights in any stockholder receiving the same to demand payment for his stock, and the directors may authorize the inclusion in any such notice of a statement of opinion by the management as to the existence or non-existence of the right of the stockholders to demand payment for their stock on account of the proposed corporate action. The notice may be in such form as the directors or officers calling the meeting deem advisable, but the following form of notice shall be sufficient to comply with this section:

"If the action proposed is approved by the stockholders at the meeting and effected by the corporation, any stockholder who files with the corporation written objection thereto before the taking of the vote on the approval of such action and whose shares are not voted in favor of such action has or may have the right to demand in writing from the corporation (*or, in the case of a consolidation or merger, the name of the resulting or surviving corporation shall be inserted*), within twenty days after the date of mailing to him of notice in writing that the corporate action has become effective, payment for his shares and an appraisal of the value thereof. Such corporation and any such stockholder shall in such cases have the rights and duties and shall follow the procedure set forth in sections 88 to 98, inclusive, of chapter 156B of the General Laws of Massachusetts."

Section 88. The corporation taking such action, or in the case of a merger or consolidation the surviving or resulting corporation, shall, within ten days after the date on which such corporate action became

effective, notify each stockholder who filed written objection thereto with such corporation before the taking of the vote on the approval of such action and whose shares were not voted in favor of the approval of such action, that the action approved at the meeting of the corporation of which he is a stockholder has become effective. The notice shall be sent by registered or certified mail, addressed to the stockholder at his last known address as it appears in the records of the corporation.

Section 89. If any such stockholder shall within twenty days after the date of mailing of a notice under subsection (e) of section eighty-two, subsection (f) of section eighty-three, or section eighty-eight demand in writing from the corporation taking such action, or in the case of a consolidation or merger from the resulting or surviving corporation, payment for his stock, the corporation upon which such demand is made shall pay to him the fair value of his stock within thirty days after the expiration of the period during which such demand may be made.

Section 90. If during the period of thirty days provided for in section eighty-nine the corporation upon which such demand is made and any such objecting stockholder fail to agree as to the value of such stock, such corporation or any such stockholder may within four months after the expiration of such thirty-day period demand a determination of the value of the stock of all such objecting stockholders by a bill in equity filed in the superior court in the county where the corporation in which such objecting stockholder held stock had or has its principal office in the commonwealth.

Section 91. If the bill is filed by the corporation, it shall name as parties respondent all stockholders who have demanded payment for their shares and with whom the corporation has not reached agreement as to the value thereof. If the bill is filed by a stockholder, he shall bring the bill in his own behalf and in behalf of all other stockholders who have demanded payment for their shares and with whom the corporation has not reached agreement as to the value thereof, and service of the bill shall be made upon the corporation by subpoena with a copy of the bill annexed. The corporation shall file with its answer a duly verified list of all such other stockholders, and such stockholders shall thereupon be deemed to have been added as parties to the bill. The corporation shall give notice in such form and returnable on such date as the court shall order to each stockholder party to the bill by registered or certified mail, addressed to the last known address of such stockholder as shown in the records of the corporation, and the court may order such additional notice by publication or otherwise as it deems advisable. Each stockholder who makes demand as provided in section eighty-nine shall be deemed to have consented to the provisions of this section relating to notice, and the giving of notice by the corporation to any such stockholder in compliance with the order of the court shall be a sufficient service of process on him. Failure to give notice to any stockholder making demand shall not invalidate the proceedings as to other stockholders to whom notice was properly given, and the court may at any time before the entry of a final decree make supplementary orders of notice.

Section 92. After hearing the court shall enter a decree determining the fair value of the stock of those stockholders who have become entitled to the valuation of and payment for their shares, and shall order the corporation to make payment of such value, together with interest,

if any, as hereinafter provided, to the stockholders entitled thereto upon the transfer by them to the corporation of the certificates representing such stock. For this purpose, the value of the shares shall be determined as of the day preceding the date of the vote approving the proposed corporate action and shall be exclusive of any element of value arising from the expectation or accomplishment of the proposed corporate action.

Section 93. The court in its discretion may refer the bill or any question arising thereunder to a special master to hear the parties, make findings and report the same to the court, all in accordance with the usual practice in suits in equity in the superior court.

Section 94. On motion the court may order stockholder parties to the bill to submit their certificates of stock to the corporation for notation thereon of the pendency of the bill, and may on motion dismiss the bill as to any stockholder who fails to comply with such order.

Section 95. The costs of the bill, including the reasonable compensation and expenses of any master appointed by the court, but exclusive of fees of counsel or of experts retained by any party, shall be determined by the court and taxed upon the parties to the bill, or any of them, in such manner as appears to be equitable, except that all costs of giving notice to stockholders as hereinabove provided shall be paid by the corporation. Interest shall be paid upon any award from the date of the vote approving the proposed corporate action, and the court may on application of any interested party determine the amount of interest to be paid in the case of any stockholder.

Section 96. Any stockholder who has demanded payment for his stock as provided in this chapter shall not thereafter be entitled to notice of any meeting of stockholders or to vote such stock for any purpose and shall not be entitled to the payment of dividends or other distribution on the stock (except dividends or other distributions payable to stockholders of record at a date which is prior to the date of the vote approving the proposed corporate action) unless:

- (1) A bill shall not be filed within the time provided in section ninety;
- (2) A bill, if filed, shall be dismissed as to such stockholder; or
- (3) Such stockholder shall with the written approval of the corporation, or in the case of a consolidation or merger, the resulting or surviving corporation, deliver to it a written withdrawal of his objections to and an acceptance of such corporate action.

Section 97. The shares of the corporation paid for by the corporation pursuant to the provisions of this section shall have the status of treasury stock, or in the case of a consolidation or merger the shares or the securities of the resulting or surviving corporation into which the shares of such objecting stockholder would have been converted had he not objected to such consolidation or merger shall have the status of treasury stock or securities.

Section 98. The enforcement by a stockholder of his right to receive payment for his shares in the manner provided in this section shall be an exclusive remedy except that this section shall not exclude the right of such stockholder to bring or maintain an appropriate proceeding to obtain relief on the ground that such corporate action will be or is illegal or fraudulent as to him.

LIQUIDATION AND DISSOLUTION.

Section 99. A corporation which desires to close its affairs may authorize a petition for its dissolution to be filed in the supreme judicial or superior court by a vote of the holders of a majority of the shares of each class of its stock outstanding and entitled to vote thereon. After such notice as the court may order and after hearing, the court may decree a dissolution of the corporation. Upon such dissolution, the existence of the corporation shall cease, subject to the provisions of sections one hundred and two, one hundred and four and one hundred and eight.

Section 100. A petition for dissolution of a corporation may be filed in the supreme judicial or superior court by the holder or holders of not less than forty per cent of all the shares of its stock outstanding and entitled to vote thereon, treating all classes of stock entitled to vote as a single class for the purpose of determining whether the petition is brought by the holders of not less than forty per cent of the outstanding shares as aforesaid, if:

(a) the directors are deadlocked in the management of corporate affairs, and the shareholders are unable to break the deadlock; or

(b) the shareholders are deadlocked in voting powers and have failed for a period which includes at least two consecutive annual meeting dates to elect successors to directors whose terms have expired or would have expired upon the election of their successors.

After such notice as the court may order and after hearing, the court may decree a dissolution of the corporation, notwithstanding the fact that the business of the corporation is being conducted at a profit, if it shall find that the best interests of the stockholders will be served by such dissolution. Upon such dissolution, the existence of the corporation shall cease, subject to the provisions of sections one hundred and two, one hundred and four and one hundred and eight.

Section 101. If a corporation has failed to comply with the provisions of law requiring the filing of reports with the state secretary or tax returns with the commissioner of corporations and taxation for two consecutive years, or if the secretary is satisfied that a corporation has become inactive and that its dissolution would be in the public interest, and said secretary or said commissioner may apply to the supreme judicial court for its dissolution, and the court, after notice by mail or otherwise as it may order, may decree such dissolution subject to the provisions of sections one hundred and two, one hundred and four and one hundred and eight. Said secretary or said commissioner may include as many corporations in a single application as he deems fit and the court may include in its decree any or all thereof. The secretary or the commissioner shall furnish to each county law library within the commonwealth, upon application therefor, a copy, mimeographed or otherwise prepared as he shall determine, of the list of the corporations dissolved as herein provided.

Section 102. Every corporation whose charter expires by its own limitation or is annulled by forfeiture or otherwise, or whose corporate existence for other purposes is terminated in any other manner, shall nevertheless be continued as a body corporate for three years after the time when it was so dissolved for the purpose of prosecuting and defending suits by or against it and of enabling it gradually to settle and close its affairs, to dispose of and convey its property and to divide its

capital stock, but not for the purpose of continuing the business for which it was established; provided that the corporate existence of such a corporation, for the purposes of any suit brought by or against it within said period of three years, shall continue beyond said period for a further period of sixty days after the final judgment in the suit.

Section 103. At any time within the period of three years or the extension of such period by reason of the pendency of any suit, as provided in section one hundred and two, such corporation may petition the supreme judicial or superior court for leave to distribute the whole or part of its assets to the stockholders entitled thereto, and, after notice by certified or registered mail to the state secretary and the commissioner of corporations and taxation and to all known creditors and by publication once a week for three successive weeks in a newspaper of general circulation published in the city or town in which the principal office of the corporation is located, or in the county if no such newspaper is published in said city or town, the court may, after hearing, upon a finding that the interests of creditors, if any, and those of the commonwealth, if any, are reasonably protected, enter a decree permitting such distribution; and the directors shall not be subject to the liability set forth in section six hundred and fifteen on account of their declaration or assent to a dividend, including one or more liquidating dividends, to the stockholders entitled thereto, in accordance with said decree.

Section 104. If the charter of the corporation expires or is annulled, or if the corporation is dissolved as provided in sections ninety-nine, one hundred and one hundred and one or if its corporate existence for other purposes is terminated in any other manner, the supreme judicial or superior court, upon application of a creditor or stockholder, shall have jurisdiction in equity to appoint one or more receivers to take charge of its estate and effects and to collect the debts and property due and belonging to it, with power to prosecute and defend suits in its name or otherwise, to appoint agents under them and to do all other acts which might be done by such corporation, if in being, which may be necessary for the final settlement of its unfinished business. The powers of such receivers and the existence of the corporation may be continued as long as the court finds necessary for said purposes.

Section 105. If a judgment has been recovered against a corporation and it has neglected for thirty days after demand made on execution to pay the amount due with the officer's fees, or to exhibit to the officer real or personal property belonging to it and subject to be taken on execution sufficient to satisfy the same and the execution has been returned unsatisfied, one or more receivers may be appointed with the powers and duties provided in, and subject to, section one hundred and four.

Section 106. The receivers shall pay all debts due from the corporation if the funds in their hands are sufficient therefor; and if they are not, they shall distribute them ratably among the creditors who prove their debts in the manner directed by any decree of the court for that purpose. If there is a balance remaining after the payment of the debts, the receivers shall distribute and pay it to those who are justly entitled thereto as having been stockholders of the corporation, or their legal representatives.

Section 107. If a corporation is dissolved or annulled, the clerk of the court in which the decree therefor is entered shall forthwith make return thereof to the state secretary giving the name of the corporation

and the date upon which such decree was entered. The state secretary shall thereupon notify the person shown by his records to have last served as clerk of the corporation of the entry of such decree and the date thereof.

Section 108. If the state secretary finds that a corporation has been dissolved subject to the provisions of this section by act of the general court or under the provisions of sections ninety-nine, one hundred and one hundred and one and that such corporation ought to be revived for all purposes or for any specified purpose or purposes with or without limitation of time, he may, not later than five years after the effective date of said act or after the date of the court decree dissolving such corporation under authority of said sections ninety-nine, one hundred and one hundred and one, upon application by an interested party, file in his office a certificate in such form as he may prescribe reviving such corporation as aforesaid; and provided, further, that if the sole purpose of the revival of such a dissolved corporation is to enable it to convey title to property or to sell and convey property and to distribute the proceeds among those entitled thereto, and if the revival is for a period not exceeding one year, the state secretary may file such certificate of revival at any time after the date of dissolution. The state secretary may subject the revival of such corporation to such terms and conditions, including the payment of reasonable fees, as in his judgment the public interest may require. Upon the filing of a certificate reviving a corporation for all purposes, said corporation shall stand revived with the same powers, duties and obligations as if it had not been dissolved, except as otherwise provided in said certificate; and all acts and proceedings of its officers, directors and stockholders, acting or purporting to act as such, which would have been legal and valid but for such dissolution, shall, except as aforesaid, stand ratified and confirmed. If such a corporation is revived as aforesaid for a limited time or for any specified purpose or purposes, it shall stand revived for such time or for the accomplishment of such purpose or purposes in accordance with the terms of the state secretary's certificate. For cause shown to his satisfaction, the state secretary may, by certificate filed as aforesaid, extend the time for which a corporation revived for a limited time shall stand revived.

MISCELLANEOUS.

Section 109. Every corporation shall annually, within six months after the close of its fiscal year, but not before the date fixed in its by-laws for its annual meeting, prepare and submit to the state secretary a report of condition which shall be signed under the penalties of perjury by its president or a vice president, its treasurer or an assistant treasurer, and a majority of its directors, stating:

1. The name of the corporation.
2. The location (with street address) of its principal office in the commonwealth, and elsewhere in the case of a corporation organized to do business wholly outside the commonwealth.
3. The total amount of its authorized capital stock so far as it consists of shares with par value, and the total number of its shares without par value authorized to be issued; the amount of stock with par value, and the number of shares without par value, issued and outstanding, and the amount then paid thereon; the class or classes and series, if any,

into which it is divided; the par value, if any, and the number of its shares.

4. The names and addresses of the president, treasurer, clerk and all the directors of the corporation, and the date at which the term of office of each expires.

5. A statement of the assets and liabilities of the corporation as of the date of the end of its last fiscal year, to be made in such form as the state secretary shall prescribe. A parent corporation, in filing its own report, may make a consolidated statement of assets and liabilities of the corporation and its subsidiaries, if approved by the state secretary in advance of filing, provided that nothing herein shall relieve any subsidiary corporation from filing any report of condition otherwise required by law.

Section 110. 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 the fee provided in section one hundred and fourteen, he shall cause the same to be filed in his office and preserved in form convenient for reference and open to public inspection.

Section 111. Such report of a corporation which has issued and outstanding capital stock of two hundred thousand dollars or more, for this purpose counting shares without par value as of a par value of one hundred dollars each, shall be accompanied by a written statement on oath by an auditor which shall be attached to and form a part of such report. The auditor shall state that he has examined the statement of assets and liabilities included in such report, that his examination was made in accordance with generally accepted auditing standards, and that in his opinion said statement of assets and liabilities presents fairly the financial position of the corporation as of the date thereof, in conformity with generally accepted accounting principles. The state secretary may in special circumstances, in his discretion, approve the inclusion of an auditor's statement expressing a qualified opinion or no opinion of the statement of assets and liabilities taken as a whole; provided the auditor states his reasons therefor. The auditor to make the report for the then current fiscal year shall be selected by the stockholders at the annual meeting, or by the directors or a committee of the directors provided such selection is ratified by the stockholders. Any vacancy shall be filled by the directors or by such committee. Such auditor shall be employed by the directors. No director, officer or employee of the corporation shall be selected as auditor. The officers of the corporation who sign said report of condition shall certify thereon that the auditor was duly selected, as herein provided.

Section 112. If a corporation fails to file its report of condition within the time required by law, the state secretary shall give notice by mail, postage prepaid, to such corporation of its default. If it omits to file such report within thirty days after such notice of default has been given, it shall forfeit to the commonwealth not less than five dollars nor more than ten dollars for each day for fifteen days after the expiration of the said thirty days, and not less than ten dollars nor more than two hundred dollars for each day thereafter during which such default continues, or any other sum, not greater than the maximum penalty or forfeiture, which the court may deem just and equitable. If a corporation fails for two successive years to file its annual report of condition, the supreme

judicial court, upon application by the state secretary, after notice and hearing, may decree a dissolution of the corporation.

Section 113. Penalties or forfeitures incurred by any corporation which omits to cause to be duly filed any certificate or report required by sections thirty-eight, fifty-three or one hundred and nine may be recovered in an action brought in Suffolk county in the name of the commonwealth, or they may be recovered by an information in equity in the name of the attorney general at the relation of the state secretary, brought in the supreme judicial court in Suffolk county. Upon such information, the court may issue an injunction restraining the further prosecution of the business of the corporation until such penalties or forfeitures, with interest and costs, have been paid and until such certificate or report has been filed.

Section 114. (a) The fee for filing the articles of organization required by section twelve shall be one twentieth of one per cent of the total amount of the authorized capital stock with par value, and one cent a share for all authorized shares without par value, as fixed by the articles of organization, but not in any case less than seventy-five dollars.

(b) The fee for filing articles of amendment required by section seventy-two or seventy-three shall be as follows:

(1) For filing articles of amendment providing for an increase of the total amount of authorized capital stock with par value, one twentieth of one per cent of the amount by which the authorized capital stock is increased; but not in any case less than twenty-five dollars.

(2) For filing articles of amendment providing for a change of shares with par value to shares without par value, one cent for each share without par value resulting from such change, less an amount equal to one twentieth of one per cent of the total par value of the shares so changed; but not in any case less than twenty-five dollars.

(3) For filing articles of amendment providing for an increase in the number of shares without par value, one cent for each additional share; but not in any case less than twenty-five dollars.

(4) For filing articles of amendment providing for a change of shares without par value into shares with par value or for an exchange of shares without par value for shares with par value, an amount equal to one twentieth of one per cent of the aggregate par value of the authorized shares with par value resulting from such change or exchange less one cent for each share without par value so changed or exchanged or to be exchanged; but not in any case less than twenty-five dollars.

(5) For filing all amendments in accordance with section seventy-two or section seventy-three, twenty-five dollars for each amendment.

(c) The fee for filing restated articles of organization in accordance with section seventy-four shall be seventy-five dollars; provided, however, that in the event such restated articles of organization incorporate any amendment to the original articles of organization as theretofore amended, there shall be added to such filing fee the amount of the filing fee that would have been required under subsection *(b)* of this section if such amendment had been incorporated in articles of amendment filed in accordance with section seventy-two.

(d) The fee for filing articles of consolidation or merger shall be as follows:

(1) For filing articles of consolidation or merger in accordance with section seventy-eight, the greater of seventy-five dollars, or the amount,

if any, by which the sum of the amounts set forth in clauses (i) and (ii) exceeds the sum of the amounts set forth in clauses (iii) and (iv): —

(i) one twentieth of one per cent of the total amount of the authorized capital stock of par value of the resulting or surviving corporation;

(ii) one cent a share for all authorized shares without par value of the resulting or surviving corporation;

(iii) one twentieth of one per cent of the total amount of the authorized capital stock with par value of all of the constituent corporations;

(iv) one cent a share for all authorized shares without par value of all of the constituent corporations.

(2) For filing articles of consolidation or merger in accordance with section seventy-nine, if the resulting or surviving corporation is a corporation organized under the laws of the commonwealth, the greater of seventy-five dollars, or the amount, if any, by which the sum of the amounts set forth in clauses (i) and (ii) exceeds the sum of the amounts set forth in clauses (iii) and (iv): —

(i) one twentieth of one per cent of the total amount of the authorized capital stock of par value of the resulting or surviving corporation;

(ii) one cent a share for all authorized shares without par value of the resulting or surviving corporation;

(iii) one twentieth of one per cent of the total amount of the authorized capital stock with par value of all of the constituent corporations organized under the laws of the commonwealth;

(iv) one cent a share for all authorized shares without par value of all of the constituent corporations organized under the laws of the commonwealth.

(3) For filing articles of consolidation or merger in accordance with section seventy-nine, if the resulting or surviving corporation is organized under the laws of another state, one hundred dollars.

(4) For filing articles of consolidation or merger in accordance with section eighty-two, twenty-five dollars.

(5) For filing articles of consolidation or merger in accordance with section eighty-three, twenty-five dollars.

(e) The fee for filing a certificate pursuant to section twenty-six shall be twenty-five dollars.

(f) The fee for filing all other certificates, statements or reports required by law of corporations shall be twenty-five dollars for each certificate, statement or report, but no fee shall be paid for filing the certificate of change of principal office of the corporation in the commonwealth required by section fourteen, the certificate of change of date of annual meeting or change of fiscal year required by section thirty-eight, the certificate of change of officers required by section fifty-three or the annual tax return required by sections thirty-five and forty of chapter sixty-three.

(g) For the purposes of this section only, shares of stock with a par value of less than one dollar shall be deemed to have a par value of one dollar per share.

SECTION 2. Section 30 of chapter 63 of the General Laws is hereby amended by striking out paragraph 1, as amended by section 2 of chapter 654 of the acts of 1963, 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 or chapter one hundred and fifty-six B, 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 38C of chapter 63 of the General Laws, as amended by section 1 of chapter 383 of the acts of 1937, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: —

Every corporation organized under or subject to chapter one hundred and fifty-six or chapter one hundred and fifty-six B which is engaged in manufacturing shall, for the purposes of this chapter, be deemed to be a domestic manufacturing corporation.

SECTION 4. Chapter 155 of the General Laws is hereby amended by striking out section 1, as most recently amended by section 5 of chapter 750 of the acts of 1962, and inserting in place thereof the following section: — *Section 1.* The provisions of this chapter, unless expressly limited in their application, shall apply to all corporations created by or organized under the laws of the commonwealth, except corporations subject to chapter one hundred and fifty-six B and except in so far as such provisions are inconsistent with other provisions of law relative to particular corporations or classes of corporations, and such provisions shall apply to all corporations created by or organized under laws other than those of the commonwealth so far as they are made applicable to them by reference in this or any other chapter. In this chapter, unless the context otherwise requires, "secretary" or "state secretary" means the secretary of the commonwealth.

SECTION 5. Section 2 of chapter 156 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Except as expressly made applicable by reference in other chapters, this chapter shall not apply to corporations subject to chapter one hundred and fifty-six B or to corporations organized for the purpose of carrying on the business of a bank, savings bank, co-operative bank, trust company, credit union, surety or indemnity company, or safe deposit company, or for the purpose of carrying on within the commonwealth the business of an insurance company, railroad, electric railroad, street railway or trolley motor company, telegraph or telephone company, gas, or electric company, canal, aqueduct or water company, cemetery or crematory company, or to any other corporations which now have or may hereafter have the right to take land within the commonwealth by eminent domain or to exercise franchises in public ways granted by the commonwealth or by any county, city or town.

SECTION 6. Notwithstanding any provision of section three of chapter one hundred and fifty-six B of the General Laws to the contrary, said chapter shall apply to such domestic corporations having capital stock as were established prior to October first, nineteen hundred and sixty-five and which were, on September thirtieth, nineteen hundred and sixty-five, subject to all the provisions of chapter one hundred and fifty-six of the General Laws as then in effect.

SECTION 7. This act shall take effect on October first, nineteen hundred and sixty-five.

Approved July 6, 1964.

Chap. 724. AN ACT PROVIDING FOR THE ESTABLISHMENT OF RESEARCH AND DEMONSTRATION PROJECTS IN VOCATIONAL REHABILITATION AT CERTAIN STATE SCHOOLS.

Be it enacted, etc., as follows:

Section 5 of chapter 19 of the General Laws, as most recently amended by section 2 of chapter 215 of the acts of 1959, is hereby further amended by adding at the end the following paragraph: —

Belchertown state school, Walter E. Fernald state school, Paul A. Dever state school and Wrentham state school shall establish and maintain research and demonstration projects in vocational rehabilitation in co-operation with the federal vocational rehabilitation program.

Approved July 6, 1964.

Chap. 725. AN ACT AUTHORIZING THE CITY OF QUINCY TO PAY AN ANNUITY TO THE WIDOW OF GEORGE B. HOWIE, A FORMER EMPLOYEE OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of promoting the public good, the city of Quincy is hereby authorized to pay to Mary E. Howie, widow of George B. Howie, a former employee of the city of Quincy, an annuity for life in the sum of one thousand five hundred dollars.

SECTION 2. This act shall take effect upon its acceptance by the city of Quincy.

Approved July 6, 1964.

Chap. 726. AN ACT FURTHER REGULATING THE POWERS AND DUTIES OF THE RECORDS CONSERVATION BOARD.

Be it enacted, etc., as follows:

Chapter 30 of the General Laws is hereby amended by striking out section 42, as most recently amended by chapter 131 of the acts of 1964, and inserting in place thereof the following section: — *Section 42.* The state librarian, the attorney general, the state comptroller, the commissioner of administration, the supervisor of public records and the chief of the archives division in the department of the state secretary, hereinafter called the archivist, or persons designated by them, shall act as a board, to be known as the records conservation board, of which board the archivist shall be secretary. Said board, after consultation with the chairman of any board or commission or the head of any department or institution or a person designated by such chairman or head may, either by its own motion or on the request of said chairman or head, sell or destroy, from time to time, all records in accordance with disposal schedules which shall have been submitted to said board and either approved or modified by said board. Until such action shall have been taken all records shall remain the property of the commonwealth. Said board shall have power to require all departments of the commonwealth to report to it what series of records they hold, to set standards for the management and preservation of such records, and to establish schedules for the destruction, in whole or in part, and transfer to the archives, in whole or in part, of records no longer needed for current

business. Nothing in this section shall affect judicial or legislative records, lessen the existing powers of the executive office for administration and finance, or compel any department, division or commission to surrender records it deems of current use. At least thirty days before selling or destroying any such records the board may publish in a daily newspaper in Boston a notice of its intention to do so, containing a brief description of the articles to be sold or destroyed, and it shall give such other and further notice as it deems advisable to historical societies or persons interested in the matter. It may, before selling or destroying any particular records, books, vouchers or documents, give a public hearing to all persons interested, and ten days' notice of such hearing shall be given in a daily newspaper published in Boston. Any money received from sales under this section shall be paid to the commonwealth.

As used in this section, the word "records" shall mean all books, papers, maps, photographs or other recorded information, including public records as defined in section seven of chapter four, regardless of physical form or characteristics, created or received by any agency of the commonwealth or by any political subdivision thereof, in pursuance of law or in connection with the transaction of its duties.

Any department, agency or agent of the commonwealth in doubt as to whether certain materials are records shall make inquiry thereof in writing to the records conservation board which shall determine the question.

Approved July 6, 1964.

Chap. 727. AN ACT RELATIVE TO INSURANCE PREMIUM FINANCE AGENCIES.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by inserting after chapter 255B the following chapter: —

CHAPTER 255C.

INSURANCE PREMIUM FINANCE AGENCIES.

Section 1. In this chapter unless the context otherwise requires, the following words shall have the following meanings:

1. "Insurance agent" and "insurance broker", respectively, an insurance agent or insurance broker duly licensed as such under chapter one hundred and seventy-five.

2. "Person", an individual, corporation, business trust, estate, trust, partnership or association, two or more persons having a joint or common interest, or any other legal or commercial entity, except a bank, trust company or national bank or an insurance company authorized or approved to do business within the commonwealth.

3. "Premium finance agency", a person engaged, in whole or in part, in the business of acquiring premium finance agreements from insurance agents or brokers or other premium finance agencies, and an insurance agent or broker who is licensed as a premium finance agency and who holds premium finance agreements made and delivered by insureds to him or his order.

4. "Premium finance agreement", a promissory note or other written agreement by which an insured promises or agrees to pay to, or to the

order of, an insurance agent or broker the amount advanced or to be advanced under the agreement to an authorized insurer or to an insurance agent or broker in payment of premiums on an insurance contract, together with a charge as authorized and limited by law. If the premium finance agreement is payable to, or to the order of, an insurance agent or broker not licensed as a premium finance agency, payments under the agreement must be payable at the office of a premium finance agency.

5. "Commissioner", the commissioner of banks.

Section 2. No person, except a credit union, a sales finance company as defined in section one of chapter two hundred and fifty-five B, and a company licensed to carry on the business of making small loans, shall engage in the business of a premium finance agency unless licensed by the commissioner, as provided in section three. Such license shall allow the holder to maintain only one office from which said business may be conducted, but more than one license may be issued to any person. If an applicant has more than one office, he may obtain a license for each office from which he intends to conduct said business.

Section 3. Each application for a license to engage in the business of a premium finance agency shall be in writing and in the form prescribed by the commissioner, and shall be accompanied by an investigation fee of one hundred dollars; provided, however, that if an applicant files applications for licenses for three or more offices at the same time, the total investigation fee for all such applications shall not exceed three hundred dollars.

The commissioner shall, within ninety days after receipt of any such application, notify the applicant (1) that such license has been approved and will be issued upon payment of the appropriate license fee or (2) that his application for such license has been denied. The commissioner may refuse to issue a license if he finds that the financial responsibility, experience, character and general fitness of the applicant or any person associated with the applicant are not such as to command the confidence of the community and to warrant the belief that the business will be conducted honestly, fairly and efficiently.

Upon receipt of the license fee the commissioner shall execute the license to engage in the business of a premium finance agency at the location specified in the application and shall transmit said license to the applicant.

The refusal of the commissioner to issue a license shall not entitle the applicant to a return of any part of the investigation fee which accompanied his application.

The fee for each license shall be three hundred dollars if issued prior to July first, and one hundred and fifty dollars if issued on or after said date. Each license shall be issued for the calendar year and shall remain in full force and effect until the thirty-first day of December, unless suspended, revoked or surrendered, as provided in section five. A license may be renewed annually upon the payment of a renewal fee of three hundred dollars.

Section 4. Such license shall state the name and address of the licensee. Such license shall be conspicuously posted in the specified office of the licensee and shall not be transferable, except as hereinafter provided, or assignable. Before any licensee changes such office from one location to another he shall give written notice thereof to the

commissioner who, if he approves said change, shall issue without charge an endorsement indicating the change and the date thereof, which endorsement shall be attached to the license for such office and shall constitute the authority for the operation of the business under such license at such new location.

Section 5. The commissioner may forthwith revoke or suspend any license issued under this chapter if he finds after a hearing that:

(a) the licensee has violated any provision of this chapter or any rule or regulation lawfully made thereunder by the commissioner;

(b) the existence of any fact or condition which, if it had existed at the time of the original application for such license, clearly would have warranted the commissioner in refusing to issue such license.

The commissioner may revoke or suspend only the particular license with respect to which grounds for revocation or suspension may occur or exist, or, if he shall find that such grounds for revocation or suspension are of general application to all offices, or to more than one office, operated by such licensee, he shall revoke or suspend all of the licenses issued to such licensee or such number of licenses as such grounds apply to, as the case may be.

Any licensee may surrender any license by delivering to the commissioner written notice that he thereby surrenders such license, but such surrender shall not affect the licensee's civil or criminal liability for acts committed prior to such surrender.

A revocation or suspension or surrender of any license shall not impair or affect the obligation of an insured under any lawful premium finance agreement previously acquired or held by the licensee.

Whenever the commissioner revokes or suspends a license, he shall forthwith execute in duplicate a written order to that effect, and shall file one copy of such order in the office of the secretary of state and mail one copy to the licensee. A suspension or revocation of a license shall not be subject to the provisions of chapter thirty A.

After revocation or surrender of a license an applicant may reapply for a license in the same manner as for an original license, as provided in section three.

Section 6. The commissioner may make such investigations as he deems necessary to determine whether any licensee or any other person has violated any of the provisions of this chapter, or whether any licensee has so conducted himself as to justify the revocation of his license, and the commissioner may require the attendance of and examine under oath any person and shall have the power to compel the production of all relevant books, records, accounts and documents.

All reports of examinations and investigations and all correspondence and memoranda concerning or arising out of such examinations or investigations including any duly authenticated copy or copies thereof in the possession of any licensee or the division of banks and loan agencies shall be confidential communications and shall not be subject to subpoena and shall not be made public unless, in the judgment of the commissioner, the ends of justice and the public advantage will be subserved by the publication thereof, in which event he may publish or authorize the publication of a copy of any such report or other material referred to in this subdivision or any part thereof, in such manner and to such extent as he may deem proper.

Section 7. The commissioner may, after notice and a public hearing,

make such rules and regulations as may be necessary to carry out the purposes of this chapter.

Section 8. In conducting any hearing or investigation pursuant to the provisions of this chapter, the commissioner, or any person duly designated by him, shall have the power at all times to subpoena witnesses; to take depositions of witnesses residing without the state, in the manner provided for in civil actions in courts of record; to pay such witnesses the fees and mileage for their attendance provided for witnesses in civil actions in courts of record; and to administer oaths.

Section 9. Whoever violates any provision of this chapter, or knowingly makes any incorrect statement of a material fact in any application, report or statement filed pursuant to this chapter, or knowingly omits to state any material fact necessary to give the commissioner any information lawfully required by him or refuses to permit any lawful investigation or examination, shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months, or both.

A premium finance agency's taking or receiving from or charging an insured a greater charge than authorized in this chapter shall not invalidate the premium finance agreement or the principal balance payable thereunder but may be adjudged a forfeiture of all charges which the premium finance agreement carries with it or which have been agreed to be paid thereon, and if a greater charge has been paid by an insured, the person paying the same or his legal representative may recover from the premium finance agency twice the entire amount of the charges thus paid if action is brought within two years from the time of such payment.

Section 10. The licensee shall keep and use within the commonwealth such books, accounts and records as will enable the commissioner to determine whether such licensee is complying with the provisions of this chapter and with the rules and regulations lawfully made by the commissioner hereunder. Every licensee shall preserve such books, accounts and records, including cards used in a card system, if any, for at least two years after making the final entry in respect to any premium finance agreement recorded therein.

Each licensee shall annually on or before the first day of April file a report with the commissioner giving such information as the commissioner may require concerning the business and operations during the preceding calendar year of each licensed place of business conducted by the licensee within the commonwealth.

Section 11. If an insurance agent or an insurance broker in his application for a license under section three states that the aggregate unpaid balances of all premium finance agreements to be held by him will not exceed fifteen thousand dollars at any one time, exclusive of any premium finance agreement reacquired by him from a premium finance agency under an agreement, entered into as an incident to the bona fide sale or pledge thereof to the premium finance agency, to reacquire it in case of default by the insured, the license fee for each year or part thereof shall not exceed twenty dollars for each licensed office and no investigation fee shall be required of such applicant.

Section 12. No premium finance agency, and no employee of such an agency shall pay, allow or offer to pay or allow in any manner whatsoever to an insurance agent or broker or any employee of an insurance

agent or broker, or to any other person, any rebate whatsoever, either from the charge for financing specified in the premium finance agreement or otherwise, or shall give or offer to give any valuable consideration or inducement of any kind directly or indirectly, other than an article of merchandise not exceeding one dollar in value which shall have thereon the advertisement of the premium finance agency; and

A filing of a premium finance agreement shall not be necessary to perfect the validity of such an agreement as a secured transaction as against creditors, subsequent purchasers, pledgees, incumbrancers, successors or assigns of the insured.

Section 13. A premium finance agreement shall be in writing on a form approved by the commissioner.

Section 14. A premium finance agency shall not, except as otherwise provided by law, take, or receive from an insured greater charges than are provided by section one hundred and sixty-two B of chapter one hundred and seventy-five, and the regulations issued thereunder, from the inception date of the financed policy.

Section 15. A premium finance agreement may provide for the payment by the insured of a delinquency, collection and cancellation charge as provided in section one hundred and sixty-two B of chapter one hundred and seventy-five, and the regulations issued thereunder.

Section 16. No premium finance agreement shall contain any provision whereby

(a) in the absence of default of the insured, the premium finance agency holding the agreement may, arbitrarily and without reasonable cause, accelerate the maturity of any part or all of the amount owing thereunder;

(b) a power of attorney is given to confess judgment in this commonwealth; or

(c) the insured relieves the insurance agent or broker or the premium finance agency holding the agreement from liability for any legal rights or remedies which the insured may otherwise have against him.

Section 17. Unless the insured has notice of actual or intended assignment of a premium finance agreement, payment thereunder by him to the last known holder of the agreement shall be binding upon all subsequent holders or assignees.

Section 18. At any time after its execution, but not later than one year after the last payment thereunder, a premium finance agency holding a premium finance agreement shall, upon written request of the insured, give or mail to him a written statement of the dates and amounts of payments and the total amount, if any, unpaid thereunder. Such a statement shall be supplied once each year without charge; if any additional statement is requested the premium finance agency shall supply such statement at a charge not exceeding one dollar for each additional statement so supplied. An insured shall be given a receipt for a payment when made in cash.

After the payment of all sums for which an insured is obligated under a premium finance agreement the premium finance agency holding the agreement shall deliver, or mail to the insured at his last known address such one or more good and sufficient instruments as may be necessary to acknowledge payment in full and to release all interests in or rights to the insurance contracts, the premiums for which are advanced or are to be advanced under the agreement.

Section 19. Notwithstanding the provisions of any premium finance agreement to the contrary, any insured may pay it in full at any time before the maturity of the final instalment of the balance thereof and, if he does so and the agreement included an amount for a charge, shall receive and be entitled to receive for such anticipation a refund credit thereon in accordance with section one hundred and sixty-two B of chapter one hundred and seventy-five and the regulations issued thereunder. Where the amount of the credit for anticipation of payments is less than one dollar, no refund need be made.

Section 20. A premium finance agency may, upon agreement with the insured, extend the scheduled due date or defer the scheduled due date or defer the scheduled payment of all or of any part of any instalment or instalments payable thereunder. The agreement for such extension or deferment must be in writing and signed by the parties thereto. The premium finance agency may charge and contract for the payment of an extension or deferral charge by the insured and collect and receive the same, but such charge may not exceed an amount equal to one per centum per month simple interest on the amount of the instalment or instalments, or part thereof, extended or deferred for the period of extension or deferral. Such period shall not exceed the period from the date when such extended or deferred instalment or instalments, or part thereof, would have been payable in the absence of such extension or deferral, to the date when such instalment or instalments, or part thereof, are made payable under the agreement of extension or deferment; except that a minimum charge of one dollar for the period of extension or deferral may be made in any case where the extension or deferral charge, when computed at such rate, amounts to less than one dollar. No deferment charge shall be made on any instalment for which a default charge has been made unless the default charge on such instalment is rebated in full. If a contract is prepaid in full during a deferment period the buyer shall receive, in addition to the refund required under section nineteen, the refund of that portion of the deferment charge applicable to any unexpired months of the deferment period.

Section 21. Upon the cancellation of an insurance contract the insured shall be entitled to a refund of the finance charges, such refund to be computed in accordance with the commonly accepted "Sum of the Digits" (Rule of 78) method from the effective date of cancellation irrespective of the time when the premium finance agency is reimbursed by the insurer or insurers. Whenever the gross unearned premiums received from the insurer or insurers are insufficient to extinguish the unpaid principal balance owed to the premium finance agency it may charge and collect a finance charge for the remaining unpaid principal balance not to exceed the rates established pursuant to the provisions of section one hundred and sixty-two B of chapter one hundred and seventy-five in effect on the date of cancellation and from said date to the time when the insured shall pay such balance. A premium finance agency shall give notice of cancellation to the policyholder by registered or certified mail, return receipt requested, but any notice of intent to cancel as required by section thirty-four K of chapter ninety may be given by first class mail.

Section 22. This chapter shall not affect the inclusion of a charge for insurance on a bona fide sale of property, goods or services on instalments, nor shall it apply to insurance premiums financed at not more

than six dollars per one hundred dollars per annum including all fees and charges of every name, nature and description.

This chapter shall not apply to policies of life, endowment and retirement income insurance or annuity contracts and contracts supplementary thereto.

SECTION 2. If any provision of this act or the application thereof to any person or circumstances is held invalid, the invalidity thereof shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

SECTION 3. Any person who on the effective date of this act is engaged in the business of a premium finance agency may continue to operate said business for the remainder of the year nineteen hundred and sixty-four notwithstanding the fact that he may not be licensed, as provided by chapter two hundred and fifty-five C of the General Laws, inserted by section one of this act.

Approved July 8, 1964.

Chap. 728. AN ACT AUTHORIZING THE TOWN OF DOVER TO GRANT A PENSION TO CHESTER F. HEINLEIN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law and for the purpose of promoting the public good in recognition of forty years of meritorious service, the selectmen of the town of Dover shall, as of December first, nineteen hundred and sixty-four, grant to Chester F. Heinlein, chief of police of said town, an annual retirement allowance not to exceed sixteen hundred dollars, payable in monthly installments.

SECTION 2. Any action taken under authority of this act at the annual town meeting of the town of Dover held in the current year is hereby validated and confirmed in all respects as though this act had been in full force and effect on the date when the warrant for such meeting was posted.

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

Approved July 9, 1964.

Chap. 729. AN ACT AUTHORIZING THE CITY OF BROCKTON TO BORROW MONEY FOR THE PURPOSE OF CONSTRUCTING COVERS FOR THE TWIN RESERVOIRS IN THE TOWN OF AVON.

Be it enacted, etc., as follows:

SECTION 1. The city of Brockton, for the purpose of constructing covers for the Twin Reservoirs, so called, located in the town of Avon, may borrow from time to time, within two years from the passage of this act, such sums as may be necessary, not exceeding in the aggregate, two hundred and seventy-five thousand dollars, and may issue bonds or notes of the city therefor. Each authorized issue shall constitute a separate loan and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be within the limits of the amount prescribed by the last paragraph of section eight of chapter forty-four of the General Laws and, except as otherwise provided herein, shall be subject to the provisions of said chapter.

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

Approved July 9, 1964.

Chap. 730. AN ACT EXTENDING THE APPLICATION OF THE PROVISIONS OF LAW REQUIRING OPEN MEETINGS OF STATE BOARDS AND COMMISSIONS SO AS TO INCLUDE ALL PUBLIC AUTHORITIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 30A of the General Laws is hereby amended by striking out section 11A, as most recently amended by chapter 331 of the acts of 1962, and inserting in place thereof the following section: —
Section 11A. All meetings of every state board and commission and of the governing board or body of every authority established by the general court to serve a public purpose in the commonwealth or any part thereof shall be open to the public and to the press unless such board or commission or the governing board or body of such authority shall vote to go into executive session. Such executive session may be held only for the purpose of discussing, deliberating or voting on those matters which by general or special statute, or federal grant-in-aid requirements, cannot be made public, and those matters which if made public might adversely affect the public security, the financial interests of the commonwealth or its political subdivisions or of such authority, or the reputation of any person.

Except in an emergency, a notice of each meeting of any state board or commission or the governing board or body of any such authority subject to this section shall be filed with the secretary of state, and a copy thereof posted in the public office of the executive office for administration and finance at least twenty-four hours, including Saturdays but not Sundays and legal holidays, prior to the time of such meeting. Such filing and posting shall be the responsibility of the officer or officers calling such meeting. For the purpose of this section, "emergency" shall mean a situation where immediate, undelayed action is deemed by such board or commission or such governing board or body to be imperative.

All state boards and commissions and the governing boards or bodies of all such authorities shall maintain accurate records of their meetings, setting forth the action taken at each meeting, including executive sessions. A summary of all matters voted shall be made available with reasonable promptness after each meeting; provided, however, that votes taken in executive session may remain secret so long as their publication would defeat the lawful purposes of the executive session, but no longer. The records of each meeting shall become a public record and be available to the public upon being approved; provided, however, that the records of any executive session may remain secret so long as their publication would defeat the lawful purposes of the executive session, but no longer.

The provisions of this section shall not apply to the executive council, bodies of the judicial branch, committees of the general court, or recess commissions, or to any meeting of a quasi-judicial board or commission held for the sole purpose of making a decision required in an adjudicatory proceeding brought before it, or of the board of bank incorporation, the state tax commission, the small loans regulatory board or the General Insurance Guaranty Fund.

SECTION 2. The provisions of section eleven A of chapter thirty A of the General Laws, as amended by section one of this act, shall not

apply to meetings or records of meetings of any authority established by the general court to serve a public purpose in the commonwealth or any part thereof, which meetings were called or held prior to the effective date of this act and to which the provisions of said section eleven A, as in effect immediately prior to said effective date, did not apply.

Approved July 9, 1964.

Chap. 731. AN ACT PROVIDING THAT ALL FIRST MORTGAGES OF RECORD SHALL HAVE PRIORITY OVER THE LIEN UPON CONDOMINIUM UNITS FOR THE UNIT OWNER'S SHARE OF COMMON EXPENSES.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (c) of section 6 of chapter 183A of the General Laws, as appearing in section 1 of chapter 493 of the acts of 1963, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — Such lien shall have priority over all other liens, except municipal liens and first mortgages of record, 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.

SECTION 2. Chapter 167 of the General Laws is hereby amended by inserting after section 51B the following section: —

Section 51C. Notwithstanding any other provision of law, a trust company, savings bank or co-operative bank may, subject to such regulations as the commissioner deems advisable, make and acquire, or participate with any other such corporation or with a national banking association or savings and loan association in making and acquiring loans secured by first mortgages on units of a condominium, as defined in section one of chapter one hundred and eighty-three A. The aggregate balance of principal of all such loans outstanding at any one time shall not exceed three per cent of the deposits of such bank.

Approved July 9, 1964.

Chap. 732. AN ACT AUTHORIZING THE CITY OF BROCKTON TO PAY CAMP, DRESSER & MCKEE A CERTAIN SUM AS COMPENSATION FOR CERTAIN ENGINEERING SERVICES.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the city of Brockton is hereby authorized to pay to the engineering firm of Camp, Dresser & McKee, a partnership, the sum of six thousand one hundred and twenty-nine dollars and eighty-two cents as compensation for services rendered as consulting engineers in connection with water supply facilities for said city from December, nineteen hundred and sixty-two to December thirty-first, nineteen hundred and sixty-three.

SECTION 2. This act shall take effect upon its acceptance by the city of Brockton.

Approved July 9, 1964.

Chap. 733. AN ACT INCREASING THE AMOUNT OF PERMISSIBLE INCOME FOR CERTAIN VETERANS RETIRED FROM PUBLIC SERVICE BECAUSE OF DISABILITY.

Be it enacted, etc., as follows:

SECTION 1. A veteran, including an army nurse, who has been in the service of the commonwealth, or of any county, city, town or district thereof, for a total period of ten years in the aggregate, may, upon petition to the retiring authority, be retired, in the discretion of said authority, from active service, at one half of the highest annual rate of compensation, including any bonuses paid in lieu of additional salary or as a temporary wage increase in addition to his regular compensation, and including any allowance for maintenance, payable to him while he was holding the grade held by him at his retirement, and payable from the same source, with a further allowance of one per cent for each additional year of service over ten but not to exceed sixty-five per cent in any case, if he is found by said authority to have become incapacitated for active service; provided that he has a total income from all sources, exclusive of such retirement allowance and of any sum received from the government of the United States as a pension for war service, not exceeding two thousand dollars.

SECTION 2. Any veteran retired under this act shall have all the rights of a veteran at retirement as provided in subdivision (3) of section twenty-five of chapter thirty-two of the General Laws.

SECTION 3. This act shall take effect as of January first, nineteen hundred and sixty as to veterans employed by the commonwealth, and shall take effect as of said date as to veterans employed by a county upon its acceptance by the county commissioners, in a city having a plan E charter by the city manager, in any other city by the mayor, in a town upon its acceptance by the selectmen, and in a district upon its acceptance by the prudential committee or other body having similar powers.

SECTION 4. The provisions of this act shall not apply in the case of any veteran whose employment first began after June thirtieth, nineteen hundred and thirty-nine.

Approved July 9, 1964.

Chap. 734. AN ACT INCREASING THE COMPENSATION OF THE MEMBERS OF THE BOARD OF ASSESSORS OF THE CITY OF SOMERVILLE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 234 of the acts of 1949 is hereby amended by striking out section 2A, inserted by section 2 of chapter 474 of the acts of 1949, and inserting in place thereof the following section: —

Section 2A. During the month of January in each year, the assessors shall meet and organize by electing a chairman. The salary of the chairman shall be seventy-five hundred dollars per annum, and the salary of each of the other members shall be fifty-five hundred dollars per annum.

SECTION 2. This act shall take effect upon its acceptance by the city of Somerville.

Approved July 9, 1964.

Chap. 735. AN ACT PROVIDING FOR THE ISSUANCE OF LIQUOR PURCHASE IDENTIFICATION CARDS TO PERSONS TWENTY-ONE YEARS OF AGE OR OVER WHO APPLY THEREFOR.

Be it enacted, etc., as follows:

Chapter 138 of the General Laws is hereby amended by inserting after section 34A the following section: —

Section 34B. Any person who shall have attained age twenty-one may apply for a liquor purchase identification card. Such cards shall be issued by the licensing authority of the city or town wherein the applicant resides, upon the payment of a fee of two dollars, and shall bear the name, signature, date of birth, address and photograph of such person. The commission shall prescribe rules and regulations governing uniformity of form of said card and the manner in which an applicant for such card shall be required to identify himself.

Nothing in this section shall affect the criminal liability of a person licensed under this chapter in delivering or selling alcoholic beverages or alcohol to a minor.

Any person who transfers, alters or defaces any such card, or who uses or carries a false identification card, or uses the identification card of another, or furnishes false information in obtaining such card, shall be guilty of a misdemeanor and shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than three months.

Approved July 9, 1964.

Chap. 736. AN ACT AUTHORIZING CITIES AND TOWNS 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 44 of the General Laws is hereby amended by inserting after clause (14) the following clause: —

(15) For the construction of sewerage systems, and sewage treatment and disposal facilities, such amounts as may be approved by the emergency finance board, thirty years.

SECTION 2. Chapter 83 of the General Laws is hereby amended by striking out section 1, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 1.* A city or town may lay out, construct, maintain and operate a system or systems of common sewers and main drains in public or private ways for a part or the whole of its territory as they adjudge necessary for the public convenience or the public health with such connections and other works as may be required for a system or systems of sewerage and drainage, and sewage treatment and disposal.

A city or town may install and maintain, in any way therein where sanitary 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.

No act shall be done except in the making of surveys, reports and other preliminary investigations, until the plan for said system or systems of sewerage and sewage treatment and disposal has been approved by the department of public health.

The aldermen of a city or selectmen, sewer commissioners, or road commissioners, acting for and on behalf of a city or town, may take by eminent domain under chapter seventy-nine, or acquire by purchase or otherwise, any lands, rights of way or easements, public or private, in said city or town, necessary for accomplishing any purpose mentioned in this section, and may construct such sewers or drains under or over any bridge, railroad, railway, or public way, or within the location of any railroad, and may enter upon and dig up any private land, public way or railroad location, for the purpose of laying such sewers or drains and of maintaining and repairing the same, and may do any other thing proper or necessary for the purpose of this section; provided that they shall not take in fee any land of a railroad corporation, and that they shall not enter upon or construct any sewer or drain 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. Any person injured in his property by such action may recover damages from such city or town under chapter seventy-nine.

Any city, town or sewer district may enter into agreements and contracts with other cities and towns, sewer districts, and the metropolitan district commission for the purpose of making connections and for the collection, treatment and disposal of sewage, but no contract shall be made or obligation incurred by such municipality for any such purpose in excess of the amount of money appropriated therefor. No connection shall be made until the plans have been approved by the department of public health, and in instances within the metropolitan sewerage district until the contract and plans are approved by the metropolitan district commission.

Until the board of sewer commissioners has first been elected or the selectmen have first been authorized by vote to act as such board, as the case may be, the town may carry on such work by a duly authorized committee of the town. Said committee shall serve without compensation and shall have all the powers and authority usually conferred upon a board of sewer commissioners by law.

SECTION 3. Said chapter 83 is hereby further amended by striking out section 10, as so appearing, and inserting in place thereof the following section: — *Section 10.* A city, town or sewer district may, from time to time, prescribe rules and regulations regarding the use of common sewers to prevent the entrance or discharge therein of any substance which may tend to interfere with the flow of sewage or the proper operation of the sewerage system and the treatment and disposal works, for the connection of estates and buildings with sewers, for the construction, alteration, and use of all connections entering into such sewers, and for the inspection of all materials used therein; 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 or town if there be any, and if not, then in a newspaper published in the county, and shall not take effect until such publications have been made.

SECTION 4. Said chapter 83 is hereby further amended by striking out section 23, as so appearing, and inserting in place thereof the following section: — *Section 23.* A town by vote of its town meeting or

a city by vote of its board of aldermen or city council shall determine whether it shall pay the whole or a portion of the cost of laying out and constructing main drains or of a system or systems of sewerage and sewage disposal, and if a portion, what portion. If the town or city 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 or city may avail itself of any or all of the methods of payment authorized by law to a town or city, and the provisions of chapter eighty relative to the assessment, apportionment, division, reassessment, abatement and collection of assessments, to liens therefor and to interest thereon, shall apply to assessments made under this chapter. At the same meeting at which it determines that any portion of the cost is to be borne by the town or city, it may by vote determine by which of such methods the remaining portion of said cost shall be provided.

Approved July 9, 1964.

Chap. 737. AN ACT FURTHER REGULATING THE ADMINISTRATION OF THE REGIONAL COMMUNITY COLLEGES OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Chapter 15 of the General Laws is hereby amended by striking out sections 27 and 28 and inserting in place thereof, under the caption REGIONAL COMMUNITY COLLEGES, the following thirteen sections:—

Section 27. There is hereby established in the department, but not subject to its control, a Massachusetts board of regional community colleges, hereinafter called the board, which shall consist of fifteen members, including the commissioner of education, the president of the University of Massachusetts, a president of a state college elected annually by the presidents of the state colleges, including the Massachusetts college of art and the Massachusetts Maritime Academy, a president of a Massachusetts technical institute elected by the presidents of such technical institutes, and eleven members appointed by the governor with the advice and consent of the council, at least one of whom shall be the president of a private college, university, or junior college in the commonwealth. The members shall serve without compensation, but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties. The governor, in his initial appointments, shall designate three members to serve for six years, three members for five years, two members for four years, one member for three years, one member for two years, and one member for one year. Upon the expiration of the term of office of a member of the board his successor shall be appointed for a term of six years. The governor shall from time to time designate one of the members as chairman.

Section 28. Each regional community college established under this or any other section shall be governed solely by the board of regional community colleges. The board shall establish the curricular which shall be substantially equivalent to the first two years of college education, including post-high school professional or vocational education, and may establish programs of adult education; shall fix the tuition to be charged, and may grant the degree of Associate in Arts or Associate in Science,

or both such degrees, to persons who complete the required courses of instruction in such colleges.

The duties of the board shall include the determination of the need for education at the community and junior college level throughout the commonwealth, and the development and execution of an over-all plan to meet this need. The board shall then establish and maintain regional community colleges at suitable locations in accordance with this plan. The board shall have the power to construct, lease or otherwise provide any facilities required for these colleges, including the right to take land for such purposes by eminent domain under the provisions of chapter seventy-nine. The board may also enter into agreements for the use of local facilities with a local school committee or other local authority or jointly with local school committees or other authorities of two or more cities or towns; provided that the board and the local school committee or committees or other local authorities, shall have the right to review this agreement for the use of local facilities at any time. The board may, upon six months' notice and after consultation with the local school committee or committees or other authorities, require changes in such an agreement or discontinue the agreement. The school committee or school committees or other local authorities may discontinue the agreement at the close of any academic year, provided at least six months' notice is given to the board.

In addition to the authority, responsibility, powers and duties specifically conferred upon the board, the board 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 board 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.

Section 29. All accounts of the regional community colleges under the direction of the board, including the accounts of all property or funds received, held or disbursed under any provision of section thirty-three, shall be audited annually by the state auditor.

Section 30. The board shall prepare and submit a detailed budget in such form and manner as the governor and general court may direct.

Section 31. 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 board shall see that there is maintained an accounting system as required by the state comptroller and the board may maintain such additional accounts as it deems necessary for the management of the regional community colleges.

Section 32. 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 regional

community college; and such appropriations shall be made available to each regional community 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 board or by a dean, or other officer of a regional community college, designated by the board.

Section 33. The board 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 regional community college, and execute said trusts, investing the proceeds thereof in notes or bonds secured by sufficient mortgages or other securities. The board shall have the authority to assent to federal laws designed to benefit such 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 board, will promote the objectives of the regional community colleges. The board 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 board and expended for the purpose for which the trust fund was established. The board may, for the purposes of this section, group together several or more projects and activities into one or more funds as is, in its judgment, required to best effectuate the purposes of the projects and activities and the purposes of the regional community colleges. Any unrestricted balances remaining in a trust fund upon its termination shall be used as directed by the board for the general purposes of the state regional community colleges.

Section 34. Notwithstanding any other provision of law to the contrary, the board, or the officers of a regional community college designated by the board, 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 35. As used in this section the following words shall have the following meanings, unless the context otherwise requires:

“Professional staff”, all officers of regional community 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 board.

“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 board shall elect a chief administrative officer, who shall be known as the president of the Massachusetts regional community colleges, and the president and such other officers and members of the professional staff of each regional community college as it may determine necessary and shall fix their classification, title and salary within the general salary schedule, except that any such salary may be fixed at any amount not less than the minimum salary nor more than the maximum salary shown in the said schedule, and shall define their duties without limitation of any other provision of law. The employees of the regional community colleges shall not be subject to chapter thirty-one.

The board 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, except that any such salary may be fixed at any amount not less than the minimum salary nor more than the maximum salary shown in said schedule, and descriptive job specifications for each position shall be determined by the board 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 dean 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 board 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 dean of each regional community 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 board 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 it 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 board shall have the authority without prior approval 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 regional community 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 36. The board shall have complete authority in determining the travel policy of a regional community college, and 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 37. The board 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 dean of the college in a revolving fund or revolving funds, and shall be expended as the dean 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.

Section 38. Each regional community college established under section twenty-eight shall have an advisory board to consist of ten members appointed by the governor. The members shall be residents of the region served by the college. In the initial appointments, two members shall be appointed to serve for five years, two for four years, two for three years, two for two years, and two for one year. Upon the expiration of the term of a member of an advisory board his successor shall be appointed for a term of five years. At least one member of each advisory board shall be a representative of business and one shall be a representative of labor.

Section 39. Each regional community college may conduct summer sessions, provided such sessions are operated at no expense to the commonwealth. Each regional community college may conduct evening classes, provided such classes are operated at no expense to the commonwealth.

SECTION 2. The classification, title and salary of each member of the professional staffs of the regional community colleges and the central office in existence on the day prior to the effective date of this act shall remain in effect until changed by the board of regional community colleges, established by section twenty-seven of chapter fifteen of the General Laws, as appearing in section one of this act, except that nothing

in this act shall be construed to prevent the payment of annual increments or steps in the salary schedule to which the individual shall by reason of length of service be entitled within the grade currently held as of the effective date of this act.

Approved July 9, 1964.

Chap. 738. AN ACT PROVIDING THAT SERVICE AS A CALL FIRE FIGHTER BE CREDITED AS FULL-TIME SERVICE UNDER THE CONTRIBUTORY RETIREMENT SYSTEM.

Be it enacted, etc., as follows:

Subdivision (2) of section 4 of chapter 32 of the General Laws is hereby amended by striking out paragraph (b), as most recently amended by chapter 125 of the acts of 1964, and inserting in place thereof the following paragraph: —

(b) The board shall fix and determine how much service in any calendar year is equivalent to a year of service. In all cases involving part-time, provisional, temporary, temporary provisional, seasonal or intermittent employment or service of any employee in any governmental unit, including such employment or service of any state official or of any person elected by popular vote to a county or municipal office or position, the board, under appropriate rules and regulations which shall be subject to the approval of the actuary, shall fix and determine the amount of creditable prior service, if any, and the amount of credit for membership service of any such employee who becomes a member, including any prescribed waiting period before eligibility for membership, established either by law or board ruling, prior to January first, nineteen hundred and forty-six, for which such service credit was given upon attaining membership; provided that in the case of any such employee whose work is found by the board to be seasonal in its nature, the board shall credit as the equivalent of one year of service, actual full-time service of not less than seven months during any one calendar year; and, provided further, that the board shall credit service as a reserve police officer or as a reserve or call fire fighter as full-time service, said credited service not to exceed a maximum of five years; and, provided further, that such service as a call fire fighter shall be credited only if such call fighter was later appointed as a permanent member of the fire department.

Approved July 9, 1964.

Chap. 739. AN ACT RELATIVE TO THE ORGANIZATION OF THE POLICE DEPARTMENT BY THE POLICE COMMISSIONER OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section 8 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, in lines 4, 5, 6 and 7, the words "the superintendent of police hereinafter provided for or, in case of his absence or disability or vacancy in his office, the next ranking officer of the police force or, where there are two such officers of equal rank, the senior officer in date of appointment" and inserting in place thereof the words: — the highest ranking officer of the police force who is not absent or disabled or,

if there are two such officers of equal rank, the senior of such officers as hereinafter provided.

SECTION 2. Section 10 of said chapter 291, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: —

The police commissioner shall have authority to appoint, establish and organize the police of said city, and to determine the highest rank, and next highest rank, within said police and for the purposes of section eight seniority within such ranks, and shall appoint from said police, and as a part thereof, such number of officers of the highest rank, and next highest rank, as he may from time to time deem proper. The civil service laws and rules shall not apply to the appointment of such officers; nor shall said laws and rules apply to the removal of such an officer if, upon such removal, he is reinstated in the rank subject to said laws and rules held by him immediately prior to his appointment as such an officer. Officers of the highest rank and next highest rank shall receive such annual salary as shall from time to time be respectively fixed for them by the police commissioner with the approval of the mayor.

SECTION 3. The second paragraph of said section 10, as so appearing, is hereby amended by striking out, in line 2 and in line 5, in each instance, the words “deputy superintendents,” and by striking out, in lines 8 and 9, the words “deputy superintendent shall not receive as an annual salary less than ninety-eight hundred and forty dollars, nor a captain” and inserting in place thereof the words: — captain shall not receive as an annual salary.

SECTION 4. Said section 10, as so appearing, is hereby further amended by striking out the last paragraph.

SECTION 5. Section 14 of said chapter 291, as so appearing, is hereby amended by striking out, in line 1, and also in lines 6 and 7, the words “superintendent of police and the other”.

SECTION 6. This act shall take effect upon its passage.

Approved July 10, 1964.

RESOLVES.

Chap. 1. RESOLVE VALIDATING THE ACTS OF HELEN H. MACKENZIE AS A NOTARY PUBLIC.

Resolved, That the acts of Helen H. MacKenzie of Natick as a notary public, between August seventeenth, nineteen hundred and sixty-three and November first, 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 Helen H. McRobert, she failed to re-register under her new name and pay to the state secretary a fee of one dollar as required by section thirteen of chapter thirty of the General Laws, are hereby confirmed and made valid.

Approved February 3, 1964.

Chap. 2. RESOLVE FURTHER 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 and revived and continued by chapter one of the resolves of nineteen hundred and sixty-three, is hereby further revived and continued. Said commission may report from time to time but shall file its final report on or before the first Wednesday of April, nineteen hundred and sixty-four.

Approved February 7, 1964.

Chap. 3. RESOLVE VALIDATING THE ACTS OF JACKSON A. GOULD AS A NOTARY PUBLIC.

Resolved, That the acts of Jackson A. Gould of Boston as a notary public between September seventeenth, nineteen hundred and fifty-seven to 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 his name from Abraham J. Goldberg, he failed to re-register with the state secretary under his new name are hereby confirmed and made valid.

Approved February 7, 1964.

Chap. 4. RESOLVE IN FAVOR OF FRANK MCNEICE, EUGENE MURPHY, EDWARD BALDWIN, CHARLES P. CONDON AND HELEN A. CONDON.

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 Frank McNeice of North Quincy, the sum of four thousand three hundred ninety dollars and fifty cents, to Eugene Murphy of Wollaston, the sum of two thousand five hundred fifty-three

dollars and twenty-one cents, to Edward Baldwin of Boston, the sum of eighteen hundred thirty-one dollars and sixty-two cents, to Charles P. Condon of North Quincy, the sum of eleven hundred sixty-five dollars and fifty-nine cents, and to Helen A. Condon of North Quincy, the sum of three hundred thirty-two dollars and ninety-nine cents in full settlement and satisfaction of executions issued by the superior court of Suffolk county on February tenth, nineteen hundred and sixty-one, to said Frank McNeice, Eugene Murphy, Edward Baldwin, Charles P. Condon and Helen A. Condon in an action of tort against Paul McGuiggan for damages sustained by them resulting from an accident which occurred on Neponset bridge in the city of Quincy, on May fifteenth, nineteen hundred and fifty-eight, involving a state-owned bridge operated by Paul McGuiggan while in the performance of his duties as an employee of the metropolitan district commission. *Approved February 12, 1964.*

Chap. 5. RESOLVE REVIVING AND CONTINUING CERTAIN SPECIAL COMMISSIONS.

Resolved, That all unpaid special commissions which were established, continued or revived and continued during the year nineteen hundred and sixty-three, and whose final reports are due not later than the last Wednesday of January in the current year, are hereby revived and continued.

Approved February 12, 1964.

Chap. 6. RESOLVE IN FAVOR OF VAN DUSEN AIRCRAFT SUPPLIES OF NEW ENGLAND, INC.

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 Van Dusen Aircraft Supplies of New England, Inc., the sum of five hundred and fifty-two dollars in payment of the increase for rental of space by the Massachusetts aeronautics commission for the fiscal year nineteen hundred and sixty.

Approved February 12, 1964.

Chap. 7. RESOLVE PROVIDING FOR AN ANNUITY FOR JAMES J. MURPHY OF FALL RIVER, A FORMER MEMBER OF THE STATE POLICE.

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 James J. Murphy of Fall River, formerly a member of the state police, an annuity of twelve hundred dollars per year, payable in equal monthly installments, for a period of five years commencing June first, nineteen hundred and sixty-four. Said annuity shall cease upon the death of said James J. Murphy if it occurs prior to the expiration of said period of five years. No payment shall be made hereunder until there has been filed with the comptroller an agreement signed by said James J. Murphy that the amount, if any, paid or to be paid for legal services rendered in connection with the passage of this resolve shall not exceed ten per cent of the maximum amount payable hereunder.

Approved February 12, 1964.

Chap. 8. RESOLVE IN FAVOR OF THE ESTATE OF WILLIAM P. KELLY.

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 from the metropolitan district commission funds, to the estate of William P. Kelly, late of Boston, the sum of fifteen hundred and eighty-one dollars for labor and materials furnished and supplied by him in making plumbing repairs and adjustments during the months of February and March in the year nineteen hundred and sixty on property under the jurisdiction and control of the metropolitan district commission.

Approved February 12, 1964.

Chap. 9. RESOLVE IN FAVOR OF THE WIDOW OF THE LATE MICHAEL J. GALVIN.

Resolved, That, for the purpose of promoting the public good, and after an appropriation has been made therefor, there be paid out of the state treasury to the widow of the late Michael J. Galvin, who died while a member of the present senate, the salary to which he would have been entitled had he lived and served until the end of the term for which he was elected.

Approved February 17, 1964.

Chap. 10. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO PAYMENT FOR CERTAIN SERVICES PERFORMED AND MATERIALS FURNISHED TO SAID COMMISSION.

Resolved, That the metropolitan district commission is hereby authorized and directed to make an investigation and study of the subject matter of current house documents numbered 1058, in favor of Power Electrical Company, Incorporated; and 2508, in favor of Edward J. Thornton of Newton. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December, nineteen hundred and sixty-four.

Approved February 24, 1964.

Chap. 11. 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 house documents numbered 1216, to improve the readability of legislation recommended by state officers; and 1218 and 2967, to provide for improved legislative printing.

Approved March 3, 1964.

- Chap. 12.** RESOLVE EXTENDING THE TIME WITHIN WHICH THE COUNTY COMMISSIONERS OF ESSEX COUNTY SHALL MAKE THEIR REPORT RELATIVE TO SITTINGS OF THE FIRST DISTRICT COURT OF ESSEX AND THE CONSTRUCTION OF A COURT HOUSE FOR SUCH SITTINGS.

Resolved, That the time within which the county commissioners of Essex county shall make their report to the general court of the results of their 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, as authorized by chapter seventy-seven of the resolves of nineteen hundred and sixty-three, is hereby extended to the last Wednesday of December, nineteen hundred and sixty-four.

Approved March 3, 1964.

- Chap. 13.** RESOLVE INCREASING THE MEMBERSHIP OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE MORE EFFECTIVE USE OF THE SERVICES OF SPECIAL JUSTICES OF THE DISTRICT COURTS, AND CERTAIN RELATED MATTERS.

Resolved, That the membership of the special commission established by chapter one hundred and fifty-eight of the resolves of nineteen hundred and sixty-three is hereby increased by one member of the senate and two members of the house of representatives.

Approved March 3, 1964.

- Chap. 14.** RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE USAGE OF THE WATERFRONT OF DORCHESTER BAY IN THE CITY OF BOSTON.

Resolved, That the unpaid special commission, established by chapter thirty-two of the resolves of nineteen hundred and sixty-three and revived and continued by chapter five of the resolves of nineteen hundred and sixty-four, shall, in the course of its investigation and study, consider the subject matter of current house document numbered 2929, authorizing the metropolitan district commission to construct a gymnasium in the Dorchester district of the city of Boston.

Approved March 6, 1964.

- Chap. 15.** RESOLVE VALIDATING THE ACTS OF GERALD F. FOUNTAIN OF WARREN AS A NOTARY PUBLIC.

Resolved, That the acts of Gerald F. Fountain of Warren as a notary public, between January twenty-third, nineteen hundred and sixty-four and January twenty-sixth, nineteen hundred and sixty-four, both dates inclusive, are hereby confirmed and made valid, notwithstanding the fact that he failed to take and subscribe the oaths of office before he exercised his authority to act as a notary public.

Approved March 6, 1964

Chap. 16. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO CLARIFYING THE STATUTE OF FRAUDS WITH RESPECT TO TESTAMENTARY DISPOSITIONS.

Resolved, That the judicial council be requested to investigate the subject matter of current senate documents numbered 219 and 220 to clarify the statute of frauds with respect to testamentary dispositions, 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 9, 1964.

Chap. 17. RESOLVE IN FAVOR OF THE CHESHIRE WATER COMPANY.

Resolved, That, for the purpose of discharging a moral obligation of the commonwealth, and subject to appropriation, there shall be allowed and paid out of the state treasury to the Cheshire Water Company, a public utility company in which the town of Cheshire has a proprietary interest, the sum of eighteen hundred dollars as reimbursement for expenses to be incurred by said Company in relocating water pipes in the town of Cheshire due to the relocation of state highway route 8 by the department of public works.

Approved March 9, 1964.

Chap. 18. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO AUTHORIZING HUSBANDS AND WIVES TO SUE EACH OTHER IN ACTIONS OF TORT.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 3118, relative to authorizing husbands and wives to sue each other in actions of tort, 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 9, 1964.

Chap. 19. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR NOTICE AFTER A CONDITIONAL NONSUIT OR DEFAULT BECOMES ABSOLUTE AND BEFORE IT GOES TO JUDGMENT.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2628, providing for notice after a conditional nonsuit or default becomes absolute and before it goes to judgment, 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 18, 1964.

Chap. 20. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL OF THE SUBJECT MATTER OF CERTAIN PROPOSED LEGISLATION.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 185, exempting

registered physicians from civil liability for emergency care or treatment rendered to persons attending a public gathering; and of current house documents numbered 77, allowing the department of public works to establish a schedule of fines for parking violations on state highways; 932, prohibiting the inhalation of certain dangerous chemicals; 934, relative to reckless operation of a motor vehicle on a public way; 1310, to permit the court to order speedy completion of pleadings; 1311, applicable to suits in equity and to petitions for declaratory judgment; 2641, establishing liability for injuries caused to children as the result of the existence of attractive nuisances, so called; 2894, establishing the liability of the commonwealth and its political subdivisions in actions of tort; of the investigation and study proposed by 2902, relative to the feasibility of enacting into law a certain section of the New York Code; and 2903, relative to the liability of the owners of certain premises upon which persons have entered for the purpose of hunting or fishing, 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 18, 1964.

Chap. 21. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROHIBITING FULL TIME JUDGES FROM HOLDING ANY ELECTIVE OFFICE OF THE COMMONWEALTH OR ANY POLITICAL SUBDIVISION THEREOF, AND CONFERRING ORIGINAL JURISDICTION FOR CERTAIN CRIMES IN THE DISTRICT COURTS.

Resolved, That the judicial council be requested to investigate the subject matter of current house documents numbered 743, relative to prohibiting full time judges from holding any elective office of the commonwealth or any political subdivision thereof; and 1758, relative to conferring original jurisdiction for certain crimes in the district courts.

Approved March 18, 1964.

Chap. 22. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION OF THE LAWS OF THE COMMONWEALTH AFFECTING POLITICAL PARTIES.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives, and one person to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the laws of the commonwealth affecting political parties.

Approved March 26, 1964.

Chap. 23. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE USE OF METHYL BROMIDE AS A PESTICIDE FOR FUMIGATION PURPOSES.

Resolved, That a special commission, to consist of one member of the senate, three members of the house of representatives, and three persons

to be appointed by the governor, one of whom shall be the director of the division of food and drugs of the department of public health, one of whom shall be the director of the division of occupational hygiene of the department of labor and industries, and one of whom shall be a physician who is a specialist in occupational hygiene, is hereby established to make an investigation and study relative to the use of methyl bromide as a pesticide for fumigation purposes and to the compilation of related toxicological information pertaining to the same.

Approved March 26, 1964.

Chap. 24. RESOLVE EXTENDING THE TIME WITHIN WHICH THE COMMISSIONER OF INSURANCE SHALL FILE HIS REPORT RELATIVE TO REGULATING PREMIUM PAYMENTS UNDER ACCIDENT AND HEALTH INSURANCE CONTRACTS.

Resolved, That the time within which the commissioner of insurance shall make his report to the general court relative to regulating premium payments under accident and health insurance contracts, as authorized by chapter twelve of the resolves of nineteen hundred and sixty-three, is hereby extended to the third Wednesday of April, nineteen hundred and sixty-four.

Approved March 26, 1964.

Chap. 25. RESOLVE CONTINUING THE INVESTIGATION AND STUDY BY THE WATER RESOURCES COMMISSION RELATIVE TO THE WATER SUPPLY OF THE BERKSHIRE COUNTY REGION.

Resolved, That the water resources commission is hereby authorized and directed to continue the investigation authorized by chapter thirty-two of the resolves of nineteen hundred and sixty-one and continued by chapter twenty-nine of the resolves of nineteen hundred and sixty-two. Said commission shall file its final report not later than the fourth Wednesday in December, nineteen hundred and sixty-five, and is authorized to file progress reports as various phases of the work are completed.

Approved April 21, 1964.

Chap. 26. RESOLVE FURTHER 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 most recently extended by chapter twenty-six of the resolves of nineteen hundred and sixty-three, is hereby further extended to the last Wednesday of January, nineteen hundred and sixty-five. Said commission may file progress reports from time to time.

Approved April 21, 1964.

Chap. 27. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO A TEEN AGE JURY SYSTEM AND CERTAIN OTHER MATTERS.

Resolved, That the judicial council be requested to investigate the subject matter of the investigation and study proposed by current house document numbered 191, relative to a teen age jury system; of current house documents numbered 551, relative to providing for the sentencing of habitual criminals; 744, relative to providing that sentences of persons convicted of nonsupport shall be served on successive weekends; 930, relative to increasing the compensation of jurors; 1319, relative to modifying existing procedures relating to the administration of certain chemical tests designed to measure intoxication; 2154, relative to increasing the compensation and travel allowance of jurors; 2155, relative to making it a crime to trespass on the premises of another with the intention of spying upon a person therein; 2160, relative to permitting jury duty on an optional basis for persons over seventy years of age; and 2888, relative to a prisoner receiving a list of all jurors in the pool 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 21, 1964.

Chap. 28. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO MAKING TRUST FUNDS OF THOSE MONIES AND CLAIMS ARISING OUT OF AND BECOMING DUE BECAUSE OF THE COSTS OF THE CONSTRUCTION OF IMPROVEMENTS ON REAL PROPERTY ON PUBLIC AND PRIVATE CONSTRUCTION WORK.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2897, relative to making trust funds of those monies and claims arising out of and becoming due because of the costs of the construction of improvements on real property on public and private construction work and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved April 21, 1964.

Chap. 29. RESOLVE FURTHER 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 and most recently revived and continued by chapter two of the resolves of nineteen hundred and sixty-four, is hereby further revived and continued. Said commission shall file its final report on or before May fifteenth, nineteen hundred and sixty-four.

Approved April 22, 1964.

Chap. 30. RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO RETARDED CHILDREN AND THE TRAINING FACILITIES THEREFOR.

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 three of the resolves of nineteen hundred and sixty-three, is hereby further revived and continued.

Approved April 27, 1964.

Chap. 31. RESOLVE CONTINUING THE INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION RELATIVE TO TAX PROCEDURES OF THE TOWN OF GAY HEAD.

Resolved, That the state tax commission is hereby authorized and directed to continue the investigation and study authorized by chapter one hundred and twenty-six of the resolves of nineteen hundred and sixty-three. 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 on or before the last Wednesday of December in the current year.

Approved April 27, 1964.

Chap. 32. RESOLVE CONTINUING THE 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 continue the investigation and study authorized by chapter eighty-six of the resolves of nineteen hundred and sixty-three.

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-four.

Approved April 27, 1964.

Chap. 33. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE WATER RESOURCES COMMISSION RELATIVE TO AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO IMPROVE THE BRAINTREE GREAT POND IN THE TOWNS OF BRAINTREE AND RANDOLPH.

Resolved, That the water resources commission is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 150, relative to authorizing the department of public works to improve the Braintree Great Pond in the towns of Braintree and Randolph. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary

to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December, nineteen hundred and sixty-four.

Approved April 27, 1964.

- Chap. 34.** 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 nineteen hundred and sixty, and most recently extended by chapter one hundred and ten of the resolves of nineteen hundred and sixty-three, is hereby further extended to the first Wednesday in December, nineteen hundred and sixty-four, 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 April 27, 1964.

- Chap. 35.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION RELATIVE TO THE ALLOCATION OF GAINS AND LOSSES UNDER THE CORPORATION EXCISE LAW AND RELATIVE TO EXEMPTING DIVIDENDS RECEIVED BY DOMESTIC CORPORATIONS FROM TAX.

Resolved, That the state tax commission is hereby authorized and directed to make an investigation and study of the subject matter of current house documents numbered 1047, relative to the allocation of gains and losses under the corporation excise law; and 1051, relative to exempting dividends received by domestic corporations from tax. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate on or before the last Wednesday of December in the current year.

Approved April 27, 1964.

- Chap. 36.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION RELATIVE TO PROVIDING CERTAIN REAL ESTATE TAX EXEMPTIONS TO CERTAIN WORLD WAR I VETERANS, AND OTHER MATTERS RELATIVE THERETO.

Resolved, That the state tax commission is hereby authorized and directed to make an investigation and study of the subject matter of current house documents numbered 261, relative to providing a certain real estate tax exemption to certain World War I veterans; 262, relative to providing a certain real estate tax exemption to certain

World War I veterans; 274, relative to exempting from taxation certain veterans of World War I; 275, relative to providing a certain real estate tax exemption to certain World War I veterans; 470, relative to providing for a limited exemption from taxation of real property of totally disabled veterans of World War I; 664, relative to providing a certain real estate tax exemption to certain World War I veterans; 1223, relative to providing a certain real estate tax exemption to certain World War I veterans; and 2810, relative to providing a tax abatement to certain persons who have been retired from the armed forces because of a service connected 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-four.

Approved April 27, 1964.

Chap. 37. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION RELATIVE TO THE EXEMPTION FROM TAXATION OF CERTAIN REAL PROPERTY OF BLIND PERSONS AND CERTAIN WIDOWS OF POLICEMEN AND FIREMEN AND TO THE REIMBURSEMENT OF CITIES AND TOWNS FOR LOSS OF TAXES THROUGH ABATEMENTS GRANTED TO BLIND VETERANS.

Resolved, That the state tax commission is hereby authorized and directed to make an investigation and study of the subject matter of current house documents numbered 268, relative to increasing the amount of real property of blind persons to be exempted from taxation; 863, relative to exempting from taxation certain widows of policemen and firemen killed in the line of duty; and 2498, relative to providing for the reimbursement of cities and towns for loss of taxes through abatements granted to blind veterans. 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-four.

Approved April 27, 1964.

Chap. 38. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO ACTIONS FOR DEATH AND INJURIES RESULTING IN DEATH.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 561, as amended by the house on April thirteenth, nineteen hundred and sixty-four, on motion of Mr. Sigourney of Nahant, relative to actions for death and injuries resulting in death and the methods, manner and amount of payments in said 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 27, 1964.

Chap. 39. RESOLVE AUTHORIZING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY OF THE PROBLEM OF DREDGING THE CONNECTICUT RIVER WITHIN THE CONFINES OF THE COMMONWEALTH TO TRAVEL WITHOUT THE COMMONWEALTH.

Resolved, That the special commission established by chapter one hundred and nine of the resolves of nineteen hundred and sixty-three is hereby authorized to travel without the commonwealth.

Approved April 27, 1964.

Chap. 40. 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 most recently extended by chapter fifty-four of the resolves of nineteen hundred and sixty-three, is hereby further extended to the first Wednesday in December, nineteen hundred and sixty-four.

Approved April 30, 1964.

Chap. 41. RESOLVE CONTINUING THE 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 continue its 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, as authorized by chapter eleven of the resolves of nineteen hundred and sixty-three. 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-four.

Approved April 30, 1964.

Chap. 42. RESOLVE FURTHER 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, the time

for making such report having been extended by chapter one hundred and sixty-five of the resolves of nineteen hundred and sixty-three, is hereby further extended to the first Wednesday of June, nineteen hundred and sixty-four.

Approved April 30, 1964.

Chap. 43. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE PROBLEMS OF TAXATION.

Resolved, That the special commission established under the provisions of chapter eighty-six of the resolves of nineteen hundred and forty-eight, shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 504, relative to providing that the commissioner of corporations and taxation shall approve or disapprove claims for reimbursement on account of excises imposed upon certain fuels within ninety days; and of current house document numbered 2977, relative to the reimbursement of persons for payment of excise taxes for non-highway use of motor fuel.

Approved April 30, 1964.

Chap. 44. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION RELATIVE TO THE RECALL OF RETIRED JUDGES.

Resolved, That the retirement law commission is hereby authorized and directed to make an investigation and study of the subject matter of so much of current senate document numbered 1; as relates to the temporary recall of retired judges (page 7). 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-four.

Approved April 30, 1964.

Chap. 45. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION RELATIVE TO THE IMPOSITION OF A HIGHWAY USE TAX AND PROVIDING FOR THE ENTRY OF THE COMMONWEALTH INTO AN INTERSTATE COMPACT ON BUS TAX PRORATION.

Resolved, That the state tax commission is hereby authorized and directed to make an investigation and study of the subject matter of current senate document numbered 503, to impose a highway use tax, and of current senate document numbered 513 and current house document numbered 663, providing for the entry of the commonwealth into an interstate compact on bus taxation proration. 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 in the current year.

Approved April 30, 1964.

Chap. 46. RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY 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 the special commission, established by chapter one hundred and sixty-two of the resolves of nineteen hundred and sixty-three, is hereby revived and continued.

Said commission shall have the power to summon witnesses, and to require the production of books, records, contracts and papers, and the giving of testimony under oath.

Said commission may report to the general court, from time to time, but shall file its final report not later than the third Wednesday in March, nineteen hundred and sixty-five. *Approved April 30, 1964.*

Chap. 47. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE AVAILABILITY AND ADEQUACY OF CEMETERIES FOR THE BURIAL OF VETERANS.

Resolved, That a special commission, to consist of three members of the senate, seven members of the house of representatives, and nine persons to be appointed by the governor, one of whom shall be a priest, one of whom shall be a minister, one of whom shall be a rabbi, and four of whom shall be members of veterans' organizations chartered by the Congress of the United States, is hereby established for the purpose of making an investigation and study relative to the present availability and adequacy of cemeteries within the commonwealth for the burial of veterans, and relative to the number, location and size of such additional cemeteries as may be required in the foreseeable future.

Approved April 30, 1964.

Chap. 48. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE INLAND CONSERVATION LAWS.

Resolved, That a special commission, to consist of one member of the senate, two members of the house of representatives, the commissioner of natural resources or his designee, and the director of the division of fisheries and game or his designee, is hereby established for the purpose of making an investigation and study relative to the inland conservation laws of the commonwealth, methods of financing the enforcement thereof, and of the problems related to the posting of private and public lands to hunting and public land acquisition for hunting and fishing.

Approved April 30, 1964.

- Chap. 49.** RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE ESTABLISHMENT OF A MOSQUITO CONTROL PROJECT WITHIN THE COUNTY OF ESSEX.

Resolved, That the unpaid special commission, established by chapter ninety-six of the resolves of nineteen hundred and sixty-three and revived and continued by chapter five of the resolves of the current year, shall, in the course of its investigation and study, consider the subject matter of current house document numbered 2009, relative to establishing a mosquito control project within the county of Essex.

Approved April 30, 1964.

- Chap. 50.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE GROUP INSURANCE COMMISSION RELATIVE TO THE AMOUNT OF GROUP LIFE INSURANCE AND THE AMOUNT OF GROUP ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE UPON RETIREMENT OF EMPLOYEES UNDER THE CONTRIBUTORY GROUP GENERAL OR BLANKET INSURANCE FOR PERSONS IN THE SERVICE OF THE COMMONWEALTH.

Resolved, That the group insurance commission is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 1128, relative to the amount of group life insurance and the amount of group accidental death and dismemberment insurance upon retirement of employees under the contributory group general or blanket insurance for persons in the service of the commonwealth. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December, nineteen hundred and sixty-four.

Approved April 30, 1964.

- Chap. 51.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE GROUP INSURANCE COMMISSION RELATIVE TO PROVIDING CERTAIN CREDITS FOR GROUP INSURANCE PREMIUMS TO BE GIVEN TO CERTAIN COUNTY AND MUNICIPAL EMPLOYEES.

Resolved, That the group insurance commission is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 1941, relative to providing certain credits for group insurance premiums to be given to certain county and municipal employees. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such 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-four.

Approved April 30, 1964.

Chap. 52. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE REMOVAL OF ACTIONS FROM THE DISTRICT COURTS AND OTHER MATTERS.

Resolved, That the judicial council be requested to investigate the subject matter of current senate documents numbered 180, relative to authorizing the recovery of civil damages due for malicious or willful destruction of property by certain minors and certain damages resulting from personal injuries caused by such minors; 194, relative to the removal of actions from the district courts; 196, relative to arrest for misdemeanors; 749, relative to exempting certain members of rescue units from civil liability for first aid treatment administered at the scene of an accident to persons injured in motor vehicle accidents; and of current house documents numbered 377, relative to eliminating the maximum amount recoverable in actions for death and injuries resulting in death; 752, relative to increasing the damages recoverable for death by negligence by a common carrier; 941, relative to adding a maximum sentence for a second offence of unnatural and lascivious acts with a child under sixteen since no maximum has been provided; 946, relative to the penalty for a second offence under the laws prohibiting lotteries, games of chance and the keeping of places for registering bets or dealing in pools; 1314, pertaining to the administrative authority in multiple-judge district courts; 1526, relative to increasing the penalty which may be imposed on a parent or guardian aiding in the delinquency of a child; 1527, relative to providing that a parent or guardian failing to carry out a court order for payment for the support of certain children committed to the department of public welfare and certain correctional institutions may be adjudged in contempt; 1528, relative to concerning appeal procedures for violation of the laws relative to obscene things and obscene books; 1529, relative to providing for limited civil liability of certain parents or guardians for injuries caused by children; 1946, relative to the parents or guardians of delinquent children, and imposing certain liability upon parents or guardians for injury caused by children; 2143, relative to imposing liability upon parents and guardians for certain damage caused by minor children; 2152, relative to regulating the entry of an order, judgment or decree for failure to answer or to amend or expunge answer; 2632, relative to granting a defendant in a capital case the right to obtain the criminal records of all government witnesses; 2889, relative to providing that a transcript of grand jury proceedings be available to a defendant before trial in capital cases; and 2893, relative to prohibiting the holding of material witnesses except on personal recognizance, 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, 1964.

Chap. 53. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO ESTABLISHING THE UNIFORM INTERSTATE AND INTERNATIONAL PROCEDURE ACT.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 108, Appendix B, relative to establishing the uniform interstate and international pro-

cedure act, 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, 1964.

Chap. 54. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO ESTABLISHING THE UNIFORM FOREIGN MONEY-JUDGMENTS RECOGNITION ACT.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 108, Appendix C, relative to establishing the uniform foreign money-judgments recognition act, 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, 1964.

Chap. 55. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION RELATIVE TO GRANTING A CERTAIN EXEMPTION FROM REAL ESTATE TAXES TO VETERANS WHO HAVE BEEN AWARDED THE SILVER STAR.

Resolved, That the state tax commission is hereby authorized and directed to make an investigation and study of the subject matter of current senate document numbered 507, relative to granting a certain exemption from real estate taxes to veterans who have been awarded the silver star. Said commission shall report to the general court the results of its investigation and study, and its recommendation, 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-four.

Approved May 7, 1964.

Chap. 56. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO PROHIBITING THE LOWERING OF THE WATER LEVEL OF FOREST LAKE IN THE TOWN OF PALMER.

Resolved, That a special commission, to consist of the county commissioners of Hampden county, a member of the board of selectmen of the town of Palmer, designated by said board, the commissioner of public works or his designee, and the commissioner of natural resources or his designee, is hereby established to make an investigation and study of the subject matter of current senate document numbered 542, relative to prohibiting lowering the water level of Forest Lake in the town of Palmer.

Approved May 7, 1964.

Chap. 57. RESOLVE DIRECTING THE COMMISSION ON INTERSTATE CO-OPERATION TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE FORMATION OF THE NEW ENGLAND INTERSTATE BALLISTIC AND GUN REGISTRATION COMPACT.

Resolved, That the commission on interstate co-operation is hereby authorized and directed to make an investigation and study of the sub-

ject matter of current senate document numbered 381, relative to the formation of the New England Interstate Ballistic and Gun Registration Compact.

Approved May 7, 1964.

Chap. 58. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE WATER RESOURCES COMMISSION OF THE PUBLIC WATER SUPPLY RESOURCES OF THE IPSWICH RIVER.

Resolved, That the water resources commission is hereby authorized and directed to make an investigation and study of the public water supply resources of the Ipswich river. Said commission shall review all available information relative to the water resources of said river and the need to establish a program for the full protection and utilization of the Ipswich river watershed region in order to fill future water supply needs to various cities and towns within the county of Essex. Said commission may expend for the employment of engineers, geologists and other experts and assistants, and for other related expenses, such sums as may be appropriated therefor. Said commission may request the assistance of and may consult with any federal government agencies during the course of its investigation and study. 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 resource developments 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 last Wednesday of January, nineteen hundred and sixty-five.

Approved May 7, 1964.

Chap. 59. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ASSESSMENT OF CHARGES BY THE BRISTOL COUNTY NURSING HOME FOR THE AGING.

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 assessment of charges by the Bristol County Nursing Home for the Aging on cities and towns for the care of patients, with particular reference to determining equitable assessments and the number of welfare patients presently hospitalized in various homes by each city and town within the Bristol county hospital district.

Approved May 11, 1964.

Chap. 60. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE PROBLEMS OF TAXATION.

Resolved, That the special commission established under the provisions of chapter eighty-six of the resolves of nineteen hundred and forty-eight shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 505, exempt-

ing from the income tax law the income from an annuity, pension, endowment or retirement fund of any other state government, and 519, providing for the annual reimbursement in lieu of taxes by the commonwealth to the town of Shirley for the cost of school tuition and transportation of children domiciled on the grounds of the industrial school for boys at Shirley.

Approved May 15, 1964.

Chap. 61. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE SELECTION OF AN OFFICIAL SONG FOR THE COMMONWEALTH.

Resolved, That a special commission, to consist of five persons duly qualified in the art of music 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 439, relative to designating the song entitled "All Hail to Massachusetts" as the official song of the commonwealth; of the investigation and study proposed by current senate document numbered 440, relative to the selection of an official song for the commonwealth; and of current house documents numbered 658, 2247, 2478 and 2790, each relative to providing for an official state song. Said commission shall also, in the course of its investigation and study, conduct a competition for such official song and shall require as a basis of the entry of any song in said competition that if such song is subsequently designated by law as the state song, the author of the lyrics and the composer of the music thereof, or their legal successors or representatives, shall, if such lyrics and music are not then in the public domain, transfer all of their respective rights, title, interest and copyright thereto to the commonwealth.

Approved May 15, 1964.

Chap. 62. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF NATURAL RESOURCES, THE DIVISION OF FISHERIES AND GAME AND THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO THE HUNTING OF DEER AND TO THE POISONING OF FEEDER STREAMS OF THE QUABBIN RESERVOIR.

Resolved, That the department of natural resources, the division of fisheries and game, and the metropolitan district commission, acting as a joint board, are hereby authorized and directed to make an investigation and study of the subject matter of current senate document numbered 315, relative to providing that the open season on deer shall be from the first Saturday in December to the following Saturday; and of current house documents numbered 408, relative to changing the permissible period for hunting deer; 2393, relative to prohibiting the killing of female deer for a period of five years; and the investigation and study proposed by current house document numbered 2394, relative to the poisoning of feeder streams of the Quabbin reservoir. Said joint board shall report to the general court the results of its investigation and study together with its recommendations, if any, and 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-four. *Approved May 15, 1964.*

Chap. 63. RESOLVE AUTHORIZING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO ALL PHASES OF THE CIVIL DEFENSE PROGRAM TO TRAVEL WITHOUT THE COMMONWEALTH.

Resolved, That the special commission, established by chapter seventy-four of the resolves of nineteen hundred and sixty-three, and whose time to report to the general court was extended by chapter one hundred and sixty-three of the resolves of nineteen hundred and sixty-three, is hereby authorized to travel without the commonwealth.

Approved May 15, 1964.

Chap. 64. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE OPERATION AND MANAGEMENT OF STABLES, BOARDING STABLES AND RIDING SCHOOL STABLES AND THE LAWS GOVERNING THE LICENSES OF SAID STABLES.

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 relative to the operation and management of stables, boarding stables and riding school stables and the laws governing the licenses of said stables with a view toward revising said laws.

Approved May 15, 1964.

Chap. 65. RESOLVE CONTINUING THE 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 continue its investigation and study relative to certain tax laws, as authorized by chapter nineteen of the resolves of nineteen hundred and sixty-three. 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-four.

Approved May 15, 1964.

Chap. 66. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF NATURAL RESOURCES RELATIVE TO THE REIMBURSEMENT TO CITIES AND TOWNS IN THE FIGHTING OF FOREST FIRES ON STATE OWNED LANDS OR IN JOINT JURISDICTIONS.

Resolved, That the department of natural resources is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 1583, to provide reimbursement to cities and towns in the fighting of forest fires on state owned lands or in joint jurisdictions. Said department shall report to the general court the results of its investigation and study, and its

recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate on or before the fourth Wednesday of December, nineteen hundred and sixty-four.

Approved May 15, 1964.

Chap. 67. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE MARINE FISHERIES ADVISORY COMMISSION RELATIVE TO LOBSTER AND EDIBLE CRAB LICENSES FOR NON-RESIDENT CITIZENS.

Resolved, That the marine fisheries advisory commission is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 1997, relative to lobster and edible crab licenses for non-resident citizens. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December, nineteen hundred and sixty-four.

Approved May 15, 1964.

Chap. 68. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY OF THE LAWS OF THE COMMONWEALTH RELATIVE TO LOANS AND CREDIT.

Resolved, That the special commission, established by chapter one hundred and fifty-two of the resolves of nineteen hundred and sixty-three and revived and continued by chapter five of the resolves of nineteen hundred and sixty-four, shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 15, relative to establishing a usury law; of current house documents numbered 682, relative to interest that may be charged on certain home mortgage loans; 683, relative to requiring full disclosure of finance charges in connection with extension of credit; 1446, relative to the rights of a buyer to receive refund credit upon prepayment of a motor vehicle instalment contract; 2069, relative to finance charges in connection with the sale on credit of any consumer goods; 2070, relative to requiring full disclosure of finance charges in any loan or credit transaction; 2270, relative to requiring full disclosure of finance charges in any loan or credit transaction; 2274, relative to governing finance charges in transactions involving the purchase of goods on time; 2275, relative to requiring full disclosure of finance charges in any loan or credit transaction; 2518, relative to establishing a usury law; 2840, relative to requiring the lender of money making loans of less than three thousand dollars to disclose all charges made thereon; and the investigation and study proposed by current house document numbered 2841, relative to regulation by the commonwealth of retail revolving credit.

Approved May 15, 1964.

- Chap. 69.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE GROUP INSURANCE COMMISSION RELATIVE TO EXTENDING THE HOSPITAL, SURGICAL, MEDICAL INSURANCE BENEFITS COVERING STATE EMPLOYEES TO CERTAIN SURVIVING PARENTS.

Resolved, That the group insurance commission is hereby authorized and directed to make an investigation and study of the subject matter of current house documents numbered 368 and 546, relative to extending the hospital, surgical, medical insurance benefits covering state employees to certain surviving parents. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December, nineteen hundred and sixty-four.

Approved May 15, 1964.

- Chap. 70.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC UTILITIES AND THE DEPARTMENT OF PUBLIC HEALTH RELATIVE TO THE FORMATION OF COMPANIES TO PROVIDE SEWAGE DISPOSAL SERVICES AND SEWAGE DISPOSAL SYSTEMS AND FOR THE SUPERVISION OF SUCH COMPANIES.

Resolved, That the department of public utilities and the department of public health, acting as a joint board, are hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 2435, relative to the formation of companies to provide sewage disposal services and sewage disposal systems and for the supervision of such companies. Said board shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday in January, nineteen hundred and sixty-five.

Approved May 15, 1964.

- Chap. 71.** RESOLVE PROVIDING FOR THE ESTABLISHMENT OF A SPECIAL COMMISSION TO PREPARE PLANS FOR THE OBSERVANCE BY THE COMMONWEALTH OF THE BICENTENNIAL OF THE HISTORIC EVENTS PRECEDING THE REVOLUTIONARY WAR.

Resolved, That a special commission, to consist of the governor, who shall be a member ex officio, three members of the senate, five members of the house of representatives, the state secretary or his designee, the commissioner of education or his designee, the adjutant general or his designee, and twenty persons to be appointed by the governor, of whom one shall be selected from each of the following organizations: — The Sons of the American Revolution; The Daughters of the American

Revolution; The Children of the American Revolution; The Massachusetts Society of the Cincinnati; The Sons of the Revolution; The Order of Founders and Patriots; The Society of Colonial Dames; The Daughters of Colonial Wars; The Descendants of the Signers of the Declaration of Independence; The Ancient and Honorable Artillery Company; The Bunker Hill Monument Association; The American Legion; The Bostonian Society; The Massachusetts Historical Society; The Bay State Historical League; and The Greater Boston Chamber of Commerce, is hereby established to devise plans and programs for the observance by the commonwealth of the bicentennial of the historic events preceeding the Revolutionary War. Said commission may receive and expend such funds as may be donated to it for its purposes. Said commission shall submit an annual report to the general court and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before the last Tuesday in December in every year and shall file its final report, along with an accounting of funds received and expended, not later than May first, nineteen hundred and seventy-five. Said commission shall terminate upon the completion of the duties set forth in this resolve.

Approved May 19, 1964.

Chap. 72. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION OF THE STATUS OF WOMEN IN EMPLOYMENT AND OTHER AREAS.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives, the commissioners of the departments of labor and industries, public health, public welfare, commerce, and education, or their respective designees, the director of civil service, the director of the division of employment security, and ten persons to be appointed by the Governor, one of whom shall be a representative of Associated Industries of Massachusetts and one of whom shall be a representative of Massachusetts Council AFL-CIO, is hereby established for the purpose of making an investigation and study of the status of women in the following areas: (1) the employment policies and practices of the commonwealth; (2) the state labor laws dealing with wages, hours and working conditions; (3) the differences in legal treatment of men and women in regard to political and civil rights, property rights and family relations; (4) the new and expanded services that may be required for women as wives, mothers and workers, including education, counseling, vocational training and retraining, home services, and arrangements for the care of children during the working day; and (5) the institution of special programs for the education, counseling and training of culturally disadvantaged women.

Said commission may travel without the commonwealth.

Approved May 19, 1964.

Chap. 73. RESOLVE CONTINUING THE 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 continue its investigation and study relative to the feasibility and advisability of conforming the provisions of the income tax law with those of the internal revenue code, as authorized by chapter eighty-five of the resolves of nineteen hundred and sixty-three. 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-four.

Approved May 21, 1964.

Chap. 74. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION RELATIVE TO GRANTING INCOME TAX RELIEF TO CERTAIN INDIVIDUALS, ELIMINATING SURTAXES AND TEMPORARY AND ADDITIONAL TAXES, ESTABLISHING NEW RATES OF TAXATION AND EQUALIZING EXEMPTION UNDER THE INCOME TAX LAW AND CERTAIN OTHER RELATED MATTERS.

Resolved, That the state tax commission is hereby authorized and directed to make an investigation and study of the subject matter of current house documents numbered 473, relative to providing a limited deduction for political contribution; 861, relative to granting income tax relief to certain married recipients of "unearned income"; 862, relative to granting income tax relief to recipients of "unearned income"; 1036, relative to eliminating the surtaxes and the temporary and additional taxes, to establish new effective rates of taxation and to equalize the exemptions under the Massachusetts income tax law; of the investigation and study proposed by current house document numbered 1225, relative to the feasibility of reducing the tax on unearned income; of current house documents numbered 1228, 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; 1229, relative to allowable deductions on unearned income; 1236, relative to increasing the deduction for a spouse and dependents under the income tax law; 1237, relative to increasing the deduction for a spouse and dependents under the income tax law; and 2497, relative to providing that taxpayers taxed on unearned income, so called, may have a medical deduction equivalent to that allowed to those taxed on earned 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 such 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-four. *Approved May 21, 1964.*

Chap. 75. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO CERTAIN HIGHWAY AND WATERWAYS ACTIVITIES.

Resolved, That the department of public works is hereby authorized and directed to make an investigation and study of current house documents numbered 71, providing for insurance coverage for aircraft under the care, control and custody of the department of public works and the occupants thereof; 73, authorizing the department of public works to manage certain real estate acquired for highway purposes; 151, authorizing and directing the division of waterways to dredge the Monatiquot river in the town of Braintree; 154, authorizing and directing the department of public works to dredge Acushnet river; 164, designating a portion of state highway route 2 as the Minuteman highway; 173, authorizing the department of public works to construct right turn access roads at the junction of route 113 and route 28 in the town of Methuen; 174, authorizing the department of public works to lay out and construct a connecting road from Riverside drive to route 110 in the town of Methuen; 343, authorizing and directing the department of public works to construct a stone breakwater in the town of Rockport; 346, providing for the construction of a spillway to protect the industrial section of the city of Gardner from flooding by the waters of Crystal lake; 354, directing the department of public works to reconstruct a portion of Mill street in the town of Agawam; 362, relative to the removal of snow and ice by the department of public works on state highways located within towns; 533, authorizing and directing the department of public works to construct an underpass or overpass at the junction of route 128 and Forest street in the city of Peabody; 539, authorizing the department of public works to approve the use of overhead traffic signal lights in the city of Quincy; 720, authorizing the division of waterways of the department of public works to dredge Lake Ripple in the town of Grafton; 721, providing for an investigation and study by the department of public works relative to the problems of erosion along the shores of the town of Nahant; 734, 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; 901, authorizing the department of public works to improve the Braintree Great Pond in the towns of Braintree and Randolph; 1284, relative to the improvement of Marblehead harbor; 1486, authorizing the department of public works to dredge and widen the entrance of Polpis Harbor in the town of Nantucket; 1718, providing for the construction by the department of public works of a marina on the Saugus river in the town of Saugus; 1720, authorizing and directing the department of public works to clean and dredge the Weymouth-Fore River channel in the town of Braintree; 1735, authorizing the department of public works to construct a trunk highway from route 95, in the city of Lynn or Peabody to vicinity of Vinian square at the junction of the towns of Swampscott and Marblehead and the city of Salem; 1920, providing for the construction of an underpass by the department of public works in the city of Chelsea; 1929, authorizing the department of public works to straighten out the curves in route 122 in the Pout Rock section of the town of Millville; 1931, authorizing the department of public works to construct, relocate and resurface certain highways located in the

towns of Northbridge, Uxbridge, Millville and Blackstone; 2113, authorizing and directing the department of public works to construct an underpass in the city of Revere; 2126, authorizing and directing the department of public works to rebuild route 122 in the town of Uxbridge; 2129, authorizing and directing the department of public works to install automatic traffic control signal lights at intersection of Waverly road and Turnpike street on route 114 in the town of North Andover; 2324, authorizing and directing the department of public works to re-surface route 122 from Youngma's curve to the lights at Plummer's corner; 2327, authorizing and directing the department of public works to install additional interchange at Capen's bridge in Braintree; 2580, authorizing the department of public works to relocate, widen and improve a certain portion of route 113 in Lowell, Dracut and Methuen; 2585, authorizing the department of public works to construct an overpass, span or footbridge in the vicinity of the Porter street entrances to the Sumner and Callahan tunnels in the East Boston district of Boston; and 3081, authorizing and directing the department of public works to extend the Lowell connector into the northern canal area of the city of Lowell. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives not later than the last Tuesday of December, nineteen hundred and sixty-four.

Approved May 21, 1964.

Chap. 76. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DIVISION OF INSURANCE RELATIVE TO FURTHER REGULATING INSURERS AUTHORIZED TO WRITE WORKMEN'S COMPENSATION INSURANCE.

Resolved, That the division of insurance is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 917, relative to further regulating insurers authorized to write workmen's compensation insurance. Said division shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of June, nineteen hundred and sixty-four.

Approved May 21, 1964.

Chap. 77. 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 special commission established by chapter seventy-seven of the resolves of nineteen hundred and fifty-two, and most recently revived and continued by chapter thirty of the resolves of nineteen hundred and sixty-four, shall, in the course of its investigation and study, consider the subject matter of the investigation and study proposed by current house document numbered 2963, relative to the feasibility of establishing a program of financial assistance to the parents of certain retarded children.

Approved May 21, 1964.

Chap. 78. RESOLVE AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO PREPARE A GENERAL PLAN FOR DEVELOPING AND PRESERVING THE SCENIC AND RECREATIONAL POTENTIALITIES OF THE CHARLES RIVER.

Resolved, That the metropolitan district commission is hereby authorized and directed to prepare a general plan for developing and preserving the scenic and recreational potentialities of the Charles River, with particular attention to the river banks and adjoining lands, the water areas, pollution abatement, flood control, public access, control of the bed of the river and similar related problems. Said commission shall report to the general court the results of its general plan, 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 June, nineteen hundred and sixty-five.

Approved May 21, 1964.

Chap. 79. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO CERTAIN VETERANS' LAWS.

Resolved, That the special commission established by chapter one hundred and one of the resolves of nineteen hundred and sixty-three and revived and continued by chapter five of the resolves of the current year, shall, in the course of its investigation and study consider the subject matter of current senate document numbered 101, relative to entitling members of the State Guard who served in World War II to university extension courses free of charge; and of current House documents numbered 1558, further exempting veterans from payment of fees for copies of probate court records; 1590, relative to providing that the period of time spent on a reserve list for appointment to the official service of the commonwealth or a political subdivision thereof shall be credited as length of service to all veterans and army nurses in their petitions for pension from said commonwealth or political subdivision; and 3153, relative to increasing the scope of the special commission established to make an investigation and study relative to certain veterans' laws.

Approved May 21, 1964.

Chap. 80. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO CERTAIN HIGHWAY ACTIVITIES AND OTHER RELATED MATTERS.

Resolved, That the department of public works is hereby authorized and directed to make an investigation and study of current house documents numbered 156, directing the commissioner of public works to keep public records of the rental of private equipment; 162, relative to authorizing the department of public works to construct a pedestrian tunnel under Broadway at Lowell State Teachers College in the city of Lowell; 163, relative to authorizing and directing the department of public works to erect and maintain electric light facilities on the Veterans of Foreign Wars Highway in the city of Lowell; 724, authorizing and directing the department of public works to repair and maintain

the Tower County bridge located in the city of Haverhill; 1487, authorizing and directing the department of public works to make necessary engineering studies relative to the protection and development of the Connecticut river; 1488, authorizing the department of public works to convey certain land in the town of Salisbury to said town; and 1910, 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.

Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect by filing the same with the clerk of the house of representatives not later than the last Tuesday of December, nineteen hundred and sixty-four.

Approved May 21, 1964.

Chap. 81. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE MASS TRANSPORTATION COMMISSION RELATIVE TO THE TRANSPORTATION OF FREIGHT BETWEEN THE NORTH STATION AND SOUTH STATION RAILROAD TERMINALS IN THE CITY OF BOSTON.

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 3351, relative to the transportation of freight between the North Station and South Station railroad terminals in the city of Boston. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of June, nineteen hundred and sixty-four.

Approved May 21, 1964.

Chap. 82. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO ILLEGAL USE OF ELECTRONIC RECORDING DEVICES, WIRELESS TAPS OR ELECTRONIC TAPS OR SIMILAR DEVICES AND ARRANGEMENTS.

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 laws relative to eavesdropping and the use of electronic recording devices, wireless taps or electronic taps, however described, or similar devices or arrangements in connection therewith, and the illegal use of such devices or arrangements and the extent thereof, with a view to strengthening the laws relative to eavesdropping and the use of wire tapping recording devices.

Approved May 26, 1964.

- Chap. 83.** RESOLVE PROVIDING FOR FURTHER 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 continue its investigation and study relative to certain tax matters, as authorized by chapter seventy-six of the resolves of nineteen hundred and sixty-three. 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-four.

Approved May 26, 1964.

- Chap. 84.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DIVISION OF INSURANCE RELATIVE TO AUTHORIZING THE INSURANCE AGAINST LOSS OF INVESTMENTS IN INVESTMENT, TRUST AND MUTUAL FUNDS.

Resolved, That the division of insurance is hereby authorized and directed to make an investigation and study of the subject matter of current senate document numbered 166, relative to authorizing the insurance against loss of investments in investment, trust and mutual funds. 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 senate on or before the first day of June, nineteen hundred and sixty-four.

Approved May 26, 1964.

- Chap. 85.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION OF THE CAUSES OF FLOODING IN THE AREA OF THE NORTHEAST EXPRESSWAY AND THE REVERE BEACH PARKWAY IN THE CITY OF CHELSEA.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives, the chief engineer of the construction division of the metropolitan district commission, the deputy chief engineer for waterways of the department of public works, the chief district highway engineer of said department for district 8, and the city engineer of the city of Chelsea is hereby established for the purpose of conducting an investigation and study of the flow of water and other conditions contributing to the flooding of the areas adjacent to the junction of the Northeast Expressway and the Revere Beach parkway in the city of Chelsea with a view to determining the feasibility of correcting these conditions.

Approved May 26, 1964.

Chap. 86. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO A MEMORIAL TO THE LATE PRESIDENT JOHN F. KENNEDY.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives, and eleven persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to a suitable memorial to the late President John F. Kennedy. Said commission may travel without the commonwealth. *Approved May 26, 1964.*

Chap. 87. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO FURTHER DEFINING CERTIFICATE OF INSURANCE.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives, and the commissioner of insurance, is hereby established for the purpose of making an investigation and study of the subject matter of current house document numbered 923, relative to further defining certificate of insurance. Said commission shall have the power to summons witnesses and require the production of books and papers. *Approved May 26, 1964.*

Chap. 88. 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 current house documents numbered 398, authorizing the metropolitan district commission to acquire certain land in the city of Quincy for park and recreation purposes; 405, authorizing the metropolitan district commission to construct and maintain a seawall on Hull shore drive in the town of Hull; 582, authorizing the metropolitan district commission to install certain push button traffic signals at or near the corner of H street and Day boulevard in the city of Boston; 586, to authorize and direct the metropolitan district commission to acquire the site of the Bunker Hill Quarry and adjacent portion of the Granite Railway in Quincy by gift, purchase or eminent domain as a part of the Blue Hills reservation; 987, relative to authorizing and directing the metropolitan district commission to fill in certain land in Medford, owned by said commission, located at the rear of 257-261 Riverside avenue and 14-20 Maverick street in said city; 2192, authorizing the metropolitan district commission to straighten curves in Michael Carrol highway and Nahant causeway in the town of Nahant; 2196, authorizing and directing the metropolitan district commission to construct new sidewalks along the Revere Beach Boulevard in the city of Revere; 2199, authorizing the metropolitan district commission to construct a swimming pool at Cornwall street playground in the Jamaica Plain district of Boston and to assume maintenance and costs; 2200, authorizing and directing the metropolitan transit authority to construct a pedestrian crossing at intersection of Washington street, Morton street, the Arborway and

Asticou Road at Forest Hills station in the Jamaica Plain district of the city of Boston; 2380, authorizing the metropolitan district commission to construct a sea wall on a portion of the Revere Beach boulevard in the city of Revere; 2492, relative to the valuation of certain lands owned and used by the metropolitan district commission and the city of Worcester in the town of Rutland; 2922, authorizing the metropolitan district commission to convey certain land in the city of Quincy to the department of public health for a community rehabilitation and daytime treatment center; 2933, authorizing and directing the metropolitan district commission to construct and maintain a sea aquarium in the Castle island section of the city of Boston; 3022, providing for an investigation and study by a special commission relative to increasing the amount of water which the town of Southborough may take from the pressure aqueduct and tunnel of the metropolitan water system. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives not later than the last Tuesday of December, nineteen hundred and sixty-four.

Approved May 26, 1964.

Chap. 89. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC HEALTH RELATIVE TO THE POLLUTION OF THE ATMOSPHERE WITHIN THE METROPOLITAN AIR POLLUTION CONTROL DISTRICT AND THE COMMUNITIES ADJACENT THERETO.

Resolved, That the department of public health is hereby authorized and directed to make an investigation and study of atmospheric pollution within the metropolitan air pollution control district and the communities adjacent thereto, for the purpose of determining (1) the sources, extent, and nature of atmospheric contaminants in said areas; (2) the variation in concentration of the contaminants of interest with respect to time, location, topography, and meteorological variables; (3) the effects of such pollution; (4) the types, locations, and strengths of significant sources of atmospheric contaminants; (5) the need for further regulation of sources of atmospheric pollution; and (6) the need for and requirements of a continuing program of atmospheric monitoring and air pollution control.

Said department may receive and expend such sums as may be allocated or granted to it from any source for the purposes of this study. Said department may also purchase, lease, or rent necessary equipment, contract or otherwise arrange for laboratory services and analysis of samples and for compilation and analysis of data, and engage such consultants and assistants as it deems necessary. Said department may co-operate and exchange information with any private or public agency.

Said department may report from time to time to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, and shall file its final report with the clerk of the house of representatives on or before June first, nineteen hundred and sixty-six.

Approved May 29, 1964.

Chap. 90. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO LICENSING OF DORMITORIES AND FRATERNITY HOUSES THAT HOUSE COLLEGE STUDENTS OFF THE COLLEGE CAMPUS.

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 subject matter of current house document numbered 2376, providing for the licensing of dormitories and fraternity houses that house college students off the college campus.

Approved May 29, 1964.

Chap. 91. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE INSTALLATION OF REFRIGERATION AND AIR CONDITIONING AND THE PRACTICE OF PLUMBING AND PIPE FITTING AND CERTAIN RELATED MATTERS.

Resolved, That a special commission, to consist of nine persons to be appointed by the governor, of whom one shall represent the Plumbers Union, Local No. 12, one shall represent the Pipe Fitters Association, Local No. 537, one shall represent the Sprinkler Fitters and Apprentices Union, Local No. 550, one shall be a master plumber, one shall be a person who is engaged in the mechanical contracting business or the nominee of the Mechanical Contractors Association of Boston, Inc., and one shall be a person engaged in the business of installing air conditioning and refrigeration, is hereby established for the purpose of making an investigation and study of the subject matter of current house documents numbered 853, providing for the regulation of the refrigeration and air conditioning industry and for the licensing of the members therein; 854, providing for the establishment of a board of state examiners of refrigeration and air conditioning personnel; and 2044, providing for the regulation of heating, piping, air conditioning, and refrigeration trade and for the licensing of the members therein.

Approved May 29, 1964.

Chap. 92. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO CERTAIN HIGHWAY AND WATERWAYS ACTIVITIES.

Resolved, That the department of public works is hereby authorized and directed to make an investigation and study of current senate documents numbered 629, authorizing and directing the department of public works to construct a new bridge over the Westfield river in the town of Russell; and 799, authorizing the department of public works to dredge a harbor, establish a harbor anchorage and construct dockage facilities in the Andrews river area of South Harwich and authorizing the town of Harwich to borrow money to pay its share of the cost; and of current house documents numbered 534, relative to the care, control and maintenance of certain public highway bridges in Essex county; 538, authorizing the department of public works to

erect certain non-commercial signs on limited access highways; 725, 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; 1493, establishing Polpis road in Nantucket as a state highway; 1498, making certain public ways in the Charlestown district of the city of Boston state highways; 1906, authorizing the department of public works to construct a sea wall in the city of Quincy; 1909, authorizing and directing the department of public works to install a sea wall and riprap for the purpose of protecting the shore of the town of Marshfield from erosion by the sea; 2120, authorizing the department of public works to construct and extend the bicycle path in the town of Nantucket to the village of Siasconset; 2315, providing for the control of water levels at Nutting Lake in Billerica; 2570, authorizing the department of public works to prepare plans of all areas in Suffolk county occupied under authority of certain licenses granted by said department or any other predecessor or successor authority; 2579, authorizing the department of public works to convey a certain abandoned portion of route 128 in the city of Newton to Thomas W. Gilligan; 3150, providing for an investigation and study by the department of public works relative to the laws governing the powers and duties of harbor masters; 3151, providing for an investigation and study by the department of public works relative to providing for certain improvements in the Monaquot river from the Shaw street bridge to the Braintree-Randolph line for the purpose of protection against flood; 3254, providing for the construction of a four foot sidewalk along the westerly side of the Buttermilk Bay bridge which connects the town of Wareham and Buzzards Bay; and 3375, authorizing and directing the department of public works, division of waterways, to construct and maintain stone groins, jetties, or other shore protective devices along the shores of Plum Island within the city of Newburyport and the town of Newbury. 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-four.

Approved May 29, 1964.

Chap. 93. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE CULTURAL RESOURCES OF THE COMMONWEALTH.

Resolved, That a special commission, to consist of fifteen persons to be appointed by the governor, is hereby established to make an investigation and study of the cultural resources of the commonwealth.

The governor shall designate a chairman and vice-chairman from the members thereof.

Said commission shall study the means and feasibility of stimulating and encouraging the study and presentation of the performing and fine arts and public interest and participation therein; conduct surveys of public and private institutions engaged within the commonwealth in

artistic and cultural activities, including but not limited to, music, theatre, opera, painting, sculpture, architecture, and allied arts and crafts; and recommend to the general court appropriate methods to encourage participation in and appreciation of the fine arts to meet the needs and aspirations of citizens of the commonwealth.

Said commission shall report to the general court on or before the last Wednesday of December, nineteen hundred and sixty-five.

Approved June 2, 1964.

Chap. 94. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC HEALTH RELATIVE TO THE DISPOSAL OF SEWAGE IN THE NORTH RIVER VALLEY AND THE PREPARATION OF A PLAN FOR SUCH DISPOSAL.

Resolved, That the department of public health is hereby authorized and directed to make an investigation and study of the disposal of sewage and other liquid wastes in the valley of the North river in the towns of Abington, Hanover, Hanson, Marshfield, Norwell, Pembroke, Rockland, Scituate and Whitman, and to prepare a plan for such disposal. Said department may expend for such purposes, such sums as may be appropriated therefor and may employ such engineering consultants and other assistants as may be necessary to carry out the objectives of this resolve. Said department shall report to the general court from time to time its findings and recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect by filing the same with the clerk of the senate on or before the last Wednesday of December, nineteen hundred and sixty-four.

Approved June 4, 1964.

Chap. 95. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ESTABLISHMENT OF A SOUTHEAST SEWERAGE DISTRICT.

Resolved, That a special commission, to consist of one member of the senate, four members of the house of representatives, the commissioner of natural resources or his designee, the chairman of the water resources commission or his designee, and a representative of each of the towns of Abington, Hanover, Hanson, Marshfield, Norwell, Pembroke, Rockland, Scituate and Whitman, to be designated by the board of selectmen thereof, is hereby established for the purpose of making an investigation and study relative to the establishment of a Southeast Sewerage District, and its development if so established.

Approved June 4, 1964.

Chap. 96. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC HEALTH RELATIVE TO SANITARY CONDITIONS OF THE WATERS OF MANCHESTER, BEVERLY, SALEM, LYNN AND MARBLEHEAD.

Resolved, That the department of public health is hereby authorized and directed to make an investigation and study relative to the sanitary conditions of the waters, shores and harbors of Manchester, Beverly, Salem, Lynn and Marblehead and the tributaries between Smith point,

Manchester and Marblehead light, the suitability of said waters for present and future uses, and the methods of securing and maintaining the same. Said department may expend for such purposes, such sums as may be appropriated therefor and employ such engineering consultants and other assistants as may be necessary to carry out the objectives of this resolve. Said department may report from time to time the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, but shall file its final report with the clerk of the house of representatives on or before the first Wednesday of December, nineteen hundred and sixty-five.

Approved June 10, 1964.

Chap. 97. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO ESTABLISHING AND REGULATING A NEW CATEGORY OF OVER-THE-COUNTER PROPRIETARY PREPARATIONS USED FOR SELF TREATMENT TO BE KNOWN AS "POTENTIALLY HARMFUL" DRUGS.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives, the director of food and drugs of the department of public health, and six persons to be appointed by the Governor, one of whom shall be a physician skilled in pharmacology, one a physician who is a clinical pharmacologist, one a physician who is a specialist in internal medicine, and one a retail trade merchant, is hereby established for the purpose of making an investigation and study of the subject matter of current house document numbered 1819, relative to establishing and regulating a new category of over-the-counter proprietary preparations used for self treatment to be known as "potentially harmful" drugs.

Approved June 10, 1964.

Chap. 98. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION OF THE LAWS GOVERNING THE REGISTRATION OF VOTERS.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives, the state secretary or his designee, and seven persons to be appointed by the governor, one of whom shall be a member of a board of registrars of voters or of a board of election commissioners of a town, one a member of a board of registrars of voters or of a board of election commissioners of a city, and one holding public office in county government, is hereby established for the purpose of making an investigation and study of the laws governing the registration of voters in the commonwealth, particularly those setting forth the procedures for the listing of persons and the procedures for registration of voters for all types of elections, including voters in military service, and those defining the powers and duties of local boards of registration and local boards of election commissioners.

Said commission may travel without the commonwealth and may require by summons the attendance and testimony of witnesses and the production of books and papers.

Approved June 10, 1964.

Chap. 99. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO CERTAIN HIGHWAY AND WATERWAYS ACTIVITIES.

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 document numbered 138, providing for an investigation and study by the department of public works relative to reconstructing or replacing a certain bridge over the Westfield River in the town of Russell; and of current house documents numbered 913, 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; 1106, authorizing and directing the department of public works to construct a boat ramp on the shore of Lake Quinsigamond in the city of Worcester; 1107, authorizing and directing the department of public works to make an investigation and study relative to improving Little Harbor at Menemsha Creek; 1114, authorizing and directing the department of public works to place riprap to protect the Menemsha Basin shore in the town of Chilmark; 1117, authorizing and directing the department of public works to resurface route 122; 1282, increasing the amount of money which the commonwealth may borrow to meet the non-federal cost of certain works of improvement for flood prevention and related purposes in the watershed of the Sudbury, Assabet and Concord rivers; 1905, providing for the drainage of the low lands adjacent to the Saugus and Mill rivers in the towns of Saugus and Wakefield; 1908, authorizing and directing the department of public works to construct and maintain a fence along Pond brook in the city of Gardner; 1913, authorizing the department of public works to dredge the Green Harbor basin in the Green Harbor district of the town of Marshfield; 2109, authorizing and directing the department of public works to reclaim and renovate Breckwood pond in the city of Springfield; 2569, authorizing and directing the department of public works through its division of waterways to clear certain streams in the towns of Dracut and Tewksbury; 2576, authorizing and directing the department of public works to establish facilities for headquarters of district seven; 2876, providing for an investigation and study by the department of public works of clearing, improving, revamping and renovating the Chicopee river; 2877, providing for an investigation and study by the department of public works of revamping and renovating the North Branch tributary and Breckwood pond in the city of Springfield; and 2883, authorizing the department of public works to permit the installation of pay telephone booths along Route 93. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives not later than the last Tuesday of December in the current year. *Approved June 10, 1964.*

Chap. 100. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ENFORCEMENT OF THE LAWS PROHIBITING AIR POLLUTION.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives, and one person

to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to the enforcement of the laws prohibiting air pollution.

Approved June 16, 1964.

Chap. 101. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY RELATIVE TO THE VALUATION BY THE STATE TAX COMMISSION OF LAND HELD BY A CITY OR TOWN IN ANOTHER CITY OR TOWN WHICH EFFECTS A GENERAL REVALUATION OF ALL REAL PROPERTY THEREIN.

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 3624, providing for the valuation by the state tax commission of land held by a city or town in another city or town which effects a general revaluation of all real property therein. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December, nineteen hundred and sixty-four.

Approved June 16, 1964.

Chap. 102. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO STRENGTHENING THE RULE-MAKING POWER OF THE SUPREME JUDICIAL COURT.

Resolved, That the judicial council be requested to investigate the subject matter of so much of the Governor's Address (Senate, No. 1) as relates to strengthening the rule-making power of the supreme judicial court (page 17), and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved June 16, 1964.

Chap. 103. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION RELATIVE TO PROVIDING FOR 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 224, relative to 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 senate on or before the first Wednesday of December, nineteen hundred and sixty-four.

Approved June 23, 1964.

Chap. 104. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE COMMISSIONER OF MENTAL HEALTH RELATIVE TO THE ESTABLISHMENT OF A CENTRAL COMMUNITY EVALUATION-REHABILITATION CENTER FOR THE MENTALLY RETARDED.

Resolved, That the commissioner of mental health and seven persons representing the professions of medicine, psychology, social work, education and rehabilitation to be designated by him are hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 3601, Appendix H, relative to the establishment of a central community evaluation-rehabilitation center for the mentally retarded. Said commissioner may expend such sums as may be appropriated therefor. Said commissioner shall report to the general court the results of his investigation and study, and his recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before July first, nineteen hundred and sixty-five.

Approved June 23, 1964.

Chap. 105. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF MENTAL HEALTH RELATIVE TO THE CONSTRUCTION OF A SPECIAL EDUCATION CENTER AT THE STATE TEACHERS COLLEGE AT FITCHBURG.

Resolved, That the department of mental health is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 3601, Appendix E, relative to the construction of a special education center at the Fitchburg State Teachers College. Said department may 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, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December, nineteen hundred and sixty-four.

Approved June 23, 1964.

Chap. 106. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION, TO BE KNOWN AS THE REVENUE POLICY COMMISSION, RELATIVE TO THE PROSPECTIVE REVENUE NEEDS OF THE COMMONWEALTH AND ITS POLITICAL SUBDIVISIONS.

Resolved, That a special commission, to be known as the Revenue Policy Commission, is hereby established for the purpose of (a) making an investigation and study of the prospective revenue needs of the government of the commonwealth and of its political subdivisions, and (b) developing proposals for revenue policies which adequately meet said revenue needs, fairly apportion the burden of public support and promote the economic welfare of the commonwealth.

Said commission shall consist of nine persons to be appointed by the governor, not more than five of whom shall be members of the same

political party and none of whom shall at the time of appointment hold elective public office or be a candidate therefor. The governor shall from time to time designate one of the members as chairman.

Said commission shall hold public hearings throughout the commonwealth for the purpose of developing the widest possible expression of public opinion on the matters under its consideration.

Said commission may call upon any department, agency or official of the commonwealth or its political subdivisions for such information relevant to its purposes as it may deem necessary, except information proscribed from disclosure under the provisions of chapters sixty-two, sixty-three and sixty-five of the General Laws.

Approved June 26, 1964.

Chap. 107. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO HOUSING FOR FAMILIES AND INDIVIDUALS OF LOW INCOME.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives and eight persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to housing for families and individuals of low income, with particular reference to meeting the special needs of minority groups.

Approved June 30, 1964.

Chap. 108. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO MATTERS AFFECTING WORKMEN'S COMPENSATION.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives, the chairman of the industrial accident board or his designee, the commissioner of insurance or his designee, and seven persons to be appointed by the governor, one of whom shall be a representative of insurance companies issuing policies in the commonwealth covering workmen's compensation insurance, one a representative of the Associated Industries of Massachusetts, two representatives of labor, and one a member of the Massachusetts bar, is hereby established for the purpose of making an investigation and study of the workmen's compensation system in the commonwealth with a view towards increasing benefits for employees, reducing premiums for industry, providing a speedier and more efficient administration of the workmen's compensation laws, and reducing the backlog of claims now pending before the industrial accident board. Said commission shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 205 and 206, and of current house documents numbered 196, 759, 957, 960, 1134, 1135, 1539, 1540, 1541, 1543, 1761, 1762, 1765, 1766, 1768, 1955, 1956, 2169, 2171 and 2367.

Said commission may travel without the commonwealth and may require by summons the attendance and testimony of witnesses and the production of books and papers.

Approved July 1, 1964.

Chap. 109. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO THE DREDGING AND CLEANING OF A CERTAIN PORTION OF THE BLACKSTONE RIVER.

Resolved, That the department of public works, through its division of waterways, is hereby authorized and directed to make an investigation and study relative to the dredging and cleaning of that portion of the Blackstone river extending from the town line of the town of Millbury to the Rhode Island state line at the town of Blackstone, and relative to flood control at the Kupper dam, so called, on the said Blackstone river in the town of Northbridge. Said department may expend for the purposes of this resolve the sum of seventy-five thousand dollars. Said department shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December, nineteen hundred and sixty-four.

Approved July 2, 1964.

Chap. 110. RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY OF THE LAWS OF THE COMMONWEALTH RELATIVE TO WATER POLLUTION.

Resolved, That the unpaid special commission, established by chapter fifty-three of the resolves of nineteen hundred and sixty-three, is hereby revived and continued. Said commission may travel outside the commonwealth. Said commission may file reports from time to time, and shall file its final report not later than the last Wednesday in January, nineteen hundred and sixty-six.

Approved July 2, 1964.

Chap. 111. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO FURTHER REGULATING SUB-BIDS FOR SUB-TRADES BY GENERAL BIDDERS.

Resolved, That a special commission, to consist of the counsel to the department of labor and industries and six persons to be appointed by the governor, one of whom shall be a representative of the Associated General Contractors of Massachusetts, one a representative of the Associated Subcontractors of Massachusetts, and one a representative of organized labor, is hereby established for the purpose of making an investigation and study of the subject matter of current house document numbered 3692, relative to further regulating sub-bids for sub-trades by general bidders.

Approved July 2, 1964.

Chap. 112. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE RELATIVE TO ASSESSING CHARGES FOR ADMINISTRATIVE SERVICES.

Resolved, That the executive office for administration and finance is hereby authorized and directed to make an investigation and study of the subject matter of current House document numbered 1683, provid-

ing for a determination and assessment of an appropriate share of the administrative costs of the commonwealth against that part of any agency's administrative funds, which is not made available through the general appropriation. Said office 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-four.

Approved July 2, 1964.

Chap. 113. RESOLVE AUTHORIZING THE MASS TRANSPORTATION COMMISSION TO PAY CERTAIN SUMS OF MONEY TO CERTAIN FORMER EMPLOYEES OF GEOTECHNICS AND RESOURCES, INC.

Resolved, That, for the purpose of discharging certain moral obligations of the commonwealth, the mass transportation commission is hereby authorized and directed to pay the following sums of money: — to David Lindgren five hundred and ninety-nine dollars and fifty cents, William McKinley five hundred and sixty-nine dollars and fifty cents, Robert DeSimone ninety dollars and eighty-one cents, Salah S. M. El Shahks one hundred and twenty dollars, Sandra Axelrod four hundred and forty-eight dollars, Gerhard Mansbach six hundred and fourteen dollars and twenty cents, Kevin Little two hundred and twenty-three dollars and thirteen cents, George Camia four hundred and six dollars, Edward Barewich four hundred and two dollars and fifty-one cents, James Armstrong four hundred and forty-eight dollars, George Alden one hundred and eleven dollars and thirteen cents, Dosola Lotti five hundred and eleven dollars and seventy-five cents, Judith Noonan forty-two dollars and fifty cents, Emilie Steele three hundred and ninety-three dollars and seventy-five cents, James Burke seventy-two dollars and sixty-three cents, Jerome Burman seven dollars and forty-four cents, Robert Fanning one hundred and fifteen dollars and ninety-five cents, Jeffrey Kowal one hundred and sixty-two dollars and fifty cents, Christopher Wood one hundred and eighty dollars and fifty cents, James Lawlor thirty-seven dollars and nineteen cents, Marion Henriquez sixty-six dollars and fifty cents, James Sample eighty-two dollars and twenty-five cents, Mohammed El Khawas fourteen dollars, Robert Doyle eight hundred and sixty-six dollars and fifty-three cents and Angelo Beccasio twelve hundred and sixty-nine dollars and fifty-five cents, Brian Magrane three hundred and nine dollars and seventy-six cents, Andrea Allen fifty-one dollars and ninety-nine cents, said persons being former employees of the Geotechnics and Resources, Inc. of New York and such sums being due them for wages owed for services performed for the said mass transportation commission; provided, however, that any payments made to the individuals named herein shall in each such case and in all cases cause and empower the commonwealth by and through the mass transportation commission to be subrogated to the rights which each such individual has against the said Geotechnics and Resources, Inc. in order that the commonwealth may recover from any fund, asset, real or personal property owned by or which Geotechnics and Resources, Inc. has a right to, any and all monies paid hereunder.

Approved July 3, 1964.

Chap. 114. RESOLVE PROVIDING FOR A STUDY BY A SPECIAL COMMISSION RELATIVE TO THE FEASIBILITY OF YEAR-ROUND OPERATION OF THE UNIVERSITY OF MASSACHUSETTS, STATE OPERATED COLLEGES AND STATE OPERATED TECHNOLOGICAL INSTITUTES.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives, the commissioner of education or his designee, the president of the University of Massachusetts or his designee, the president of the Lowell Technological Institute of Massachusetts or his designee, the chairman of the board of trustees of the Southeastern Massachusetts Technological Institute or his designee, two presidents of state colleges to be elected by the presidents of the state colleges, the chairman of the Massachusetts board of regional community colleges or his designee, and four persons to be appointed by the governor, is hereby established for the purpose of making a study of the feasibility of the operation on a full year basis of the University of Massachusetts, state operated colleges and the state operated technological institutes. Said commission may call upon officials of state operated educational institutions for such information as it may desire.

Approved July 3, 1964.

Chap. 115. RESOLVE AUTHORIZING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY OF THE LAWS OF THE COMMONWEALTH RELATIVE TO LOANS AND CREDIT TO FILE INTERIM REPORTS.

Resolved, That the special commission established by chapter one hundred and fifty-two of the resolves of nineteen hundred and sixty-three shall file its final report not later than the last Wednesday in December in the current year, but may file interim reports from time to time.

Approved July 6, 1964.

Chap. 116. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION OF THE LAWS RELATIVE TO SEARCH AND SEIZURE.

Resolved, That a special commission, to consist of two members of the senate, two members of the house of representatives, one person to be appointed by the District and Municipal Court Clerks Association, one by the attorney general, one by the District Attorneys Association, one by the Massachusetts Bar Association, one by the Massachusetts Police Chiefs Association, and one by the commissioner of public safety, is hereby established for the purpose of making an investigation and study of the laws relative to search and seizure and the feasibility of making any changes in the same.

Approved July 6, 1964.

Chap. 117. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO RESTRICTIONS UPON LAND AVAILABLE FOR THE CONSTRUCTION OF SINGLE FAMILY DWELLINGS.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives, the commissioner

of commerce and development or his designee, the president of the federation of planning boards of Massachusetts or his designee, the counsel for the Massachusetts Selectmen's Association, the president of the Massachusetts Home Builders Association or his designee, and four 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 276, relative to restrictions upon land available for the construction of single family dwellings.

Approved July 6, 1964.

Chap. 118. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO AUTHORIZING APPEALS BY THE COMMONWEALTH ON QUESTIONS OF LAW UNDER CERTAIN CONDITIONS IN CRIMINAL PROSECUTIONS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1508, authorizing appeals by the commonwealth on questions of law under certain conditions in criminal prosecutions, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved July 6, 1964.

NUMBER OF ACTS AND RESOLVES APPROVED, APPROVAL
WITHHELD, ACTS VETOED BY THE GOVERNOR AND
ACTS DECLARED EMERGENCY LAWS BY THE GOVER-
NOR UNDER AUTHORITY OF THE CONSTITUTION.

The general court, during its second annual session held in 1964, passed 702 Acts and 114 Resolves, which received executive approval, and 24 Acts which received executive approval on July 6, 1964, 1 Act which received executive approval on July 8, 1964, 11 Acts which received executive approval on July 9, 1964, and 1 Act which received executive approval on July 10, 1964, and 4 Resolves which received executive approval on July 6, 1964, after prorogation of the general court.

The governor returned 1 Act with his objections thereto in writing. Upon said Act his objections were sustained.

One (1) Act entitled "An Act providing that in a city with a Plan E charter a referendum pertaining to method of voting shall be submitted to the voters of said city at the regular state election" was passed and laid before the governor for his approval; was returned by him with his objections thereto, to the branch in which it respectively originated; was reconsidered, and the vote being taken on its passage, the objections of the governor thereto notwithstanding, it was rejected, and said act thereby became void.

Twenty-seven (27) Acts entitled, respectively, "An Act relative to the adoption of regulations by the department of public health to prevent the pollution of the waters of the commonwealth" (Chapter 16); "An Act increasing the amount of non-contributory pension payable to certain firemen" (Chapter 68); "An Act relative to the form and the order in which names of candidates for state committees shall be placed on a primary ballot" (Chapter 76); "An Act increasing the reward which may be offered by the governor for the apprehension of certain criminals" (Chapter 111); "An Act providing that service as a reserve police officer or reserve fire fighter be credited as full time service under the contributory retirement law" (Chapter 125); "An Act changing the membership of the records conservation board and eliminating the requirement of advertising before selling or destroying certain records" (Chapter 131); "An Act authorizing the chief justice of the district courts to arrange jury sessions in the third district court of eastern Middlesex and to assign special justices to said sessions" (Chapter 143); "An Act permitting certain sabbatarians to open and operate their places of business on Sunday" (Chapter 216); "An Act authorizing the state secretary to validate the acts of certain persons as notaries public and establishing the fees therefor" (Chapter 231); "An Act to permit savings banks to invest in the stock of bank holding companies" (Chapter 232); "An Act increasing the number of signatures required on primary nomination papers" (Chapter 260); "An

Act prohibiting the transmission of certain racing results or information knowing it is to be used for unlawful purposes" (Chapter 330); "An Act relative to the holding of the state primaries in the current year" (Chapter 338); "An Act transferring certain funds to the special commission established to investigate a program of participation of the commonwealth at the 1964-1965 world's fair" (Chapter 381); "An Act establishing the higher education facilities commission for the purpose of assisting the commonwealth in its participation in the grant programs under the higher education facilities act of nineteen hundred and sixty-three" (Chapter 388); "An Act providing that when a legal holiday falls on a Saturday state employees may have the preceding day off without loss of pay" (Chapter 423); "An Act permitting certain contests involving time trial driving of automobiles to be conducted on Sunday" (Chapter 456); "An Act establishing a fish inspection section within the division of food and drugs in the department of public health" (Chapter 477); "An Act relative to the organization of the department of natural resources" (Chapter 524); "An Act further regulating the issuance and contents of search warrants" (Chapter 557); "An Act abolishing the Metropolitan Transit Authority, establishing the Massachusetts Bay Transportation Authority, and providing for the acquisition and maintenance of mass transportation facilities and services which shall be co-ordinated with highway systems and urban development plans throughout the commonwealth" (Chapter 563); "An Act to incorporate the Greater Haverhill Foundation, Incorporated" (Chapter 587); "An Act extending the period within which certain persons may apply to the public accountants administrative committee for registration as public accountants without examination" (Chapter 619); "An Act relative to the issuing by the department of public health of licenses for certain convalescent or nursing homes" (Chapter 620); "An Act establishing the Commonwealth Service Corps for the general welfare of the commonwealth" (Chapter 622); "An Act abolishing the department of commerce, the state housing board, the Massachusetts commission on atomic energy, the mass transportation commission and the division of urban and industrial renewal, and establishing a department of commerce and development" (Chapter 636); and "An Act establishing a board of economic advisors" (Chapter 641) 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 16 thereby took effect at 4:45 P.M. on February 5, 1964; said Chapter 68 at 3:55 P.M. on March 25, 1964; said Chapter 76 at 4:55 P.M. on February 18, 1964; said Chapter 111 at 10:30 A.M. on February 25, 1964; said Chapter 125 at 10:12 A.M. on March 27, 1964; said Chapter 131 at 4:00 P.M. on March 4, 1964; said Chapter 143 at 4:45 P.M. on March 9, 1964; said Chapter 216 at 10:10 A.M. on March 27, 1964; said Chapter 231 at 5:15 P.M. on April 2, 1964; said Chapter 232 at 5:16 P.M. on April 2, 1964; said Chapter 260 at 10:45 A.M. on April 22, 1964; said Chapter 330 at 10:55 A.M. on April 30, 1964; said Chapter 338 at 3:20 P.M. on May 4, 1964; said Chapter 381 at 9:35 A.M. on May 18, 1964; said Chapter 388 at 12:30 P.M. on June 1, 1964; said Chapter 423 at 2:50 P.M. on May 25, 1964; said Chapter 456 at 2:00 P.M. on June 5, 1964; said Chapter 477 at 12:25 P.M. on June 29, 1964; said Chapter 524 at 12:30 P.M. on June 29, 1964; said Chapter 557 at 5:50 P.M. on June 23, 1964;

said Chapter 563 at 5:05 P.M. on July 3, 1964; said Chapter 587 at 11:00 A.M. on June 25, 1964; said Chapter 619 at 2:15 P.M. on June 29, 1964; said Chapter 620 at 4:35 P.M. on July 17, 1964; said Chapter 622 at 9:30 A.M. on August 21, 1964; said Chapter 636 at 2:30 P.M. on August 6, 1964; and said Chapter 641 at 9:45 A.M. on July 10, 1964.

The general court was prorogued on Saturday, July 4, 1964, at five o'clock and fifteen minutes A.M., the session having occupied 186 days.

29 Acts, having been passed by the general court and the general court having prorogued, failed to become effective as they did not receive executive approval within five days.

THE COMMONWEALTH OF MASSACHUSETTS

OFFICE OF THE SECRETARY

Pursuant to the provisions of Article XLVIII of the Amendments the Constitution, "The Referendum. III. Referendum Petitions. Section 4", a petition was filed, in this office July 9, 1963, by the required number of qualified voters, asking for a referendum on Chapter 506, Acts of 1963, entitled, "An Act further regulating the compensation, travel allowance and expenses of the members of the General Court", approved June 28, 1963, and requesting that said law be repealed.

Said petition was completed by the filing, in this office September 26, 1963, of more than a sufficient number (88,149) of subsequent signatures of qualified voters of the Commonwealth. Said law will be submitted to the people at the state election November 3, 1964, for their approval or disapproval.

KEVIN H. WHITE,
Secretary of the Commonwealth.

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; act of 1960 submitted upon referendum after passage and repealed by the people at state election on November 6, 1962. This action revived section as most recently amended

* 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.

by 1956, 742 § 1; section revised, 1963, 506 § 1; act of 1963 submitted upon referendum after passage and repealed by the people at state election on November 3, 1964. This action revives section as most recently amended by 1956, 742 § 1 (see G. L. c. 4, § 6). (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.)

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; act of 1963 submitted upon referendum after passage and repealed by the people at state election on November 3, 1964. This action revives section as added by 1953, 263 § 1 (see G. L. c. 4, § 6). (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; act of 1960 submitted upon referendum after passage and repealed by the people at state election on November 6, 1962. This action revived section as most recently amended by 1957, 733 § 1; revised, 1963, 506 § 3; act of 1963 submitted upon referendum after passage and repealed by the people at state election on November 3, 1964. This action revives section as most recently amended by 1957, 733 § 1 (see G. L. c. 4, § 6). (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; clause Forty-sixth added, 1964, 322. (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); revised, 1964, 301.

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; amended, 1964, 328.

SECT. 12O added, 1949, 263 (relative to the annual observance of Loyalty Day).

SECT. 12P added, 1952, 104 (relative to the annual observance of civil rights week).

SECT. 12Q added, 1953, 84 (relative to the annual observance of Memorial Day).

SECT. 12R added, 1953, 172 (relative to the annual observance of Polish Constitution Day).

SECT. 12S added, 1954, 124 (relative to the annual observance of March fifteenth as Peter Francisco Day).

SECT. 12T added, 1955, 265 § 2 (relative to the annual observance of Washington Day, Mothers' Day, Fathers' Day, Purple Heart Day, Disabled American Veterans' Hospital Day and Army and Navy Union Day); 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. 12Y added, 1964, 282 (relative to the observance of Maritime Day).

SECT. 14B added, 1964, 291 (providing for the annual observance of October twenty-fifth as State Constitution 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. 15H added, 1964, 281 (relative to the observance of Boy Scout Week).

SECT. 15I added, 1964, 319 (providing for the observance of Liberty Tree 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; revised, 1964, 430 § 1; amended, 1964, 564 § 1, 622 § 1, 636 § 1A. (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; sentence added at end, 1957, 193 § 2; amended, 1964, 259.

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; caption preceding section stricken out, 1964, 636 § 1B; section repealed, 1964, 636 § 1B. (See 1948, 260 §§ 5, 6; 1964, 636 § 10.)

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; caption preceding section revised, 1964, 430 § 1A; section amended, 1964, 430 § 2. (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).

SECT. 86 repealed, 1964, 636 § 2. (See 1964, 636 § 11.)

SECT. 87 repealed, 1964, 636 § 2. (See 1964, 636 § 11.)

SECT. 89 repealed, 1964, 636 § 2. (See 1964, 636 § 11.)

SECT. 90 repealed, 1964, 636 § 2. (See 1964, 636 § 11.)

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).

SECTS. 116-119 added, under caption, 1964, 564 § 2 (establishing a municipal police training council). (See 1964, 564 § 4.)

SECTS. 120-123 added, under caption, 1964, 622 § 2 (establishing the commonwealth service corps).

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); paragraph added at end, 1964, 581 § 1.

SECT. 29 amended, 1945, 580 § 4. (See 1945, 580 § 9.)

SECT. 30 amended, 1952, 144; 1962, 757 § 23.

SECTS. 30A-30J added, 1953, 612 § 5 (relative to public building construction). (See 1953, 612 §§ 10-13.)

SECT. 30A, second sentence stricken out and three sentences inserted, 1956, 399; second paragraph amended, 1962, 757 § 24.

SECT. 30B amended, 1962, 757 § 25.

SECT. 30D, third paragraph amended, 1962, 757 § 26.

SECT. 30E amended, 1962, 757 § 27.

SECT. 30F amended, 1962, 757 § 28.

SECT. 30H, sentence inserted after first sentence, 1955, 548; section amended, 1962, 757 § 29; 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.

SECT. 36 added, 1964, 610 (requiring the disclosure of the names and addresses of certain persons having a direct or indirect beneficial interest in agreements to lease or sell real property to the commonwealth, its political subdivisions or public authorities).

SECT. 37 added, 1964, 641 (establishing a board of economic advisors).

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; 1964, 436.

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. 15A added, 1964, 231 § 1 (authorizing the state secretary to validate the acts of certain persons as notaries public).

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; 1964, 669. (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; revised, 1964, 449 § 1. (See 1964, 449 § 2.)

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; sixth paragraph revised, 1964, 473 § 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; sixth paragraph revised, 1964, 473 § 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, first sentence revised, 1964, 22; 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); third sentence revised, 1964, 369.

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. 37 revised, 1964, 366.

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. 3, second paragraph amended, 1964, 460 § 1.

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. 1D added, 1964, 712 § 1 (providing for the appointment of an assistant commissioner of education).

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; sentence inserted after fourth sentence, 1964, 712 § 2; 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); first sentence stricken out and two sentences inserted, 1964, 712 § 3; sentence added at end, 1956, 593.

SECT. 15B added, 1964, 535 (providing for the establishment in the division of special education of a library center for visually-handicapped children).

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; amended, 1964, 561 § 2. (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); revised, 1964, 561 § 3.

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); second sentence amended, 1964, 207 § 1. (See 1964, 207 § 2.)

SECT. 22, caption preceding section changed, 1942, 1 § 3; stricken out, 1964, 561 § 4; section amended, 1942, 1 § 4; revised, 1954, 594 § 1; repealed, 1964, 561 § 4. (See 1942, 1 § 9; 1954, 594 § 2.)

SECT. 23 repealed, 1964, 562 § 4.

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; second sentence revised, 1964, 561 § 5.

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; revised, 1964, 561 § 6; 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).

SECTS. 27 and 28 stricken out and sections 27-39 inserted, under caption, 1964, 737 § 1. (See 1964, 737 § 2.)

Chapter 16. — Department of Public Works.

Chapter stricken out and new chapter 16 (with same title) inserted, 1963, 821 § 1. (See 1963, 821 §§ 2-3.)

For prior changes see Table of Changes contained in Acts and Resolves of 1963.

The following references are to chapter 16, as so inserted:

SECT. 3A added, 1964, 563 § 1 (establishing in the department a bureau of transportation planning and development).

SECT. 5, fourth paragraph amended, 1964, 645.

SECTS. 15, 16 and 17 repealed and caption preceding section 15 stricken out, 1964, 636 § 3. (See 1964, 636 § 12.)

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; revised, 1964, 477 § 1. (See 1941, 725 §§ 4-6; 1958, 612 § 2; 1964, 477 § 3.)

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; third sentence revised, 1964, 712 § 4; sentence inserted after fifth sentence, 1964, 712 § 5. (See 1938, 486 §§ 1, 21, 22; 1939, 511 § 3; 1964, 712 § 7.)

SECT. 2 revised, 1938, 486 § 3; 1939, 511 § 2; 1946, 591 § 24; 1951, 722; first sentence revised, 1960, 489, 1963, 801 § 40; second, third and fourth sentences revised, 1964, 712 § 6. (See 1938, 486 §§ 21, 22; 1939, 511 § 3; 1964, 712 § 7.)

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; paragraph added at end, 1964, 724. (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).

SECT. 6 revised, 1964, 524 § 1. (See 1964, 524 § 31.)

SECT. 6B revised, 1964, 524 § 2.

SECT. 6C revised, 1964, 524 § 3.

SECT. 6D revised, 1964, 524 § 4.

SECT. 6E added, 1964, 524 § 29 (providing that the commissioner of natural resources make rules and regulations governing the tours of duty and hours of work of the assistants to the director of law enforcement and natural resource officers). (See 1964, 524 §§ 30, 31.)

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. 9, paragraph inserted after first paragraph, 1964, 643 § 1.

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); revised, 1964, 438.

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.)

SECTS. 9L, 9M and 9N added, 1964, 400 § 1 (transferring the power to appoint railroad, street railway, railway express and steamboat police officers from the department of public utilities to the department of public safety).

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 and Development (former title, 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 (e) amended, 1964, 327 § 1; clause (i) added, 1954, 643 § 3.

SECT. 7A added, 1957, 462 § 2 (relative to the women's division in the department of commerce).

Chapter stricken out and new chapter 23A (with new title) inserted, 1964, 636 § 1. (See 1964, 636 §§ 14-23.)

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); revised, 1964, 499.

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; first paragraph revised, 1964, 312 § 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; first two sentences stricken out and three sentences inserted, 1964, 269.

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. 7 amended, 1964, 174.

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; 1964, 231 § 2.

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; revised, 1964, 423.

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; revised, 1964, 131, 726.

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; 1964, 357 § 3; 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; 1964, 357 § 11.)

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; amended, 1964, 528; 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; section revised, 1964, 730 § 1. (See 1964, 730 § 2.)

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; 1964, 720 § 3.

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; 1964, 24 § 1; 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; revised, 1964, 24 § 2; paragraph added at end, 1956, 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; 1964, 199, 526. (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 inserted after third paragraph, 1964, 521; 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; paragraph added at end, 1964, 241. (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; two paragraphs inserted after paragraph C, 1964, 455; paragraph added at end, 1947, 13; section revised, 1964, 720 § 1. (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; section revised, 1964, 720 § 2. (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; paragraph added at end, 1964, 40. (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; sentence added at end, 1964, 364.

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; second, third and fourth sentences revised, 1964, 275; 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; first sentence revised, 1964, 482.

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; second paragraph revised, 1964, 702. (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 23, as so inserted:

SECT. 1, definition of "Beneficiary" revised, 1949, 618 § 1; definition of "District" amended, 1953, 583 § 1; 1956, 306 § 1; definition of "Employee" revised, 1947, 660 § 1; 1950, 537; sentence added at end, 1950, 600 § 1; definition of "Employee" revised, 1951, 543 § 1; amended, 1952, 185; 1956, 306 § 2; definition of "Governmental Unit" revised, 1947, 667 § 1; definition of "Maximum age" revised, 1958, 321 § 1; definition of "Political subdivision" revised, 1948, 507 § 1; definition of "Regular compensation" revised, 1948, 606; 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; fourth sentence amended, 1964, 532 § 1; paragraph added, 1964, 532 § 2.

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; definition of *Group 3* revised, 1964, 514 § 1; 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, first sentence revised, 1964, 580 § 2; second sentence revised, 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; subdivision (2), paragraph (b) revised, 1946, 403 § 4; amended, 1964, 125; revised, 1964, 738; 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; 1964, 580 § 4.)

SECT. 5, subdivision (1), first sentence of paragraph (a) amended, 1947, 388 § 4; 1958, 321 § 4; paragraph (c) revised, 1958, 321 § 5; paragraph (d), first two sentences stricken out, 1947, 660 § 5; same paragraph amended, 1948, 15 § 1; revised, 1953, 486; 1959, 574 § 1; paragraph (f) added, 1954, 348; paragraph (g) added, 1961, 410 § 1; subdivision (2), paragraph (a), first paragraph amended, 1947, 388 § 5; 1949, 656; revised, 1950, 809 § 1; 1951, 783 § 1; clause (i) revised, 1949, 679; clause (ii) revised, 1946, 403 § 6; amended, 1947, 388 § 6; clause (iv) added, 1946, 538 § 3; paragraph (b) amended, 1950, 809 § 1A; paragraph (f) amended, 1950, 809 § 2; paragraph (g) added, 1954, 492; stricken out, 1955, 590 § 2; subdivision (2) revised, 1957, 661 § 1; paragraph (a) amended, 1958, 321 § 6; 1960, 215; table in paragraph (a) revised, 1958, 321 § 7; paragraph (c) amended, 1958, 321 § 8; paragraph (d) amended, 1958, 321 § 9; subdivision (2) revised, 1961, 190 § 1. (See 1950, 809 § 3; 1951, 783 §§ 2, 3; 1957, 661 § 4; 1959, 574 § 2; 1961, 190 § 3, 410 § 2, 444 §§ 1, 2.)

SECT. 6, subdivision (1) amended, 1947, 667 § 5; 1949, 618 § 2, 657; 1958, 321 § 10; 1964, 514 § 2; subdivision (2) amended, 1958, 321 § 11; 1964, 514 § 3; paragraph (c) added, at end, 1964, 514 § 4; 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, 1964, 532 § 3; 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; 1964, 733.)

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; section revised, 1964, 580 § 3. (See 1954, 627 §§ 65, 67; 1959, 576 § 2; 1960, 619 § 4; 1962, 544 § 4; 1964, 580 § 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; second paragraph revised, 1964, 551. (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; paragraph inserted before last paragraph, 1964, 464 § 1. (See 1960, 724 § 2; 1963, 571 § 2; 1964, 464 § 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; second paragraph revised, 1964, 68. (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; second paragraph amended, 1964, 353 § 1. (See 1946, 576 § 8; 1960, 728 § 18; 1964, 353 § 2.)

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; third paragraph revised, 1964, 426 § 1. (See 1946, 576 § 8; 1960, 728 § 18; 1964, 426 § 2.)

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; sixth paragraph (as appearing in 1956, 733) 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; next to last sentence amended, 1964, 37. (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).

SECT. 100 added, 1964, 268 (providing for pensions to widows of certain fire fighters or police officers who are killed in the performance of duty).

SECT. 101 added, 1964, 490 (providing an annual allowance for the widow of certain public employees who retired for disability).

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; first paragraph revised, 1964, 461 § 1; paragraphs (b) and (c) revised, 1964, 461 § 2.

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); revised, 1964, 461 § 3. (See 1964, 461 § 4.)

SECT. 13 revised, 1958, 136 § 1; repealed, 1958, 558 § 4.

SECT. 14 revised, 1960, 337 § 5.

Chapter 33. — Militia.

Act establishing a special military reservation commission, and authorizing the acquisition by the commonwealth for military purposes of certain properties in Sandwich, Bourne, Falmouth and Mashpee, 1935, 196; powers and duties of the commission defined, 1936, 344 §§ 1, 2; reservation enlarged, 1941, 5. (See 1938, 331.)

Chapter stricken out and new chapter 33 inserted, 1939, 425 § 1. (See 1939, 425 § 2.)

Chapter stricken out and new chapter 33 inserted, 1954, 590 § 1. (See 1954, 590 § 2.)

For prior changes see Tables of Changes contained in Acts and Resolves of 1952 and 1953.

The following references are to chapter 33, as so inserted:

SECT. 4 revised, 1963, 408; amended, 1964, 722 § 1.

SECT. 4A added, 1964, 722 § 2 (relative to the inclusion of the National Lancers in the organized militia, and preserving certain rights of the National Lancers). (See 1964, 722 § 5.)

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; amended, 1964, 722 § 3.

SECT. 132A added, 1962, 263 § 2 (preserving certain rights of the National Lancers); repealed, 1964, 722 § 4.

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; 1964, 690 § 1. (See 1943, 102 § 2; 1949, 193 § 2, 767 § 2; 1951, 743 §§ 4-6; 1963, 640 § 2; 1964, 690 § 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.

SECT. 24 added, 1964, 138 (providing that counties may accept and disburse federal grants for county purposes).

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; paragraph added, 1964, 662. (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; amended, 1964, 1 § 1. (See 1935, 403 § 2.)

SECT. 12, sentence added at end, 1964, 193.

SECT. 14, first and second paragraphs revised, 1943, 453 §§ 1 and 2, respectively; paragraph added at end, 1949, 152 § 2; amended, 1959, 64 § 3; third paragraph amended, 1964, 195.

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; third paragraph amended, 1964, 195.

SECT. 23B revised, 1960, 437 § 4.

SECT. 23C added, 1960, 437 § 5 (relative to the remedy in case of non-compliance with the law requiring that certain meetings be open to the public); revised, 1964, 323 § 1. (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; amended, 1964, 173; 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; 1964, 248; 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; revised, 1964, 234; 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 commission); clause (57) added, 1964, 581 § 2 (authorizing the director of personnel and standardization to establish in-service training programs for engineering employees of cities and towns); clause (58) added, 1964, 643 § 2 (authorizing towns to pay to the commonwealth their share of the cost of conducting water favorability studies by or under the direction of the water resources commission). (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); revised, 1964, 90.

SECT. 6K added, 1964, 89 (authorizing cities and towns to purchase uniforms for certain public health nurses).

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; revised, 1964, 430 § 3. (See 1964, 430 § 4.)

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; amended, 1964, 5; 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; amended, 1964, 20; revised, 1964, 122.

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); revised, 1964, 60.

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. 44C, amended, 1964, 502 § 1.

SECT. 44E, first paragraph revised, 1964, 502 § 2.

SECT. 44F, clauses (a) to (e), inclusive, revised, 1964, 502 § 3.

SECT. 44H, last sentence stricken out and two sentences inserted, 1964, 502 § 4.

SECTS. 44J and 44K added, 1964, 502 § 5 (relative to agreements made in forming 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; first paragraph revised, 1964, 688; 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; section revised, 1964, 327 § 2. (See 1955, 656 § 3.)

SECT. 4 revised, 1964, 327 § 2.

SECT. 5A added, 1964, 643 § 3 (authorizing district planning commissions to enter into agreements with the water resources commission for the purpose of conducting water favorability studies).

SECT. 7, sentence added, 1964, 327 § 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); first sentence revised, 1964, 14. (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); last sentence revised, 1964, 70.

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; defini-

tion 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; [revised, 1964, 105 § 1.

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; first paragraph amended, 1964, 105 § 2; 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. 96B added, 1964, 564 § 3 (requiring police officers in cities and in certain towns to attend a police training school). (See 1964, 564 § 5.)

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; 1964, 513.

SECT. 100D added, 1964, 596 (increasing the amount of indemnification for officers or employees for damages incurred on account of injuries arising out of their operation of municipally owned vehicles or vessels).

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; sentence added at end, 1964, 63.

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; 1964, 54.

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; section revised, 1964, 149.

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).

SECT. 123 added, 1964, 3 (providing for the appointment of a temporary clerk in districts).

SECT. 124 added, 1964, 643 § 4 (authorizing fire and water districts to appropriate money for the payment to the commonwealth of the districts' share of the cost of conducting water favorability studies under the direction of the water resources commission).

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. 34 revised, 1964, 407.

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; first sentence revised, 1964, 246.

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; clause (17) added, 1964, 28. (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; clause (15) added, 1964, 736 § 1; 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; section revised, 1964, 27. (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. 31C added, 1964, 693 § 1 (providing that payment for certain public construction contracts shall not be barred by reason of being in excess of appropriations). (See 1964, 693 § 2.)

SECT. 32, paragraphs added at end, 1938, 175 § 1, 378 § 16; section revised, 1941, 473 § 2; subdivision (2) of first paragraph amended, 1953, 51; paragraph added at end, 1953, 79.

SECT. 33 revised, 1941, 473 § 3.

SECT. 33A stricken out and new sections 33A and 33B inserted, 1943, 62 (amending and clarifying the law relative to budgets in cities).

SECT. 33A revised, 1947, 298 § 1; sentence added at end, 1950, 370; section revised, 1955, 358; amended, 1960, 301.

SECT. 33B, two sentences added at end, 1951, 798 § 6. (See 1951, 798 § 8.)

SECT. 34 revised, 1938, 170; paragraph added at end, 1941, 93.

SECT. 35 amended, 1941, 454; revised, 1951, 17 § 1.

SECT. 40 amended, 1939, 339; first sentence amended, 1945, 29 § 1; sentence inserted after first sentence, 1947, 298 § 6; section revised, 1948, 82; 1951, 17 § 2. (See 1945, 29 § 2; repealed by 1946, 109.)

SECT. 41 revised, 1946, 432 § 4.

SECT. 43, two sentences added at end, 1951, 276.

SECT. 46 amended, 1953, 654 § 4.

SECT. 46A added, 1932, 155 (making permanent certain provisions of law relative to investigations of municipal accounts and financial transactions by the director of accounts). [For prior temporary legislation, see 1926, 210; 1929, 335.]

SECT. 51 amended, 1934, 355; repealed, 1938, 458.

SECT. 53 revised, 1960, 592 § 3; 1962, 246.

SECT. 53A added, 1964, 99 (providing that officers and departments of cities, towns and districts may accept grants or gifts for municipal purposes and may expend the same without appropriation).

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. 21 revised, 1964, 508 § 1. (See 1964, 508 § 4.)

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

SECT. 30 added, 1964, 310 (providing a penalty for alterings, forging or counterfeiting copies of records of birth, marriage or death).

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; revised, 1964, 303.

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); first sentence amended, 1964, 329 § 1.

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; first paragraph amended, 1964, 329 § 2; second paragraph revised, 1958, 279. (See 1945, 413 § 2; 1946, 114, 371, 436, 597; 1947, 64, 200; 1964, 329 § 3.)

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; section revised, 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); amended, 1964, 175.

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; last paragraph stricken out, 1964, 76 § 1.

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; third paragraph revised, 1964, 76 § 2; seventh paragraph revised, 1961, 261; 1962, 272; amended, 1964, 55 § 1. (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; section revised, 1964, 260. (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; second paragraph amended, 1964, 254. (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; third, fourth and fifth sentences revised, 1964, 399. (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; sentence inserted after fourth sentence, 1964, 76 § 3. (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; first sentence amended, 1964, 186; 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. 33B, third sentence revised, 1964, 72 § 1.

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; 1964, 55 § 2; 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; 1964, 256.

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. 67 revised, 1964, 72 § 2.

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; second sentence revised, 1964, 72 § 3.

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. 83, first sentence revised, 1964, 72 § 4; fourth sentence stricken out, 1964, 72 § 5.

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 stricken out, 1961, 304; seventh sentence revised, 1963, 374 § 11; second paragraph revised, 1947, 95; 1962, 437 § 44; 1963, 374 § 12; paragraph inserted after second paragraph, 1964, 719 § 1; 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. 110A added, 1964, 719 § 2 (relative to central tabulation facilities for state elections and the returns transmitted thereto).

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. 27A added, 1964, 266 (providing a penalty for the unlawful distribution of absent voter ballots).

SECT. 41, first paragraph revised, 1950, 88.

SECT. 41A added, 1950, 91 (relative to the unauthorized use of persons' names in political advertising); revised, 1964, 147 § 1.

SECT. 42 revised, 1964, 147 § 2.

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. 25B added, 1964, 563 § 2 (providing that the state tax commission certify to the state treasurer for payment to the Massachusetts Bay Transportation Authority certain portions of the proceeds of the cigarette excise).

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. 26B added, 1964, 491 (relating to the assessment, collection and refund of small amounts).

SECT. 27, first sentence revised, 1943, 521 § 1; section amended, 1951, 641 § 7; 1953, 654 § 19; first sentence revised, 1959, 525; first three sentences stricken out and three sentences inserted, 1964, 468 § 1. (See 1951, 641 §§ 18, 19; 1964, 468 § 2.)

SECTS. 28A and 28B added, under caption, 1947, 483 § 1 (provisions for aiding in the collection of federal and state personal income taxes).

SECT. 28C added, 1964, 500 (providing for the reciprocal enforcement of tax liabilities between the commonwealth and other states).

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; 1962, 7; 1963, 7; 1964, 39.

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; 1964, 69, 354 § 1 (see 1964, 354 § 2); 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; amended, 1964, 285 § 1 (see 1964, 285 § 3); 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, 1964, 502 § 6; 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); amended, 1964, 681 § 1 (see 1964, 681 § 2); clause Forty-second added, 1964, 715 § 1 (see 1964, 715 § 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; 1964, 285 § 2. (See 1964, 285 § 3.)

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 inserted before last paragraph, 1932, 186; last paragraph amended, 1958, 54 § 1. (See 1945, 735 § 5; 1954, 391 § 2; 1955, 780 § 10; 1958, 54 § 2.)

SECT. 34 repealed, 1947, 483 § 2.

SECT. 35 revised, 1961, 555 § 1. (See 1961, 555 § 5.)

SECT. 36 amended, 1933, 167 § 2; revised, 1955, 539 § 1.

SECT. 37 revised, 1933, 350 § 1; amended, 1949, 698 § 1; first sentence revised, 1956, 310 § 2; sentence inserted after second sentence, 1954, 605 § 1; section revised, 1958, 509 § 2; 1961, 555 § 2. (See 1933, 350 § 9; 1949, 698 § 2; 1954, 605 § 2; 1956, 310 § 3; 1958, 509 § 3; 1961, 555 § 5.)

SECT. 37A added, 1933, 350 § 2 (providing for the payment of income taxes in two installments); amended, 1947, 322 § 2; revised, 1954, 69; 1961, 555 § 3. Temporarily affected, 1950, 816 § 2; 1951, 750; 1952, 623 § 2; 1953, 246 § 5. (See 1933, 350 § 9; 1950, 816 § 4; 1961, 555 § 5.)

SECT. 38 stricken out, 1953, 654 § 45.

SECT. 39, first sentence revised, 1933, 350 § 3; 1956, 300; third sentence amended, 1962, 117 § 2. (See 1933, 350 § 9.)

SECT. 40 repealed, 1961, 251.

SECT. 41 revised, 1932, 152; 1933, 350 § 4; 1964, 460 § 2. (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; 1964, 488 § 1. (See 1933, 350 § 9; 1961, 252 § 2; 1964, 488 § 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; amended, 1964, 402; 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; paragraph (aa) added, 1964, 563 § 3; paragraph (bb) added, 1964, 703 § 26. (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; 1964, 723 § 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, paragraph 8 amended, 1964, 375 § 1; paragraph 9 amended, 1964, 375 § 2; paragraph 10 amended, 1964, 375 § 3; paragraph 11 amended, 1964, 375 § 4. (See 1933, 58 § 5, 327 § 7; 1934, 237 § 2; 1947, 622 § 5; 1956, 550 § 13; 1958, 679 § 3; 1961, 450 § 2, 1964, 375 § 5, 723 §§ 6, 7.)

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; first sentence revised, 1964, 723 § 3. (See 1937, 383 § 3; 1964, 723 §§ 6, 7.)

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. 72 revised, 1964, 460 § 3.

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; second, third and fourth sentences revised, 1964, 563 § 5. (See 1956, 720 §§ 2-4; 1960, 774 §§ 6, 8, 9, 10; 1964, 563 § 4.)

SECT. 7, first two sentences stricken out and three sentences inserted, 1957, 373 § 1. (See 1957, 373 § 2.)

SECT. 9, first paragraph amended, 1964, 469; 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.

SECT. 28 added, 1964, 563 § 6 (providing that a portion of the cigarette excise shall be credited to the General Fund and used solely for meeting certain transportation requirements).

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; second paragraph amended, 1964, 470 § 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; first paragraph revised, 1964, 470 § 2. (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; 1964, 460 § 4.

SECT. 35 revised, 1958, 313.

SECT. 35A added, 1957, 369 § 1 (relative to the furnishing of certain certificates and other papers relating to the tax on legacies and succession and establishing fees therefor).

Chapter 65A. — Taxation of Transfers of Certain Estates.

SECT. 1, paragraph added at end, 1932, 284; second paragraph revised, 1933, 316 § 1; section amended, 1937, 420 § 1. (See 1933, 316 § 2; 1937, 420 § 4.)

SECT. 5 stricken out, and new sections 5-5B inserted, 1943, 519 § 1 (providing for the equitable apportionment in certain cases of estate taxes and the collection and payment thereof). (See 1943, 519 § 2.)

SECT. 5 revised, 1948, 605 § 1. (See 1948, 605 §§ 3, 4.)

SECT. 5A revised, 1948, 605 § 2. (See 1948, 605 §§ 3, 4.)

SECT. 6 amended, 1937, 420 § 2; last sentence revised, 1943, 471; 1945, 529; section amended, 1953, 654 § 91. (See 1937, 420 § 4.)

SECT. 7 repealed, 1937, 420 § 3. (See 1937, 420 § 4.)

Chapter 65B. — Settlement of Disputes respecting the Domicile of Decedents for Death Tax Purposes.

New chapter inserted, 1943, 428 § 1. (See 1943, 428 § 3.)

SECT. 3 amended, 1953, 654 § 92.

SECT. 4, paragraph (a) amended, 1953, 654 § 93.

Chapter 66. — Public Records.

SECT. 1 amended, 1945, 580 § 7.

SECT. 3 revised, 1936, 305; 1941, 662 § 1.

SECT. 4 amended, 1950, 310.

SECTS. 5, 7 and 16 affected, 1941, 662 § 2.

SECT. 5A added, 1958, 626 § 10 (relative to the records of certain public boards and commissions); amended, 1960, 437 § 6; revised, 1964, 323 § 2.

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; repealed, 1964, 718 § 2. (See 1964, 718 § 3.)

SECTS. 18-31 added, 1964, 718 § 1 (regulating the solicitation of charitable contributions from the public). (See 1964, 718 § 3.)

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; third sentence amended, 1964, 497.

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).

SECT. 31A added, 1964, 66 (further regulating the awarding of degrees by educational institutions in the commonwealth).

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.

SECT. 7B added, 1964, 563 § 8 (providing additional reimbursement to certain cities and towns for certain expenses incurred for the transportation of pupils).

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; sentence added at end, 1964, 17.

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; 1964, 267 § 1; last sentence stricken out, 1962, 519. (See 1945, 727 § 2; 1946, 527 §§ 2, 3; 1959, 602 § 2; 1962, 594 § 2; 1964, 267 § 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; amended, 1964, 554.

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. 48B added, 1964, 32 (authorizing school committees to purchase uniforms to be worn by certain employees).

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; 1964, 378.

SECT. 55C added, 1964, 51 (requiring pupils and teachers to wear eye protective devices while attending certain classes in public schools). (See 1964, 510.)

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; first sentence revised, 1964, 561 § 7; three paragraphs added at end, 1964, 561 § 8. (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); first sentence amended, 1963, 642 § 7; revised, 1964, 561 § 9.

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; first sentence amended, 1960, 403 § 13; 1963, 642 § 11; revised, 1964, 561 § 10.

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; last sentence stricken out and two sentences inserted, 1964, 561 § 11. (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.)

SECT. 10, second sentence revised, 1964, 561 § 12.

SECT. 16, second paragraph amended, 1964, 357 § 4; third paragraph amended, 1964, 357 § 5. (See 1964, 357 § 11.)

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. 31 revised, 1964, 498.

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); amended, 1964, 512.

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. 42O, second paragraph amended, 1964, 357 § 6; third paragraph amended, 1964, 357 § 7. (See 1964, 357 § 11.)

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; stricken out, 1964, 561 § 13; section amended, 1942, 1 § 5; revised, 1946, 340; 1952, 499 § 2; repealed, 1964, 561 § 13. (See 1942, 1 § 9.)

SECT. 49A added, 1946, 340 (authorizing the board of commissioners of the Massachusetts Maritime Academy to grant degrees); repealed, 1964, 561 § 13.

SECT. 50 repealed, 1964, 561 § 13.

SECT. 51 repealed, 1964, 561 § 13.

SECT. 53 revised, 1942, 1 § 6; repealed, 1964, 561 § 13. (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.

SECTS. 1-15 stricken out and sixteen sections inserted, 1962, 648 § 1. (See 1962, 648 §§ 3, 4, 5.)

For prior changes see Table of Changes contained in Acts and Resolves of 1961.

The following references are to sections 1 to 15, as so inserted:

SECT. 2 amended, 1962, 787 § 2; sentence inserted after fourth sentence, 1964, 562 § 1.

SECT. 14, second paragraph, first sentence amended, 1964, 357 § 8; second sentence stricken out and two sentences inserted, 1963, 801 § 75; third paragraph, first sentence amended, 1964, 357 § 9. (See 1964, 357 § 11.)

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; ninth paragraph amended, 1964, 357 § 10. (See 1955, 730 § 43; 1963, 701 §§ 11, 12 and 13; 1964, 357 § 11.)

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.

SECTS. 1-20, inclusive, stricken out and sections 1-17, inclusive, inserted, 1964, 582 § 1. (See 1964, 582 §§ 2, 3, 4.)

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; 1964, 520 § 1.

SECT. 4 revised, 1948, 573 § 2; amended, 1957, 565 § 2; 1964, 520 § 2. (See 1948, 573 § 7.)

SECT. 5 revised, 1948, 573 § 3; amended, 1957, 565 § 3; 1964, 520 § 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.

SECT. 32 added, 1964, 150 (providing for leaves of absence to members of a public library staff for study or research).

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; third, fourth and fifth sentences stricken out and one sentence inserted, 1964, 579 § 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. 6 revised, 1964, 579 § 2.

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.)

SECTS. 7A-7G added, 1964, 579 § 3 (relating to proceedings for the taking of real estate and interests therein by eminent domain). (See 1964, 579 § 8.)

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; section repealed, 1964, 579 § 4. (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. 8B added, 1964, 633 § 1 (providing that certain persons shall not be required to vacate certain property taken by eminent domain until four months after notice of such taking). (See 1964, 633 § 2.)

SECT. 9, last sentence amended, 1938, 172 § 7.

SECT. 10A added, 1964, 579 § 5 (relative to the method of enforcing compliance with certain proceedings for takings by eminent domain).

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; second paragraph stricken out, 1964, 579 § 6. (See 1943, 251 § 4; 1962, 797 § 2.)

SECT. 22, last sentence revised, 1964, 548 § 1.

SECT. 34 amended, 1952, 633.

SECT. 35A added, 1964, 457 (relating to the apportionment of taxes in certain eminent domain proceedings).

SECT. 36A added, 1964, 579 § 7 (relative to the time within which certain bodies politic and corporate against which judgments entered for damages for eminent domain takings shall make payment).

SECT. 37 amended, 1956, 641; revised, 1960, 298 § 1; first sentence amended, 1963, 793 § 1; section revised, 1964, 548 § 2. (See 1963, 793 § 3.)

SECT. 39, sentence added at end, 1955, 242; section revised, 1959, 626 § 5; sentence added at end, 1964, 548 § 3. (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 80A. — Eminent Domain Takings and Betterment Assessments by Judicial Proceedings.

SECT. 12, fourth sentence amended, 1964, 478 § 1. (See 1964, 478 § 2.)

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; 1962, 782; 1963, 822. 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. 1 revised, 1964, 736 § 2.

SECT. 10 revised, 1964, 736 § 3.

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. 23 revised, 1964, 736 § 4.

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 opera-

tion 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. 15 revised, 1964, 71.

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 86. — Boundaries of Highways and Other Public Places, and Encroachments Thereon.

SECT. 1, last sentence revised, 1964, 189.

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; 1964, 124 § 1.

SECT. 2 revised, 1933, 301.

SECT. 4 revised, 1949, 301 § 1; 1951, 646 § 3; amended, 1964, 124 § 2. (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); revised, 1964, 182.

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 reposessor 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; third sentence, as so inserted, revised, 1964, 411; 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; 1964, 187. (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; revised, 1964, 178; second sentence revised, 1964, 179.

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); revised, 1964, 164.

SECT. 7G added, 1964, 299 (prohibiting the servicing, sale or grinding of certain used brake drums).

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; first sentence amended, 1964, 271, 376; 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; amended, 1964, 185; last sentence revised, 1964, 176. (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; second paragraph amended, 1964, 128. (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 sentence revised, 1963, 769; 1964, 133; second sentence amended, 1964, 298; 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) (b) revised, 1964, 200 § 1; paragraph (1) (c) revised, 1939, 82; amended, 1955, 198 § 1; revised, 1964, 200 § 2; paragraph (1) (d) amended, 1955, 198 § 2; paragraph (1) (e) added, 1961, 340; paragraph (2) (a) amended, 1937, 230 § 1; 1964, 200 § 3; paragraph (2) (b) amended, 1964, 200 § 4; paragraph (2) (c) amended, 1937, 117; 1955, 198 § 3; 1964, 200 § 5. (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; 1964, 405.

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 (as appearing in 1935, 477 § 1) amended, 1952, 15; ninth sentence revised, 1964, 194; 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; amended, 1964, 517 § 1; paragraph defining "motor

vehicle liability policy" revised, 1935, 459 § 2; amended, 1959, 282 § 3; 1961, 177 § 3; revised, 1963, 358 § 2, 476 § 2; amended, 1964, 517 § 2. (See 1935, 459 § 5; 1945, 384 § 3; 1959, 282 § 6; 1963, 358 § 4, 476 § 3; 1964, 517 § 4.)

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; amended, 1964, 517 § 3; last sentence revised, 1950, 162 § 3; 1954, 126 § 3. (See 1935, 459 § 5; 1964, 517 § 4.)

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; first paragraph amended, 1964, 544; 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. 49 revised, 1964, 590.

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; third paragraph revised, 1964, 103.

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. 12, first sentence revised, 1964, 547.

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.

SECT. 4, first sentence revised, 1964, 540.

SECT. 4A added, 1964, 626 § 1 (authorizing clerks of district courts to accept pleas of guilty and payment of fines by mail in certain cases of violation of the motor vehicle laws). (See 1964, 626 § 2.)

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. 32 revised, 1964, 466.

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"); revised, 1964, 190.

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.

SECT. 16H revised, 1964, 262.

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 sword-fish).

SECT. 77A stricken out and sections 77A-77I, inclusive, added, 1964, 524 § 12 (relative to the sale and storage of fish, lobster meat and crab-meat).

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).

SECTS. 88C and 88D added, 1964, 524 § 13 (authorizing the commissioner of public health to adopt rules and regulations relative to the sanitary conditions for commercial processing establishments, and to inspection or distribution of fish, and the entry and inspection of places where fish is offered or exposed for sale or kept with intent to sell).

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; revised, 1964, 112.

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; paragraph inserted after second paragraph, 1964, 253.

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. 13, subsection (a) amended, 1964, 75 § 1; subsection (d) amended, 1964, 75 § 2.

SECT. 14 repealed, 1964, 75 § 3.

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. 6 revised, 1964, 305 § 1.

SECT. 7 revised, 1964, 305 § 2.

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; section revised, 1964, 305 § 3.

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 peddlers).

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 "Ware-houseman" 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; amended, 1964, 79.

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* $\frac{1}{2}$) 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. 2, paragraph added, 1964, 508 § 2. (See 1964, 508 §§ 3, 4.)

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); revised, 1964, 415.

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. 5H added, 1964, 16 § 2 (relative to the adoption of regulations by the department of public health to prevent the pollution of the waters of the commonwealth). (See 1964, 16 § 3.)

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, second sentence amended, 1964, 477 § 2; 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; revised, 1964, 653.

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 § 13.)

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; two paragraphs added at end, 1964, 277; paragraph added at end, 1964, 620 § 2. (See 1964, 620 § 1.)

SECT. 71A added, 1955, 449 (to require hospitals to determine blood type of patients).

SECT. 71B added, 1955, 662 § 9 (providing for an appeal in certain cases of refusal to grant licenses to maintain certain homes for the aged).

SECT. 72, paragraph added at end, 1956, 439; section amended, 1957, 545 § 2.

SECT. 72A amended, 1957, 545 § 3.

SECT. 72B added, 1960, 482 § 1 (establishing an advisory council to consult with the department of public health relative to the hospital survey and construction act of the federal government). (See 1960, 482 § 2.)

SECT. 72C added, 1963, 730 § 1 (regulating lighting and ventilation in convalescent or nursing homes); first sentence revised, 1964, 602.

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. 94A amended, 1964, 419 § 1.

SECT. 94B amended, 1964, 419 § 2.

SECT. 94C amended, 1964, 419 § 3.

SECT. 94D revised, 1964, 419 § 4.

SECT. 94E revised, 1961, 608 § 10; amended, 1964, 419 § 5. (See 1961, 608 §§ 12-14.)

SECT. 94F amended, 1964, 419 § 6.

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; section revised, 1964, 339 § 1. (See 1961, 608 §§ 12-14; 1964, 339 § 3.)

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, 71 § 1; 1936, 247 § 1; three paragraphs added at end of section, 196, 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); revised, 1964, 59.

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, SECT. 15.)

SECT. 23 repealed, 1937, 425 § 13. (See 1937, 425 § 15.)

SECTS. 23A-23F added, under caption, 1951, 656 § 1 (relative to the practice 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; 1964, 21 § 1. (See 1959, 415 § 5.)

SECT. 74A, third sentence amended, 1951, 87; section revised, 1953, 350 § 5; 1959, 415 § 2; amended, 1960, 693 § 9; 1964, 21 § 2. 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; revised, 1964, 428; 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.)

SECT. 87GGG revised, 1964, 518 § 1.

SECT. 87LLL revised, 1964, 518 § 2. (See 1964, 518 § 3.)

SECTS. 87PPP-87VVV added, under caption, 1963, 604 § 2 (relative to the registration of radio and television technicians). (See 1963, 604 § 4.)

SECT. 87TTT, second paragraph amended, 1964, 229.

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); second paragraph amended, 1964, 409; 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; first paragraph revised, 1964, 172.

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. 24A revised, 1964, 515.

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, 1960, 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. 10, second sentence revised, 1964, 345 § 1.

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; revised, 1964, 549; paragraph added at end, 1943, 506; paragraph inserted before said paragraph, 1945, 441; first sentence revised, 1961, 615; sentence added at end of said paragraph, 1956, 721; revised, 1957, 464; last 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 last paragraph, 1964, 489; last paragraph amended, 1964, 273 § 1. (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; sentence added at end, 1964, 273 § 2.

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; amended, 1964, 595 § 1; paragraph 5 amended, 1964, 595 § 2. (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, third sentence revised, 1964, 345 § 2. (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.)

SECTS. 18 and 19 revised, 1964, 591.

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; amended, 1964, 621 § 1; paragraph 4 amended, 1964, 621 § 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.

SECTS. 39A and 39B added, 1964, 534 (requiring physicians to report injury or abuse to patients under sixteen years of age in certain cases).

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; seventh sentence stricken out and two sentences inserted, 1964, 308 § 1.

SECT. 58, paragraph inserted after third paragraph, 1941, 264 § 1; section revised, 1948, 310 § 4*; paragraph added at end, 1948, 385.

SECT. 58A amended, 1941, 194 § 6; revised, 1941, 327; 1947, 616; repealed, 1948, 310 § 5.*

SECT. 58B added, 1957, 194 § 1 (providing for the imposition of non-criminal fines upon juveniles for violation of the motor vehicle laws). (See 1957, 194 § 2.)

SECT. 59, second paragraph stricken out, 1941, 648 § 1.

SECT. 60 stricken out and new sections 60 and 60A inserted, 1938, 174 § 1 (relative to the use of information and records in cases of waywardness or delinquency).

SECT. 60 amended, 1948, 310 § 6.*

SECT. 61 amended, 1948, 310 § 7*; revised, 1964, 308 § 2. (See 1964, 308 § 13.)

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).*

* See 1948, 310 §§ 30, 31.

SECT. 72 amended, 1947, 235; revised, 1948, 310 § 10*; amended, 1949, 595; revised, 1964, 308 § 3.

SECT. 72A added, 1964, 308 § 4 (relating to the disposition of proceedings against any person who commits an offense or violation prior to his seventeenth birthday and is not apprehended until after his eighteenth birthday). (See 1964, 308 § 13.)

SECT. 73 revised, 1945, 202; amended, 1948, 310 § 11;* repealed, 1964, 308 § 5.

SECT. 74 amended, 1933, 196 § 1; revised, 1948, 310 § 12; amended, 1960, 353 § 3*; revised, 1964, 308 § 6.

SECT. 75 amended, 1933, 196 § 2; revised, 1948, 310 § 13; amended, 1960, 353 § 4*; revised, 1964, 308 § 7.

SECT. 76 revised, 1948, 310 § 14*; repealed, 1964, 308 § 5.

SECT. 77 revised, 1948, 310 § 15*; repealed, 1964, 308 § 5.

SECT. 78 repealed, 1964, 308 § 5.

SECT. 79 amended, 1948, 310 § 16*; 1953, 319 § 15; repealed, 1964, 308 § 5. (See 1953, 319 §§ 39, 40.)

SECT. 80 revised, 1948, 310 § 17*; repealed, 1964, 308 § 5.

SECT. 81 amended, 1948, 310 § 18*; repealed, 1964, 308 § 5.

SECT. 82 amended, 1948, 310 § 19*; repealed, 1964, 308 § 5.

SECT. 83 revised, 1948, 310 § 20*; 1964, 308 § 8.

SECT. 84 added, 1964, 308 § 9 (relative to the form of warrant of commitment to the youth service board).

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.)

* See 1948, 310 §§ 30, 31.

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.

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); repealed and caption preceding section 22B stricken out, 1964, 636 § 4. (See 1960, 776 § 12; 1964, 636 § 13.)

SECT. 23 (and caption) amended, 1933, 364 § 2; section amended, 1935, 449 § 2; revised, 1935, 475 § 3; amended, 1964, 636 § 5. (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; revised, 1964, 636 § 6; definition of "Housing board" or "board" revised, 1948, 260 § 4; 1964, 636 § 6A; 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; 1964, 636 § 7.

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. 26DDD, sentence added, 1964, 636 § 8.

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.

SECTS. 26III and 26JJJ added, 1964, 721 (providing for the rehabilitation of dwelling accommodations).

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; 1964, 339 § 2; 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; definition of "Housing board" or "board" revised, 1964, 636 § 9. (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. 14 revised, 1964, 545 § 1. (See 1964, 545 §§ 3, 4.)

SECT. 17 repealed, 1964, 545 § 2.

SECT. 18 repealed, 1964, 545 § 2.

SECT. 19 repealed, 1964, 545 § 2.

SECT. 20, seventh sentence stricken out, 1960, 539; section repealed, 1964, 545 § 2.

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, first sentence amended, 1964, 342 § 1; sentence inserted after second sentence, 1962, 564; revised, 1964, 342 § 2; 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; second paragraph revised, 1964, 348; 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; first sentence revised, 1964, 180. (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 delin-

quents 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; 1958, 229 § 2; clause (c) amended, 1941, 382; clause (d) revised, 1946, 575 § 3; 1953, 663; clause (e) revised, 1939, 505 § 1; 1958, 116; clause (f) amended, 1935, 454

§ 3; clause (*h*) amended, 1935, 454 § 4; clause (*i*) revised, 1939, 505 § 2; clause (*j*) revised, 1946, 575 § 4; clause (*n*) added, 1935, 239 (forbidding the licensed racing of horses and dogs under the pari-mutuel system of betting, on publicly owned premises); clause (*n*) added, 1935, 471 § 1 (forbidding the licensed racing of dogs under such system, in certain residential neighborhoods); designation of the clause added by 1935, 471 § 1 changed from (*n*) to (*o*), 1936, 405 § 3; clause (*p*) added, 1961, 1; clause (*q*) added, 1964, 686 § 1. (See 1935, 571 § 2; 1939, 505 § 3; 1958, 208 § 3; 1964, 686 § 2.)

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; second paragraph amended, 1964, 559 § 1; paragraph added at end, 1964, 559 § 1. (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); first paragraph amended, 1964, 559 § 2; paragraph added at end, 1964, 559 § 2.

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); first paragraph amended, 1964, 559 § 3; paragraph added at end, 1964, 559 § 3.

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; definitions of "Coastal warden", "Deputy" or "deputy coastal warden" stricken out, 1964, 524 § 5; definition of "Fish" amended, 1945, 98 § 1; definition of "Fish inspector" stricken out, 1964, 524 § 5; 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. 5 repealed, 1964, 524 § 6.

SECT. 6 repealed, 1964, 524 § 6.

SECT. 7 repealed, 1964, 524 § 6.

SECT. 8 repealed, 1964, 524 § 6.

SECT. 8A added, 1963, 383 § 1 (relative to the enforcement of certain marine fisheries laws by police officers); amended, 1964, 524 § 7.

SECT. 9 amended, 1964, 524 § 8.

SECT. 11 repealed, 1964, 524 § 6.

SECT. 13, first paragraph amended, 1964, 524 § 9; 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; 1964, 524 § 10.

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; repealed, 1964, 524 § 6.

SECT. 46 repealed, 1964, 524 § 6.

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; sixth and seventh paragraphs stricken out and paragraph inserted, 1964, 524 § 11.

SECT. 81, first sentence amended and sentence inserted after first sen-

tence, 1955, 711; sentence added at end, 1945, 99 § 2; stricken out, 1961, 199 § 3.

SECT. 82, sentence inserted after first sentence, 1964, 257 § 1; sentence added at end, 1945, 99 § 3; stricken out, 1961, 199 § 4.

SECT. 84, caption preceding said section stricken out, 1964, 524 § 5A; section repealed, 1964, 524 § 6.

SECT. 85 repealed, 1964, 524 § 6.

SECT. 86 repealed, 1964, 524 § 6.

SECT. 87 amended, 1954, 186; repealed, 1964, 524 § 6.

SECT. 88 repealed, 1964, 524 § 6.

SECT. 89 repealed, 1964, 524 § 6.

SECT. 90 repealed, 1964, 524 § 6.

SECT. 91 repealed, 1964, 524 § 6.

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. 102 revised, 1964, 257 § 2.

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; definitions of "Conservation officer" and "Deputy" stricken out, 1964, 524 § 14; 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. 3 amended, 1964, 524 § 15.

SECT. 3A added, 1945, 548 § 1 (establishing the inland fisheries and game fund). (See 1945, 548 § 3.)

SECT. 4 amended, 1964, 524 § 16.

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; amended, 1964, 524 § 17. (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. 18, first two sentences stricken out and sentence inserted, 1964, 524 § 18.

SECT. 19 repealed, 1964, 524 § 19.

SECT. 20 repealed, 1964, 524 § 20.

SECT. 21 amended, 1964, 524 § 21.

SECT. 22 amended, 1964, 524 § 22.

SECT. 24 amended, 1964, 524 § 23.

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. 30 amended, 1964, 524 § 24.

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, first sentence amended, 1957, 688 § 3; 1964, 524 § 25.

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; second paragraph amended, 1964, 192.

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; amended, 1964, 524 § 26.

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. 87A added, 1964, 390 (permitting the division of fisheries and game to issue permits for the trapping of certain birds).

SECT. 88 amended, 1964, 524 § 27; 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; amended, 1964, 524 § 28.

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. 112D added, 1964, 527 (authorizing agents of the division of fisheries and game to remedy certain conditions caused by beavers).

SECT. 117A added, 1949, 507 (relative to the draining of certain ponds, reservoirs and other bodies of water).

SECT. 117B added, 1964, 145 (prohibiting the altering of any license or permit issued by the division of fisheries and game).

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; sentence inserted after second sentence, 1964, 365.

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.

Chapter stricken out and new chapter 136 inserted, 1962, 616 § 2.

For prior changes see Table of Changes contained in Acts and Resolves of 1963.

The following references are to chapter 136, as so inserted:

SECT. 4, paragraph (1) amended, 1964, 97; paragraph (7) amended, 1964, 456.

SECT. 6, clause (6) amended, 1964, 9; clause (8) and paragraph following said clause stricken out and new clause (8) inserted, 1964, 216; clause (25) revised, 1963, 230.

SECT. 7, first paragraph revised, 1964, 384 § 1.

SECT. 14, first paragraph revised, 1963, 265; 1964, 293.

SECT. 15 amended, 1964, 384 § 2.

Chapter 138. — Alcoholic Liquors (Old Title, Intoxicating Liquors and Certain Non-Intoxicating Beverages).

Chapter stricken out, and new chapter 138 inserted, 1933, 376 § 2.

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 138, as so inserted:

SECT. 1, new paragraph (definition of "Alcohol") added, 1935, 440 § 1; definition of "Restaurant" amended, 1936, 368 § 1; eighth paragraph (definition of "Club") revised, 1934, 385 § 1; definition of "Tavern" amended, 1934, 121 § 1; 1935, 253 § 1; definition of "Wines" revised, 1941, 637 § 1. (See 1941, 637 § 3.)

SECT. 2 revised, 1934, 305, 372 § 4; 1935, 440 § 2; first sentence revised, 1939, 470 § 1; 1943, 542 § 1.

SECT. 3 amended, 1935, 440 § 3.

SECT. 4 amended, 1934, 385 § 2; 1958, 80.

SECT. 7 amended, 1935, 440 § 4.

SECT. 10 amended, 1935, 440 § 5.

SECT. 10A revised, 1943, 542 § 2.

SECT. 10B added, 1934, 370 § 11 (authorizing the alcoholic beverages control commission to remove a member of a local licensing board under certain conditions).

SECT. 11 revised, 1936, 207 § 1; 1947, 138 § 3. (See 1935, 281.)

SECT. 11A (first paragraph amended, 1934, 142 § 1; paragraph inserted, 1934, 142 § 2; paragraph added at end, 1934, 142 § 3; section revised, 1934, 211 § 1; last paragraph stricken out, 1935, 440 § 6; section revised, 1951, 208. (See 1934, 142 § 4, 211 § 2.)

SECT. 12, first paragraph amended, 1934, 121 § 2; last sentence of first paragraph revised, 1934, 370 § 1; second paragraph amended, 1934, 121 § 2; sentence contained in lines 42-53 revised, 1934, 370 § 2; section revised, 1934, 385 § 3; first paragraph amended, 1935, 253 § 2; revised, 1935, 440 § 7; new paragraph inserted after first paragraph, 1935, 253 § 3; proviso contained in lines 46-48 stricken out, 1935, 253 § 4; third paragraph revised, 1935, 440 § 8; next to last paragraph stricken out, 1935, 440 § 9; section revised, 1935, 468 § 1; first paragraph amended, 1936, 207 § 2; second sentence of first paragraph amended, 1949, 391; last sentence of first paragraph revised, 1937, 331; 1943, 542 § 3; second paragraph revised, 1936, 368 § 2; amended, 1943, 542 § 4; 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; last paragraph revised, 1964, 417.

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. 34B added, 1964, 735 (providing for the issuance of liquor purchase identification cards to persons twenty-one years of age or over who apply therefor).

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; sentence inserted after first sentence, 1964, 64.

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, second paragraph revised, 1964, 73; 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; revised, 1964, 592 § 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; 1964, 592 § 2.

SECT. 32A amended, 1950, 326 § 3; 1954, 134 § 3; revised, 1964, 592 § 3.

SECT. 32B amended, 1941, 396; revised, 1945, 153; first two sentences amended, 1950, 326 § 4; first sentence amended, 1954, 134 § 4; revised, 1964, 592 § 4; second sentence revised, 1950, 802 § 1. (See 1950, 802 §§ 4, 5.)

SECT. 32C amended, 1950, 326 § 5; 1954, 134 § 5; revised, 1964, 592 § 5.

SECT. 32D amended, 1950, 326 § 6; 1954, 134 § 6; revised, 1964, 592 § 6.

SECT. 32E amended, 1950, 326 § 7; 1954, 134 § 7; revised, 1964, 592 § 7.

SECTS. 32F–32K added, under caption, 1950, 326 § 8 (providing for the regulation of trailer coach parks); caption preceding section 32F revised, 1964, 592 § 8.

SECT. 32F, sentence added at end, 1950, 802 § 2; paragraph added at end, 1951, 74; amended, 1955, 623; 1956, 162 § 1; section revised, 1964, 592 § 9. (See 1950, 802 §§ 4, 5; 1956, 162 § 2.)

SECT. 32G revised, 1950, 802 § 3; 1952, 583 § 1; 1954, 410; 1964, 592 § 10. (See 1950, 802 §§ 4, 5; 1952, 583 § 3.)

SECT. 32H revised, 1964, 592 § 11.

SECT. 32I revised, 1964, 592 § 12.

SECT. 32J revised, 1964, 592 § 13.

SECT. 32L added, 1956, 444 (defining a trailer coach); revised, 1964, 592 § 14.

SECTS. 46A–46R added, 1964, 670 § 1 (regulating agencies procuring the employment of United States residents as domestic and household workers in the commonwealth of persons not resident therein). (See 1964, 670 §§ 2, 3.)

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 fire-arms); repealed, 1957, 688 § 14.

SECT. 131 revised, 1936, 302; amended, 1951, 201; 1953, 319 § 20; sentence added at end, 1953, 454; section revised, 1957, 688 § 15; 1959, 296 § 6; sentence added at end, 1960, 293. (See 1953, 319 §§ 39, 40.)

SECT. 131A revised, 1957, 688 § 16; 1959, 296 § 7.

SECT. 131B amended, 1957, 688 § 17.

SECT. 131C added, 1934, 246 (prohibiting persons licensed to carry pistols and revolvers from carrying the same in vehicles unless said weapons are under their control therein); amended, 1957, 688 § 18.

SECT. 131D added, 1947, 492 § 5 (relative to the emission of smoke by steam locomotives); repealed, 1954, 672 § 7; caption preceding section stricken out, 1957, 688 § 19.

SECTS. 131E and 131F added, 1957, 688 § 20 (providing a penalty for the unlawful purchasing by a licensee of firearms for another and relative to the issuance of temporary licenses to non-residents).

SECT. 131F revised, 1959, 296 § 8.

SECT. 131 G added, 1964, 447 (authorizing certain non-residents to carry firearms in or through the commonwealth).

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. 177, paragraph added, 1964, 284.

SECT. 177A added, under caption, 1949, 361 (relative to the licensing and operation of mechanical amusement devices).

SECT. 179 revised, 1948, 434; amended, 1964, 558.

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, 483; 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; paragraph added, 1964, 170, 312 § 2.

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. 67A added, under caption, 1964, 680 § 1 (relative to the office of examiner for the certification of oil burner technicians).

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 persons charged with or convicted of sex crimes, so called, upon their release or discharge from certain institutions); revised, 1954, 246.

SECT. 4C added, 1955, 771 § 2 (relative to the functions and duties of the criminal information bureau); subdivision (d) added, 1956, 365.

SECT. 8A added, 1938, 296 (authorizing the carrying of certain weapons by sheriffs, deputy sheriffs and special sheriffs, and certain officers in the department of correction); revised, 1939, 174.

SECT. 10 amended, 1934, 23.

SECT. 10A added, 1949, 148 (authorizing the appointment as special police officers of employees of the Port of Boston Authority).

SECT. 10B added, 1953, 536 (authorizing the appointment as special police officers of certain employees of the department of mental health).

SECT. 10C added, 1956, 231 (authorizing the appointment as special police officers of certain employees of the department of public health).

SECT. 10D added, 1957, 349 (providing for the appointment of employees of the Massachusetts Turnpike Authority as special police officers).

SECT. 10E added, 1957, 731 (providing for the appointment as special police officers of employees of the Soldiers' Home in Holyoke and the Soldiers' Home in Massachusetts).

SECTS. 13B and 13C added, under caption, 1939, 419 § 2 (providing for the ultimate abolition of reserve police forces in certain cities and towns).

SECT. 16A added, 1937, 85 § 1 (providing for one day off in every seven days for police officers in certain cities and towns); revised, 1938, 426 § 1.

SECT. 16B added, 1938, 426 § 2 (providing for one day off in every six days for police officers of certain cities and towns).

SECT. 16C added, 1951, 346 § 1 (providing for a five day work week for police officers in certain cities and towns).

SECT. 17 amended, 1937, 85 § 2; 1938, 426 § 3; 1951, 346 § 2; sentence added at end, 1954, 325; stricken out and two sentences inserted, 1961, 246 § 1.

SECT. 17A added, 1952, 268 (providing additional off duty and extra pay for police officers in certain cases); sentence inserted after first sentence, 1961, 200; section revised, 1962, 318.

SECTS. 17B and 17C added, 1956, 349 (providing for a forty hour week for police officers of certain cities and towns and compensation for 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); first paragraph amended, 1964, 367; 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; amended, 1964, 123.

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).

SECTS. 10C-10H added, 1964, 680 § 2 (providing for the examination and certification of oil burner technicians and the establishment of fees therefor). (See 1964, 680 § 3.)

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; first sentence revised, 1964, 155.

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 conditions of hardship require or justify suspension, see 1947, 357 § 4; 1949, 332; 1950, 168; 1951, 167; 1952, 119; 1953, 236; 1954, 10; 1955, 106; 1956, 304; 1957, 162; 1958, 214; 1959, 45; 1960, 85; 1961, 84; 1962, 26; 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 "co-operative courses" amended, 1939, 461 § 4; paragraph defining "discrimination" inserted, 1937, 367 § 1; paragraphs defining "employee" and "employer" inserted, 1945, 584 § 1; definition of "employment" amended, 1945, 584 § 2; revised, 1945, 646; paragraph defining "employment permit", "permit for employment" or "employment certificate" inserted, 1939, 461 § 4A; revised, 1945, 133 § 3; paragraph defining "mercantile establishments" amended, 1936, 78.

SECT. 6 amended, 1934, 132 § 1; 1937, 249; two paragraphs added at end, 1952, 155; third paragraph amended, 1961, 224; 1962, 710; paragraph added at end, 1954, 680 § 7. (See 1934, 132 § 2.)

SECT. 8 amended, 1943, 441.

SECT. 11 amended, 1935, 328; revised, 1950, 453.

SECT. 17 amended, 1945, 430; revised, 1961, 585.

SECTS. 18A–18I added, under caption, 1959, 614 (establishing safety orders applicable to longshore and waterfront operations).

SECT. 19A added, 1953, 117 (requiring the furnishing of copies of certain medical reports to employees).

SECT. 19B added, 1959, 255 (prohibiting the use of lie detector tests by employers as a condition of employment); 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; revised, 1964, 609 § 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; second from last sentence amended, 1964, 609 § 2; next to last sentence amended, 1964, 609 § 3.

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; first paragraph amended, 1964, 609 § 4; second paragraph amended, 1964, 609 § 5. (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; 1964, 523; 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. 129B added, 1964, 233 (prohibiting certain employers from requiring or knowingly permitting employees to use devices, commonly known as stilts, in the performance of their work).

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. 178F added, 1964, 637 (authorizing state employees to join and to act on behalf of certain organizations representing employees of the commonwealth and to enter into certain agreements with state departments or agencies relative to working conditions).

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. 1, paragraph added at end, 1964, 576 § 1. (See 1964, 576 § 10.)

SECT. 2, subsections (2) and (3) revised, 1964, 576 § 2; subsection (9) added, 1951, 615 § 1; subsections (10) and (11) added, 1964, 576 § 3. (See 1964, 576 § 10.)

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. 4C added, 1964, 576 § 4 (relative to unfair labor practices of health care facilities or of nurse employees of health care facilities). (See 1964, 576 § 10.)

SECT. 5, subsection (a) revised, 1951, 615 § 3; subsection (b) amended, 1939, 318; revised, 1951, 615 § 4; 1964, 576 § 5; subsection (c) amended, 1947, 657 § 4; 1964, 576 § 6. (See 1964, 576 § 10.)

SECT. 6, subsection (a) amended, 1947, 657 § 5; revised, 1964, 576 § 7; subsection (e) amended, 1954, 681 § 10; subsection (f) amended, 1954, 681 § 11; subsection (h) amended, 1941, 261. (See 1964, 576 § 10.)

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; revised, 1964, 576 § 8. (See 1964, 576 § 10.)

SECT. 9A added, 1964, 576 § 9 (providing for the submission to arbitration of certain grievances or disputes between a health care facility and its nurse employees). (See 1964, 576 § 10.)

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; revised, 1964, 644 § 1; amended, 1964, 644 § 4. (See 1949, 777 §§ 2, 4; 1955, 762 § 4; 1956, 740 § 4; 1958, 620 § 3; 1962, 134 §§ 7, 8, 9; 1964, 644 §§ 7-11.)

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; revised, 1964, 644 § 2; amended, 1964, 644 § 5; paragraph added at end, 1956, 681. (See 1952, 558 § 5; 1955, 762 § 4; 1956, 185, 740 § 4; 1958, 616 § 2; 1959, 551 § 2; 1962, 134 §§ 7, 8, 9; 1963, 586 §§ 3, 4; 1964, 644 §§ 7-11.)

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; revised, 1964, 644 § 3; amended, 1964, 644 § 6. (See 1949, 777 §§ 2, 4; 1955, 762 § 4; 1956, 740 § 4; 1958, 620 § 3; 1962, 134 §§ 7, 8, 9; 1964, 644 §§ 7-11.)

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; revised, 1964, 454; subsection (j) revised, 1962, 414 § 3, subsection (p) added, 1964, 358. (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; 1964, 355; 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; revised, 1964, 302; 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.)

SECT. 10 amended, 1964, 467.

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; 1964, 446; 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; 1964, 723 § 4. (See 1935, 297 § 3; 1962, 750 §§ 73, 74; 1964, 723 §§ 6, 7.)

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; revised, 1964, 476.

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; section revised, 1964, 484 § 1. (See 1938, 327 § 2.)

SECT. 9A added, 1964, 484 § 2 (providing for the reservation of a corporate name.)

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. 2, first sentence revised, 1964, 723 § 5. (See 1964, 723 §§ 6, 7.)

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.

SECT. 6 revised, 1964, 459.

Chapter 156B. — Certain Business Corporations.

New chapter inserted, 1964, 723 § 1. (See 1964, 723 §§ 6, 7.)

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 2 revised, 1964, 290; 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 amended, 1964, 563 § 9; 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; repealed, 1964, 400 § 2. (See 1953, 42 § 4.)

SECT. 90 revised, 1936, 363 § 2; amended, 1951, 24 § 2; repealed, 1964, 400 § 2.

SECT. 91 revised, 1936, 363 § 3; repealed, 1964, 400 § 2.

SECT. 92 amended, 1936, 363 § 4; 1951, 24 § 3; revised, 1964, 400 § 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; 1964, 41; 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; first paragraph revised, 1964, 116.

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; section revised, 1964, 346 § 1. (See 1947, 584 § 2; 1951, 461 § 2; 1964, 346 § 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.

SECT. 143 amended, 1964, 563 § 10.

SECT. 147 revised, 1964, 563 § 11.

SECT. 150 amended, 1964, 563 § 12.

SECT. 151, sentence added, 1964, 563 § 13.

SECT. 152 amended, 1964, 563 § 14.

SECT. 152A added, 1964, 563 § 15 (authorizing the executive office for administration and finance to enter into a contract with the trustees of certain transportation areas whereby the commonwealth agrees to reimburse the cities and towns comprising the area for an amount equal to ninety per cent of the debt service on certain bonds). (See 1964, 563 § 25.)

SECT. 159 revised, 1964, 563 § 16.

Chapter 161A. — Massachusetts Bay Transportation Authority.

New chapter inserted, 1964, 563 § 18. (See 1964, 563 §§ 19-22, 24-29.)

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; 1964, 331.

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. 58, sentence added, 1964, 401.

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. 69E revised, 1964, 94.

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, under caption, 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); revised, 1964, 352.

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; 1964, 220; 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. 51C added, 1964, 731 § 2 (authorizing certain banking institutions to make and acquire or participate in making and acquiring loans secured by first mortgages on condominium units).

SECT. 52 added, 1946, 284 (permitting banks to close on Saturdays, during June, July, August and September); amended, 1947, 9; revised, 1964, 93.

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. 56B added, 1964, 236 § 1 (authorizing the purchase by a bank or group of banks of group accident and health insurance).

SECT. 57 added, 1961, 465 (authorizing certain banking institutions to provide certain group insurance and benefits for certain employees); first sentence revised, 1964, 237.

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; 1964, 206 § 1; paragraph 3, first sentence amended, 1962, 50 § 2; paragraph 4 amended, 1956, 194 § 1; first two sentences revised, 1962, 50 § 3; first sentence amended, 1964, 206 § 2; paragraph 5 amended, 1956, 194 § 2; third sentence amended, 1962, 50 § 4; paragraph 6, fifth sentence amended, 1962, 50 § 5; paragraph 6A inserted, 1964, 219; 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. 44, subdivision B, paragraph 5 revised, 1964, 280.

SECT. 47, caption preceding said section revised, 1964, 232 § 1; first sentence revised, 1964, 232 § 2; paragraph 4 added at end, 1964, 232 § 3.

SECT. 48, paragraph 1 revised, 1958, 100 § 1; paragraphs 3-5 revised, 1958, 100 § 2; section revised, 1964, 98.

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. 8, fifth sentence stricken out and three sentences inserted, 1964, 225 § 1; last paragraph revised, 1964, 225 § 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. 9, paragraph added, 1964, 611 § 1.

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; first two paragraphs revised, 1964, 210; 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; 1964, 221; 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; amended, 1964, 227; 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; 1964, 209; second paragraph amended, 1957, 197 § 2; sentence added at end, 1962, 80 § 2.

SECT. 31, first paragraph amended, 1956, 38; 1962, 110; revised, 1964, 211.

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; paragraph (c) amended, 1964, 212.

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; section revised, 1964, 611 § 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. 2, first two sentences revised, 1964, 258 § 1.

SECT. 3, first sentence amended, 1957, 698 § 10; revised, 1961, 493 § 21; 1962, 536; stricken out and two sentences inserted, 1964, 258 § 2; 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; two sentences inserted after fourth sentence, 1964, 226; 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; revised, 1964, 208 § 1.

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; first sentence revised, 1964, 222; 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; 1964, 223; paragraph 3 of subdivision (A) revised, 1962, 275 § 2; paragraph 5 of subdivision (A) amended, 1952, 91; 1953, 159 § 1; 1961, 493 § 22; 1964, 242; 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; second sentence revised, 1952, 163; sentence inserted after second sentence, 1955, 122; revised, 1959, 92; 1964,

213 § 1; paragraph 3 of subdivision (B) revised, 1952, 105 § 1; first sentence revised, 1964, 213 § 2; 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); last paragraph amended, 1964, 258 § 3.

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. 17 revised, 1964, 300.

SECT. 27, subsection B amended, 1963, 225.

SECT. 48, clause 8 amended, 1962, 238; clause 18 added, 1963, 143.

SECT. 51 revised, 1963, 376; second paragraph revised, 1964, 279.

SECT. 61 revised, 1962, 105.

SECT. 64, first paragraph amended, 1964, 304.

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; revised, 1964, 154.

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; second sentence revised, 1964, 31.

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 (a $\frac{1}{2}$) added, 1946, 471 § 6; clause (c) revised, 1961, 168 § 4; 1962, 202 § 5; clause (e) revised, 1939, 488 § 3. (See 1939, 488 § 9).

SECT. 54A added, 1932, 165 (permitting certain insurance companies to make outside the commonwealth contracts insuring personal property against all risks or hazards); amended, 1938, 198.

SECTS. 54B-54D added, 1945, 384 § 2 (authorizing multiple line underwriting, so called, by certain domestic and foreign stock and mutual insurance companies). (See 1945, 384 § 3.)

SECT. 54B revised, 1946, 285; 1950, 475 § 1.

SECT. 54C revised, 1961, 168 § 5.

SECT. 54E added, 1951, 510 (to afford more complete insurance coverage for dwelling houses); revised, 1955, 339.

SECT. 54F added, 1957, 170 (extending the authorization of insurance companies to include other coverage of commercial property in a fire insurance policy).

SECT. 59, sentence added at end, 1948, 286.

SECT. 63, paragraph 1 revised, 1959, 128; paragraph 2, clause (d) added, 1947, 266 § 1; paragraph 3 amended, 1947, 266 § 2; paragraph 3A added, 1948, 70; revised, 1961, 129; paragraph 4 revised, 1947, 266 § 3; paragraph 5A added, 1947, 266 § 4; paragraph 6 revised, 1947, 266 § 5; paragraph 7 revised, 1945, 188; first sentence amended, 1951, 129; fifth sentence revised, 1954, 65; sentence added at end, 1946, 438 § 2; paragraph 7 revised, 1957, 183; amended, 1960, 294; 1964, 95; 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 $\frac{1}{2}$) inserted, 1958, 294 § 3; paragraph C amended, 1954, 681 § 18. (See 1954, 275 §§ 4, 5, 681 §§ 20, 22.)

SECT. 109 repealed, 1954, 275 § 2. (See 1954, 275 §§ 4, 5.)

SECT. 110, sentence added at end, 1939, 133; section amended, 1941, 118; revised, 1943, 424 § 3, 532 § 1; subdivision (1) of second paragraph amended, 1945, 403 § 1; section revised, 1949, 676 § 3; amended, 1950, 392; subdivisions (A) and (B) revised, 1952, 532 § 1; subdivision (A) amended, 1954, 275 § 3, 327; 1953, 229 § 1; 1964, 236 § 2; subdivision (B) revised, 1963, 254 § 1; amended, 1964, 236 § 3; 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, first paragraph amended, 1964, 391; paragraph inserted after first paragraph, 1935, 459 § 4; third paragraph amended, 1951, 251; 1962, 509; 1963, 430; revised, 1963, 828; 1964, 292. (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 inserted after second of said paragraphs, 1950, 463 § 2; section revised, 1951, 404 § 4; provision numbered 1 revised, 1954, 285; provision numbered 4 amended, 1956, 533 § 2; provision numbered 4A inserted, 1955, 169; revised, 1959, 209 § 2; provision numbered 7 amended, 1956, 533 § 3; third paragraph revised, 1956, 533 § 4; fifth paragraph amended, 1960, 361; last paragraph revised, 1958, 574.

SECT. 134A added, 1949, 676 § 4 (relative to the time of notice required in the conversion of group life insurance policies).

SECT. 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; sentence inserted after third sentence, 1964, 236 § 4.

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; amended, 1964, 236 § 5.

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; 1964, 171. (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; section revised, 1964, 432.

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; section revised, 1964, 435.

SECT. 11 revised, 1937, 151 § 2; 1947, 559 § 5; amended, 1962, 750 § 52; seventh sentence revised, 1957, 698 § 16; amended, 1962, 750 § 52; section revised, 1964, 433.

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; 1964, 343 § 1; first two paragraphs revised, 1964, 431.

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; last paragraph revised, 1964, 434. (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.

SECT. 6, paragraph (c) amended, 1964, 731 § 1.

Chapter 184. — General Provisions relative to Real Property.

SECT. 6A added, 1964, 307 § 1 (relative to the construction of the words "heirs" and "next of kin" as used in certain instruments). (See 1964, 307 §§ 2, 3.)

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); revised, 1964, 311 § 1. (See 1956, 348 §§ 2, 3; 1964, 311 §§ 2, 3.)

SECT. 25 added, 1959, 294 § 1 (protecting land titles against the effects of indefinite references). (See 1959, 294 § 2.)

SECTS. 26-30 added, 1961, 448 § 1 (protecting land titles from uncertain and obsolete restrictions and providing proceedings in equity with respect thereto).

Chapter 184A. — The Rule against Perpetuities.

New chapter inserted, 1954, 641 § 1. (See 1954, 641 § 2.)

SECT. 3, third and fourth sentences stricken out, 1961, 448 § 2. (See 1961, 448 § 4.)

Chapter 185. — The Land Court and Registration of Title to Land.

SECT. 1, clause (b) revised, 1935, 318 § 3; clause (c) revised, 1935, 318 § 4; clause (*j*¹/₂) added, 1934, 263 § 1 (granting to land court exclusive original jurisdiction to determine by declaratory judgment the validity and extent of municipal zoning ordinances, by-laws and regulations); clause (k) revised, 1934, 67 § 1; clauses (l) and (m) added, 1935, 318 § 5 (granting to said court original jurisdiction concurrent with supreme judicial and superior courts of certain suits in equity); clause (n) added, 1962, 722 § 1 (relative to the causes and matters transferred from the supreme judicial court); paragraph in lines 44-50, inclusive, revised, 1937, 183 § 1; paragraph in lines 51-55 revised, 1947, 449 § 3. (See 1934, 67 § 2; 1935, 318 § 8; 1937, 183 § 2; 1947, 449 § 7.)

SECT. 2 amended, 1937, 409 § 3. (See 1937, 409 § 7.)

SECT. 2A repealed, 1937, 409 § 4. (See 1937, 409 § 7.)

SECT. 6, first sentence stricken out and two sentences inserted, 1953, 449 § 1; last sentence amended, 1949, 447. (See 1953, 449 § 2.)

SECT. 10A revised, 1948, 664 § 3; 1953, 601.

SECT. 11 amended, 1954, 308; 1956, 519.

SECT. 12, sentence added at end, 1941, 27; section revised, 1943, 29; 1949, 47.

SECT. 13 revised, 1956, 553.

SECT. 14, sentence in lines 10-12 stricken out, 1946, 427 § 2; section revised, 1946, 544 § 3; first sentence amended, 1949, 696; section revised, 1951, 742 § 3; 1955, 733 § 3; 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; 1964, 288 § 1. (See 1956, 316 § 3; 1964, 288 § 2.)

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; 1964, 324; 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
action for breach of contract to marry). (See 1938, 350

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. 5 revised, 1964, 344.

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); revised, 1964, 425.

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; 1964, 360 § 1.)

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. 18, two sentences added at end, 1964, 631 § 1. (See 1964, 631 § 2.)

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 21-25 revised, 1964, 453; 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; 1964, 370. (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; 1964, 675.

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,

* Void for non-acceptance.

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; 1964, 630.

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 paragraph 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; first paragraph revised, 1964, 638. (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; 1964, 474; paragraph inserted after second paragraph, 1963, 778; paragraph inserted after third paragraph, 1964, 692; 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; 1964, 496 § 1. (See 1964, 496 § 2.)

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; 1964, 140; sentence added at end, 1962, 722 § 8. (See 1937, 301 § 2; 1938, 365 § 2.)

SECT. 29 amended, 1932, 55; repealed, 1964, 308 § 10.

SECT. 30 amended, 1941, 194 § 19.

SECT. 32 amended, 1958, 48 § 1.

SECT. 35, sentence added at end, 1964, 201.

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. 55 amended, 1964, 533 § 1. (See 1964, 533 § 2.)

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; section revised, 1964, 308 § 11. (See 1964, 308 § 13.)

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; 1964, 639, 699. (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; 1964, 479 § 1.)

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; 1964, 694 § 1. (See 1935, 366 § 3; 1945, 476 § 2; 1948, 667 §§ 6, 7; 1949, 461 § 2; 1951, 768 § 3B; 1952, 114 § 1; 1963, 810 § 22; 1964, 694 § 2.)

SECT. 77 revised, 1937, 294; 1948, 667 § 2; 1951, 768 § 1; repealed, 1955, 741 § 1A. (See 1948, 667 § 5A; 1949, 312 § 2; 1951, 768 § 3B; 1952, 114 § 1; 1955, 741 §§ 2, 3.)

SECT. 77A added, 1948, 656 § 1 (relative to the salaries and retirement of justices and clerks in the district court of Springfield, the central district court of Worcester and the first and third district courts of eastern Middlesex); sentence inserted after first sentence, 1949, 805 § 1; amended, 1951,

* Void for non-acceptance.

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; 1964, 654, 664, 667, 676, 677, 678, 695 §§ 1, 2, 700, 701; 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; 1964, 710 § 1. (See 1964, 710 § 2.)

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; first paragraph amended, 1964, 570 § 1; third paragraph revised, 1960, 719; fifth paragraph revised, 1958, 676; paragraph inserted after fifth paragraph, 1964, 570 § 2.

SECT. 71, second sentence amended, 1957, 228 § 2; revised, 1964, 570 § 3.

SECT. 71A added, 1949, 177 (establishing the office of assistant chief deputy sheriff for attendance upon the superior court in Suffolk county).

SECT. 72, first sentence amended, 1957, 228 § 3; revised, 1964, 570 § 4.

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; 1964, 570 § 5.

SECT. 80 amended, 1935, 182 § 4; 1954, 172 § 3; revised, 1957, 228 § 5; 1964, 570 § 6. (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); revised, 1964, 413.

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. 4B added, 1964, 696 (permitting impleader in civil cases).

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; revised, 1964, 537. (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. 5, second paragraph amended, 1964, 550 § 1.

SECT. 5A, sentence added at end, 1960, 199.

SECT. 5B, fourth sentence revised, 1964, 550 § 2.

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 sub-contractors and suppliers on construction work).

Chapter 255. — Mortgages, Conditional Sales and Pledges of Personal Property, and Liens thereon.

SECT. 1. See 1933, 142 (recording of federal crop loans to farmers). See also 1936, 264 subsection 20 (relative to trust receipt and pledge transactions); repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 2 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 3 amended, 1935, 86 § 2; revised, 1948, 550 § 45; 1949, 404 § 4; repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECTS. 4-7 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECTS. 7A-7E added, 1935, 86 § 1 (relative to the mortgaging of crops and certain other classes of personal property).

SECTS. 7A-7C repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECTS. 7E-10 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 11 revised, 1939, 509 § 1; repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 12 revised, 1939, 509 § 1; 1943, 410 § 1; 1956, 158; 1957, 765 § 10; sentence added at end, 1958, 674 § 2; 1959, 580 § 20. (See 1943, 410 § 2; 1957, 765 §§ 18, 21.)

SECT. 12A added, 1950, 81 (providing that notice relative to finance charges be printed in certain contracts of sale); revised, 1957, 765 § 11; sentence added at end, 1959, 580 § 21. (See 1957, 765 §§ 18, 21.)

SECT. 12B added, 1955, 455 (relative to prepayment of contracts of conditional sales of personal property); revised, 1957, 765 § 12; amended, 1958, 674 § 3; revised, 1959, 593. (See 1957, 765 §§ 18, 21.)

SECT. 12C added, 1961, 595 (providing that promissory notes executed in connection with the sale of consumer goods on credit shall not be negotiable instruments).

SECT. 12D added, 1962, 309 (providing for rebates in certain instalment payment transactions).

SECT. 13 revised, 1939, 509 § 1; amended, 1941, 285; revised, 1957, 765 § 13. (See 1957, 765 §§ 18, 21.)

SECT. 13A added, 1935, 348 § 1 (regulating conditional sales of motor vehicles); revised, 1939, 509 § 1; repealed, 1957, 765 § 2. (See 1935, 348 § 2; 1957, 765 § 21.)

SECT. 13B added, 1935, 396 (relative to certain contracts of conditional sale of household or personal effects); amended, 1957, 765 § 14. (See 1957, 765 §§ 18, 21.)

SECTS. 13C and 13D added, 1937, 315 (relative to contracts of conditional sale of household furniture or other household or personal effects except jewelry).

SECT. 13C revised, 1938, 367.

SECT. 13C and 13D stricken out, and new sections 13C-13G inserted, 1939, 509 § 2.

SECT. 13C revised, 1957, 765 § 15. (See 1957, 765 §§ 18, 21.)

SECTS. 13D-13F repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 13G revised, 1957, 160, 765 § 16. (See 1957, 765 §§ 18, 21.)

SECT. 13H added, 1941, 468 (relative to conditional sales of textile and other machinery, seats for theatres and other places of public assembly, and parts, accessories, appliances and equipment therefor); repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 15 revised, 1948, 550 § 46.

SECT. 25A added, 1950, 326 § 9 (relative to liens on trailer coaches for certain charges); revised, 1964, 592 § 15.

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 255C. — Insurance Premium Finance Agencies.

New chapter inserted, 1964, 727 § 1. (See 1964, 727 §§ 2, 3.)

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. 3A added, 1964, 548 § 4 (providing for the payment of judgments against the commonwealth in eminent domain cases). (See 1964, 548 § 5.)

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; section revised, 1964, 594 § 1.

SECT. 8A added, 1964, 594 § 2 (providing that each deputy sheriff file annually with the county treasurer an account of all fees and moneys received by him for the service of civil process).

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; revised, 1964, 458.

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. 1A added, 1964, 443 (providing for the fingerprinting and photographing of persons arrested for the commission of a felony)..

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. 6A added, 1964, 444 (penalizing the making of false written reports by public officers or employees).

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.)

The following references are to chapter 268A, as so inserted:

SECT. 2, clause (d) revised, 1964, 287.

SECT. 8A added, 1964, 314 (prohibiting members of state commissions or boards from being appointed by the other members thereof to certain positions).

SECT. 22 revised, 1964, 408.

SECT. 23A added, 1964, 389 (providing that no trustee of a public institution of higher education operated by the commonwealth shall be eligible to hold a position with said institution for a certain period of time after terminating his services as such trustee).

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.

SECT. 14A added, 1964, 668 (making it a criminal offense to use the telephone to make annoying calls).

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); revised, 1964, 557 § 7.

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. 31A added, 1964, 330 (prohibiting the transmission of certain racing results or information knowing it is to be used for unlawful purposes).

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; section revised, 1964, 557 § 1.

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, 1964, 557 § 2.

SECTS. 2A, 2B and 2C added, 1964, 557 § 3 (relative to the issuance and form of search warrants).

SECT. 3 amended, 1934, 340 § 15; 1957, 660 § 3; revised, 1964, 557 § 4. (See 1934, 340 § 18; 1957, 660 §§ 6, 7.)

SECT. 3A added, 1934, 247 (concerning the service of search warrants); amended, 1962, 328; revised, 1964, 557 § 5.

SECT. 7 amended, 1934, 235 § 2; 1957, 660 § 4; revised, 1964, 557 § 6. (See 1957, 660 §§ 6, 7.)

SECT. 8 amended, 1959, 313 § 20.

SECT. 9 amended, 1947, 359; 1964, 111.

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; 1964, 67; 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; 1964, 316.

SECT. 79 amended, 1959, 313 § 26.

SECT. 80 amended, 1959, 313 § 27.

SECT. 83 revised, 1936, 360; amended, 1937, 186; revised, 1947, 566 § 1; sentence inserted before last sentence, 1947, 639; section revised, 1949,

783 § 1; first paragraph amended, 1950, 513, 531; revised, 1951, 774 § 1; amended, 1953, 341, 420 § 1; 1955, 735 § 1; revised, 1956, 731 § 13; second sentence revised, 1957, 272; sentence inserted after sixth sentence, 1952, 241; paragraph inserted after first paragraph, 1955, 735 § 2; revised, 1956, 731 § 13A; paragraph added at end, 1951, 774 § 2. (See 1949, 783 §§ 3, 4; 1951, 774 § 3; 1955, 735 § 3; 1956, 263, 731 §§ 29-33.)

SECT. 83A added, 1941, 677 § 1 (providing that certain district courts may join in the appointment of probation officers to act exclusively in juvenile cases therein); first paragraph amended, 1947, 566 § 2; revised, 1947, 655 § 1; amended, 1951, 563 § 1; stricken out and two paragraphs inserted, 1956, 731 § 14; paragraph added at end, 1951, 563 § 2. (See 1947, 655 § 3; 1956, 731 §§ 29-33.)

SECT. 83B added, 1947, 655 § 2 (providing for the appointment of probation officers to act exclusively in juvenile cases in certain district courts in Suffolk county); repealed, 1949, 783 § 2. (See 1947, 655 § 3; 1949, 783 § 4.)

SECTS. 83C-83F added, 1948, 640 § 1 (further regulating the compensation of certain probation officers of the district courts in Suffolk county, other than the municipal court of the city of Boston, and of the Boston juvenile court); repealed, 1949, 783 § 2. (See 1949, 783 § 4.)

SECT. 84 revised, 1937, 219 § 5; 1939, 214 § 7.

SECT. 85, sentence inserted after first sentence, 1950, 145 § 1; section amended, 1956, 731 § 15. (See 1956, 731 §§ 29-33.)

SECT. 87 amended, 1941, 264 § 2; 1955, 763 § 1.

SECT. 88, paragraph added at end, 1956, 731 § 16. (See 1956, 731 §§ 29-33.)

SECT. 89, sentence added at end, 1934, 217 § 2; first paragraph revised, 1953, 364; amended, 1956, 731 § 17; paragraph added at end, 1941, 477 § 1; amended, 1956, 731 § 17A; section revised, 1959, 526 § 1. (See 1956, 731 §§ 29-33; 1959, 526 § 2.)

SECT. 90 amended, 1938, 174 § 3.

SECT. 94 amended, 1939, 155; revised, 1939, 296 § 2; last sentence amended, 1947, 82. (See 1939, 296 § 3.)

SECT. 97 revised, 1941, 677 § 2; amended, 1956, 731 § 18. (See 1956, 731 §§ 29-33.)

SECT. 98 amended, 1932, 145; caption stricken out and section revised, 1956, 731 § 19; 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.)

Chapter 277. — Indictments and Proceedings before Trial.

SECT. 1 amended, 1964, 326 § 1. (See 1964, 326 §§ 3-5.)

SECT. 1A added, 1952, 494 (relative to completing investigations started by grand juries).

SECT. 2 amended, 1932, 144 § 6.

SECT. 2B added, 1964, 326 § 2 (providing that grand jurors in Middlesex county shall serve for a term of six months). (See 1964, 326 §§ 3-5.)

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.)

Chapter 278. — Trials and Proceedings before Judgment.

SECT. 11, two paragraphs added at end, 1963, 569; second paragraph amended, 1964, 108 § 1; third paragraph amended, 1964, 108 § 2.

SECT. 15 amended, 1955, 131 § 7.

SECT. 16B added, 1949, 302 (providing that the general public may be excluded from the court room during the trial of any criminal proceeding in a district court involving husband and wife).

SECT. 18 amended, 1955, 131 § 8.

SECT. 19 amended, 1955, 131 § 9.

SECT. 21 stricken out, 1955, 131 § 10.

SECT. 22 amended, 1955, 131 § 11.

SECT. 25 amended, 1937, 311; 1955, 131 § 12.

SECT. 27 revised, 1962, 480.

SECTS. 28A-28D added, 1943, 558 § 1 (establishing in the superior court an appellate division for the review of certain sentences in criminal cases). (See 1943, 558 § 2.)

SECT. 28A revised, 1945, 255 § 1. (See 1945, 255 § 4.)

SECT. 28B, first paragraph amended, 1945, 255 § 2. (See 1945, 255 § 4.)

SECT. 28C amended, 1945, 255 § 3; 1955, 770 § 91; revised, 1957, 777 § 36. (See 1945, 255 § 4; 1955, 770 §§ 117, 123.)

SECT. 29 revised, 1939, 271 § 1; first sentence amended, 1957, 302; revised, 1962, 310 § 1; section revised, 1964, 82. (See 1939, 271 § 2.)

SECT. 29A added, 1959, 167 § 1 (permitting any district court to revise or revoke a sentence imposed without trial after a plea of guilty or nolo contendere). (See 1959, 167 § 2.)

SECT. 29B added, 1962, 262 § 1 (authorizing a defendant in a district court to withdraw a plea of guilty before sentence is imposed if he was not represented by counsel when such plea was entered).

SECT. 29C added, 1962, 310 § 2 (extending the power of the superior court to revoke or revise sentences).

SECT. 30A added, 1954, 528 (providing for interlocutory reports to the supreme judicial court in criminal cases).

SECT. 31, second sentence revised, 1953, 384.

SECT. 32A added, 1964, 634 § 1 (allowing for the late entry of certain appeals).

SECT. 33 amended, 1933, 265.

SECTS. 33A and 33B revised, 1954, 187 § 1; 1955, 352 § 1. (See 1954, 187 § 2; 1955, 352 § 2.)

SECT. 33E amended, 1939, 341; second paragraph amended, 1962, 453.

SECT. 33H added, 1964, 634 § 2 (providing for the late entry of certain appeals in criminal cases in the supreme judicial court).

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SECT. 1A amended, 1934, 205 § 2. (See 1934, 205 § 3.)

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SECT. 3A amended, 1935, 50 § 2, 437 § 2. (See 1935, 50 § 6, 437 § 8.)

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SECT. 18 revised, 1947, 516; 1951, 134; amended, 1956, 715 § 24.

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SECT. 46 amended, 1955, 770 § 110; revised, 1957, 777 § 43. (See 1955, 770 §§ 117, 123.)

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The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY, BOSTON, March 30, 1965.

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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